

NATIONAL PREA RESOURCE CENTER

PREA Employee Training Notification of Curriculum Utilization August 2014

The enclosed *PREA Employee Training* curriculum was developed by The Moss Group, Inc. as part of contract deliverables for the National PREA Resource Center (PRC), a cooperative agreement between the National Council on Crime and Delinquency (NCCD) and the Bureau of Justice Assistance (BJA). The Prison Rape Elimination Act (PREA) standards served as the basis for the curriculum's content and development, with the goal of the *PREA Employee Training* curriculum being to satisfy specific PREA standard requirements.

It is recommended that the *PREA Employee Training* curriculum be reviewed in its entirety before choosing which modules to use. Any alterations to the original materials must either be acknowledged during their presentation or have the PRC and The Moss Group, Inc. logos removed.

BJA is currently undergoing a comprehensive review of the enclosed curriculum for official approval, at which point the BJA logo may be added.

Note: Use of the enclosed curriculum, either in part or whole, does not guarantee that an auditor will find a facility "meets standards." Rather, an auditor will take into consideration the curriculum used as part of their overall determination of compliance.

Notice of Federal Funding and Federal Disclaimer—This project was supported by Grant No. 2010-RP-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, 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. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice nor those of the National Council on Crime and Delinquency (NCCD), which administers the National PREA Resource Center through a cooperative agreement with the Bureau of Justice Assistance.

PREA EMPLOYEE TRAINING

Unit 1

The Prison Rape Elimination Act: Overview of the Law and Your Role

Instructor-Led Training Event

1.5 hour session



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Experienced Practitioners Committed to Excellence in Correctional Practice

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Course Description

This instructor-led training (ILT) experience will provide an overview of the Prison Rape Elimination Act and federally enacted standards as they impact and guide corrections operations.

Objectives

After completing this session, you will be able to:

1. Explain what the Prison Rape Elimination (PREA) is and to whom it applies
2. Explain why PREA was enacted
3. Determine how PREA impacts your role as a corrections professional
4. Understand the PREA Audit process
5. Review and understand local PREA policies and zero-tolerance policies for sexual abuse and sexual harassment
6. Examine the relationship between PREA and organizational culture change to achieve a safe environment

Target Audience

Any employee who may have contact with inmates/residents/detainees in confinement settings.

Capacity

25-35 participants is recommended to foster group discussions and interaction

Trainers

One to two facilitators are recommended for this unit. The training team should include individuals who possess strong facilitative skills and requisite knowledge and experience in the content to be delivered.

Complete Training Package to meet PREA Standards

To meet the employee training elements required to fulfill the PREA Standard 115.31. Each unit has been designed for traditional classroom delivery to be delivered in one session with the exception of Unit 3 which is designed to be delivered in two parts.

Unit	Title	Class Time
Unit 1	The Prison Rape Elimination Act: Overview of the Law and Your Role	1.5 hours
Unit 2	Inmates' Rights to be Free from Sexual Abuse and Sexual Harassment and Staff and Inmate Rights to be Free from Retaliation for Reporting	1.5 hours
Unit 3 <i>Part I</i>	Prevention and Detection of Sexual Abuse and Sexual Harassment	2.75 hours
Unit 3 <i>Part II</i>	Response and Reporting of Sexual Abuse and Sexual Harassment	1.75
Unit 4	Professional Boundaries	1.75 hours
Unit 5	Effective and Professional Communication with Inmates	2.25 hours
	Total	Hours 11.5

It is recommended each training unit be delivered in sequential order. It is at the prerogative of the agency over what period of time and in what combination these units are delivered, such as:

- All in one sequence over 2 or more full days of training
- Delivering each unit on scheduled separate training days over an extended period of time (daily, weekly, monthly, etc.)
- Arranged by the agency to fit within specific dates and times of the agency's annual training calendar

Class Preparation

Prior to class:

- Communicate with key staff as required by your agency/facility
- Schedule class
- Develop training agenda to include breaks which should be inserted about every 75 minutes
- Send out invitations
- Distribute participant pre-work (if applicable)
- Schedule assignments for training team
- Prepare all course materials

- Arrange a location for the training that has the necessary technology capabilities to present the materials via PowerPoint
- Prepare and print all applicable policies that will be used in the training

Day of class:

- Confirm room set up and logistics for breaks and lunch (if applicable)
- Set-up audio visual equipment (if applicable)
- Pass out agendas, name tents and other materials for start of class
- Check training supplies, chart pads, markers and other needs
- Create a welcome chart or slide for participants to see upon arrival
- Be sure at least one member of your team is available to personally greet participants as they arrive in the classroom
- Have evaluations and certificates of completion available for end of training presentation (if applicable)

Following class:

- Send evaluations (if applicable)
- Record student completions as required to include ensuring staff sign a document stating they comprehend the materials (work with your PREA coordinator to ensure proper documentation occurs)

Instructional Outline

The instructional outline is a blueprint of the entire session. It provides an overview of:

- Session, lesson, and topic names
- Lesson objectives
- Lesson timing and duration

Use the instructional outline to:

- Conduct the session within a predictable timeframe
- Keep track of where you are and where you are going
- Be prepared for what comes next, adding agency-specific points as necessary
- Look ahead to see where you can reduce time, if needed

Supplemental Materials

The following instructional materials support this session. Participants should have access to these materials during the session. Facilitators should plan accordingly. For this session, participants need:

- (Optional) Handout containing the PowerPoint presentation for participants to follow along
- (Optional) Handout for Training Series Key Terms and definitions
- Zero-tolerance policy
- PREA policy (if different from zero-tolerance policy)
- Applicable mandatory reporting laws and/or policy related to mandatory reporting of incidents of sexual abuse to outside authorities

For this training unit, no supplemental materials are provided in this training packet, rather it is vital that the trainers gather required local facility or agency policy to use for discussion as directed in this training unit. If you encounter questions regarding appropriate policy it may be useful to reach out to your PREA coordinator for further guidance.

Facilitator Guide Organization

Each lesson contains detailed facilitation notes that you can refer to during delivery of the session. During the session, refer to the facilitation guide to stay on track. Do not expect to memorize the session. When participants are doing activities, you can look ahead.

Boxed Text:

- Facilitator speaking points, instructions, and information are written in shaded, boxed text on the LEFT side of the page. Icons are provided to assist you to visually identify tasks and activities.
- Any facilitator directions/notes for your instructor-led training are included alongside the facilitator notes along the RIGHT side of the page in boxed text and contain instructions to assist facilitators in delivery of the instructor-led training session.

Facilitator Icons:

- The facilitation guide enables you to scan each page quickly to see what you need to do and say. The following icons point out each type of activity or action:

Facilitator Icons	
	Instructor Note: Contains general instructor notes about the topic.
	Chart on Pad: Indicates when to chart information on a pad on a chart stand.
	Demonstration: Indicates when to perform a demonstration by displaying an application.
	Multimedia: Indicates when to show a multimedia file.
	Breakout Session: Indicates when to facilitate an activity that involves a breakout session.
	Instant Feedback: Indicates when to ask a question and invite immediate response.
	Reference: Indicates additional technical or anecdotal information to be referred to as needed.
	Activity: Contains the instructions for completing an activity. Usually paired with other icons, such as breakout sessions. May also be included with demonstration if the steps for the demonstration are shared with participants.
	Value-Laden Discussion: Indicates the opportunity for open discussion around topics that are often grounded in cultural norms or personal values.

Important! Trainer/Agency Note

The information and activities provided in this lesson are designed to meet intended student performance objectives consistent with required training elements outlined in the PREA Standard, 115.31, 115. 131, 115.231, 115.331.

If your agency is not prepared to provide the lesson in the designed format, you may make the necessary adjustments to conform to your desired delivery platform.

Please understand if modifications are made to the lesson content or format, it is your agency's responsibility to verify that the revised training is consistent with the PREA Standard requirements.

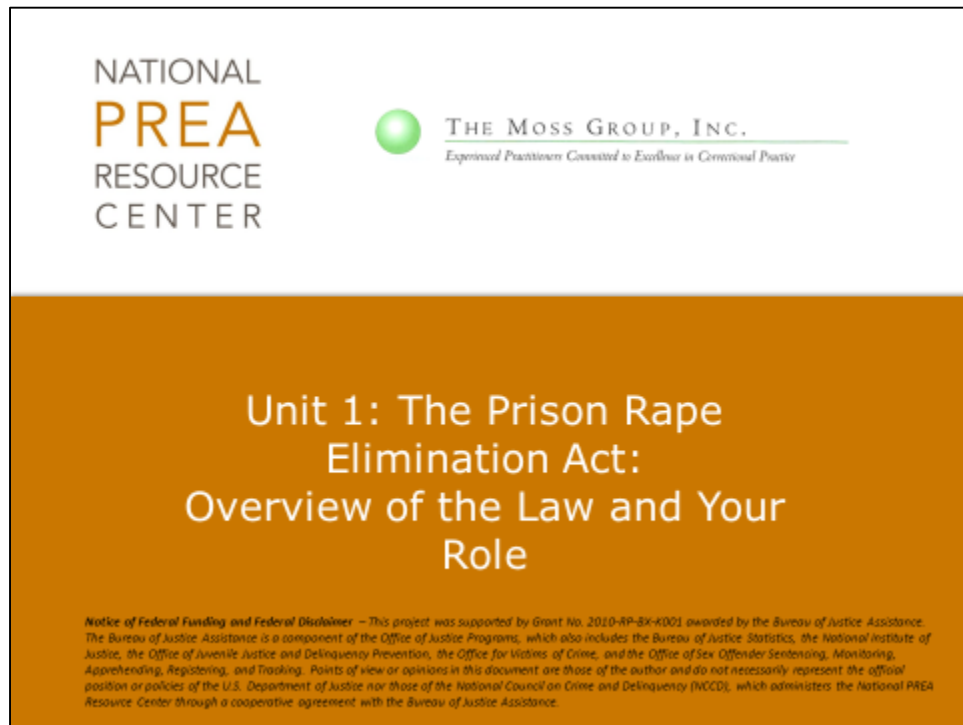
For the purposes of this training we will use the term **inmate** to refer to all confinement populations under the PREA standards including residents of juvenile and community confinement facilities as well as detainees from lockups. It is recommended that the trainer modify the language to fit the appropriate population as necessary. Where applicable, juvenile specific considerations are given **in red text** in the facilitator guide in the notes section.

Instructional Outline

Slide #	Slide Title	Activity	Timing Minutes
1	Training Session Title		Prior to start of the session
2	Introductions	Facilitator/participant share	20
3	Employee Training Series Outline	Facilitator presentation	.5
4	Unit 1 Objectives	Facilitator presentation	1
5	Objective 1	Facilitator presentation	.5
6	What is PREA?	Facilitator presentation	1
7	What is PREA? (Continued)	Participant activity	2
8	Who do the PREA Standards Apply to?	Facilitator presentation	1
9	Important Functions of the Law	Facilitator presentation	1
10	Important Functions of the Law, Continued	Facilitator presentation	2
11	Objective 2	Facilitator presentation	.5
12	PREA Enactment	Facilitator/discussion	4
13	Objective 3	Facilitator presentation	.5
14	How PREA Impacts Your Job	Facilitator/discussion	4
15	PREA Standards	Facilitator presentation	1
16	What are We Learning from the Data: Adult Prisons and Jails	Facilitator/discussion	3
17	What are We Learning from the Data: Juveniles	Facilitator presentation	1
18	What are We Learning from the Data: Juveniles, Continued	Facilitator/discussion	4
19	Group Activity	Participant Activity	15
20	Legal Considerations	Facilitator presentation	1
21	Legal Considerations, Continued	Facilitator/discussion	2
22	Mandatory Reporting Laws	Facilitator/discussion	3
23	Objective 4	Facilitator presentation	.5
24	PREA Audits	Facilitator presentation	1

25	PREA Audit Process	Facilitator presentation	1
26	PREA Audit Process: Pre-Audit Phase	Facilitator presentation	1
27	PREA Audit Process: On-site Audit	Facilitator presentation	1
28	PREA Audit Process: Post-Audit	Facilitator presentation	1
29	Objective 5	Facilitator presentation	.5
30	Zero-tolerance	Facilitator/discussion	5
31	Objective 6	Facilitator presentation	.5
32	Define Organizational Culture	Facilitator presentation	1
33	PREA and Organizational Culture	Facilitator/discussion	3
34	PREA and Organizational Culture, Continued	Facilitator presentation	1
35	Role of Leadership and Culture to Promote Sexual Safety	Facilitator presentation	1
36	PREA and Organizational Culture, What Role Can You Play?	Facilitator/discussion	5
37	Review Unit 1 Objectives	Facilitator/discussion	2
38	End of Unit 5	Facilitator presentation	1
Grand Total			1 hour and 35 minutes

Welcome



Facilitator

Time: Prior to start of the session

Do: Welcome participants as they arrive in the classroom.

Say: *Welcome to the training. Glad you are here! Please find a seat and make yourself comfortable. We will begin shortly.*

Do: Begin the training session as close to the designated start time as possible.

Say: *Hello, and welcome to this the training, **The Prison Rape Elimination Act: Overview of the Law and Your Role.***

Notes: Remember to start on time! Do not delay beginning the session because of late participants.

Do: Guide participants to tables, completion of name tents, and ensure each participant has a copy of necessary materials. Ensure all attendees have signed in and/or completed any required attendance documentation.

Introductions

Introductions

Faculty

- Name, Title
- Work Location
- Experience with PREA and/or training

Participants

- Name, Position



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Time: 20 minutes

Facilitator

Say: *First, let's introduce ourselves. As I call on you, please introduce yourself and the position*

Do: Trainers should introduce themselves first to model the activity for the group.

Say: *I will go first, and introduce myself. I am _____ and I serve as _____. I have worked on PREA and PREA related issues _____.*

Do: Let other trainer introduce himself/herself.

Notes:

Say: Now, let's hear from you.

Do: Ensure all participants to introduce themselves. Make any appropriate affirmation or comments as needed.

Employee Training Series Outline

Employee Training Series Outline

This training is part of series of trainings to assist agencies with PREA Standards 115.31, 115.131, 115.231, and 115.331

Unit 1:	The Prison Rape Elimination Act: Overview of the Law and Your Role
Unit 2:	Inmates' Rights to be Free from Sexual Abuse and Sexual Harassment and Staff and Inmate Rights to be Free from Retaliation for Reporting
Unit 3 Part I:	Prevention and Detection
Unit 3 Part II:	Response and Reporting
Unit 4:	Professional Boundaries
Unit 5:	Effective and Professional Communication

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Facilitator

Time: 30 seconds

Say: *This is the first unit in a six part training series to address training outlined in standard 115.31.*

Notes:

Unit 1 Objectives

Objectives for Unit 1

1. Explain what the Prison Rape Elimination (PREA) is and to whom it applies
2. Explain why PREA was enacted
3. Determine how PREA impacts your role as a corrections professional
4. Understand the PREA Audit process
5. Review and understand local PREA policies and zero-tolerance policies for sexual abuse and sexual harassment
6. Examine the relationship between PREA and organizational culture change to achieve a safe environment

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Time: 1 minute

Facilitator

Do: Introduce the training topic.

Say: *By the end of the training session, participants will be able to:*

1. *Explain what the Prison Rape Elimination (PREA) is and to whom it applies*
2. *Explain why PREA was enacted*
3. *Determine how PREA impacts your role as a corrections professional*
4. *Understand the PREA Audit process*
5. *Review and understand local PREA policies and zero-*

Notes: This training unit helps to meet 115. 31 subsection, (a) (1) zero tolerance policy for sexual abuse and sexual harassment.

<p><i>tolerance policies for sexual abuse and sexual harassment</i></p> <p>6. <i>Examine the relationship between PREA and organizational culture change to achieve a safe environment</i></p>	
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Objective 1

Objective 1: Explain what the Prison Rape Elimination Act (PREA) is and to whom it applies

To meet this objective we will discuss:

- What the law entails
- Who PREA applies to
- Important functions of the law

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Time: 30 seconds

Facilitator

Say: To meet our first objective we will discuss what the law entails, who PREA applies to, and important functions of the law.

Notes:

What is PREA?

What is PREA?

The Prison Rape Elimination Act (PREA) is a LAW – enacted September 4, 2003 by President George W. Bush



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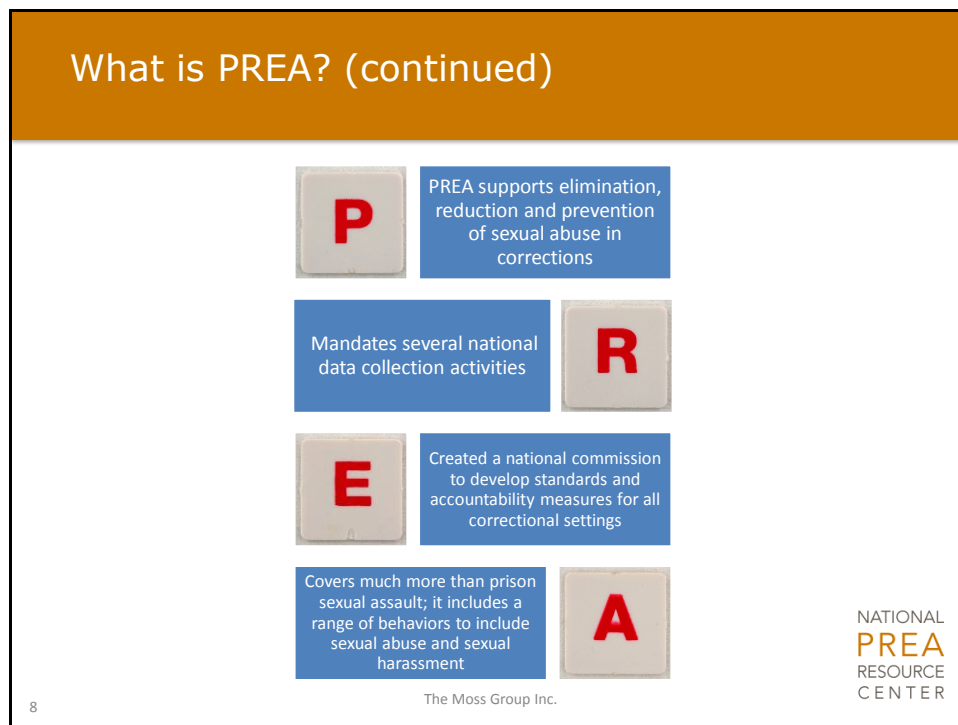
Time: 1 minute

Facilitator

Say: *PREA legislation has been in place for over a decade. It was only in 2012 that specific standards were codified to ensure corrections operations are compliant with the expectations of the law.*

Notes:

What is PREA? (Continued)



Time: 2 minutes

Facilitator

Do: Review content; emphasize how agencies must have policies/procedures that demonstrate “zero-tolerance” for any type of sexual misconduct.

Say: PREA:

- *Supports the elimination, reduction and prevention of sexual assault within the corrections system.*
- *Mandates several national data collection activities.*
- *Created a national commission to develop standards and*

Notes:

Emphasize that though PREA was passed in 2003, correctional professionals have been working hard to address staff sexual misconduct before the law was passed.

If participants ask, be prepared to explain the range of behaviors that PREA covers beyond sexual assault. Refer to key terms and definitions in the standards to help differentiate between assault, abuse, and harassment.

<p><i>accountability measures for all correctional settings.</i></p> <ul style="list-style-type: none">• <i>Covers a range of behaviors to include sexual abuse and sexual harassment.</i>	
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Who do the PREA Standards Apply to?

Who do the PREA Standards Apply to?

- PREA directed the attorney general to promulgate standards for all confinement facilities including, but not limited to, prisons, local jails, police lockups, and juvenile facilities
- DOJ has promulgated standards for prisons and jails, lockups, residential community confinement facilities, and juvenile facilities
- Additionally, on May 17, 2012, the President directed “all agencies with federal confinement facilities that are not already subject to the Department of Justice’s final rule” to develop rules or procedures that comply with PREA

Source: National PREA Resource Center, Frequently Asked Questions, www.prearesourcecenter.org

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Time: 1 minute

Facilitator

Do: Go over which agencies the PREA law applies to.

Say: *The PREA Standards (a major component of the law) applies to federal and state prisons, jails, police lockups, community confinement facilities such as residential, and halfway houses, and juvenile facilities.*

Notes:

Important Functions of the Law

Important Functions of the Law

Eight (8) Functions:

1. Makes prevention a top priority
2. Sets national standards for detection, prevention, reduction, prosecution and punishment
3. Increases data collection to determine prevalence of sexual abuse and develop applicable responses
4. Standardizes definitions for collecting data

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Time: 1 minute

Facilitator

Do: Review slide content.

Say: *The law outlines eight important functions to help confinement facilities address sexual abuse. This included ensuring prevention is a top priority by holding leaders accountable through policies and standards. PREA increases data collection efforts to determine prevalence of sexual abuse and inform operations.*

The law also helped the field to standardize definitions to improve data collection efforts.

Notes:

Important Functions of the Law, Continued

Important Functions of the Law (continued)

5. Increases accountability of officials who fail to detect, prevent, reduce and prosecute prison sexual assault
6. Protects the offenders Eighth Amendment rights
7. Established requirement for accreditation organizations to adopt accreditation standards (re: PREA)
8. Impacts health care, mental health care, disease prevention, crime prevention, investigation and prosecution; physical plant, maintenance, and operation; race relations; poverty, unemployment and homelessness

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<p>Time: 2 minutes</p> <p>Facilitator</p> <p>Say: <i>PREA also increases accountability of officials who fail to detect, prevent, reduce, and prosecute prison sexual assault.</i></p> <p><i>It protects the inmates' Eighth Amendment rights: The Eighth Amendment to the U.S. Constitution is a protection against cruel or unusual punishment. No one was ever sentenced to prison, placed on probation, or provided parole with the expectation of being</i></p>	<p>Notes:</p>
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<p><i>raped. This is regardless if it is the result of fellow inmate involvement or involvement with those responsible for supervision.</i></p> <p><i>(#7) Establishes requirements for accreditation organizations to adopt PREA.</i></p> <p><i>(#8) Impacts healthcare, mental health care, disease prevention, crime prevention, investigation, prosecution; physical plant, maintenance, operations; race relations; poverty, homelessness and unemployment.</i></p> <p><i>Citation: Prison Rape Elimination Act, 28 C.F.R. § 115 (2012)</i></p>	
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Objective 2

Objective 2: Explain why PREA was Enacted

To meet this objective we will discuss:

- The three primary reasons PREA was enacted according to lawmakers
- Other reasons why PREA was passed

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Time: 30 seconds

Facilitator

Say: *To meet this objective we will discuss the three primary reasons PREA was enacted according to lawmakers and discuss as a group other reasons you think PREA was passed.*

Notes:

PREA Enactment

PREA Enactment

3 stated reasons why PREA was enacted:

- Public Safety
- Public Health
- Institutional Violence

Can you think of other reasons?

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Time: 4 minutes

Facilitator

Do: Go over why PREA was enacted

Say: *PREA legislation listed the following reasons:*

- *Public Safety - Those who experienced brutality and abuse while in confinement are more likely to commit crimes when released.*
- *Public Health – Sexual abuse in confinement increases the incidence and spread of HIV, AIDS, STIs, and tuberculosis.*
- *Institutional Violence - Increases mental health care*

Notes:

<p><i>expenditures, the rate of post-traumatic stress disorder, depression, suicide, ultimately decreases levels of homicides and violence against inmates and staff</i></p> <p><i>Citation: Prison Rape Elimination Act, 28 C.F.R. § 115 (2012)</i></p> <p><i>Are there other reasons you can think of as to why the PREA legislation was enacted? (i.e., morally wrong; endangers staff and inmates working in confined settings)</i></p> <p>Do: Solicit responses to posed question; discuss and provide clarification as needed.</p>	
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Objective 3

Objective 3: Determine how PREA Impacts your Role as a Corrections Professional

To meet this objective we will discuss:

- PREA Standards and the impact on facility operations
- What we are learning from data to help inform operations
- Legal considerations
- Mandatory reporting laws

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Time: 30 seconds

Facilitator

Say: *To meet this objective we will discuss the PREA Standards and the impact on facility operations, what data is telling us, some legal considerations and mandatory reporting laws.*

Notes:

How PREA Impacts Your Job

How PREA Impacts Your Job

- PREA promotes good operational practices regarding safety and security
- For example, standards give direction to:
 - Staffing
 - Classification
 - Cross-gender supervision
 - Investigations
 - First responder
 - Training

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Time: 4 minutes

Facilitator

Say: *PREA helps us review operations in our facility to include investigations, supervision, physical plant, medical and mental health services, staff training, etc. This is through the standards as well as thinking of ways to increase safety as we implement the intent behind PREA (sexual safety).*

Notes:

PREA Standards

PREA Standards

- To read the Department of Justice’s full set of standards go to:
 - www.ojp.usdoj.gov/programs/pdfs/prea_final_rule.pdf
- The standards provide a framework for developing policy, training employees, and preventing, detecting, responding to incidents of sexual abuse and sexual harassment

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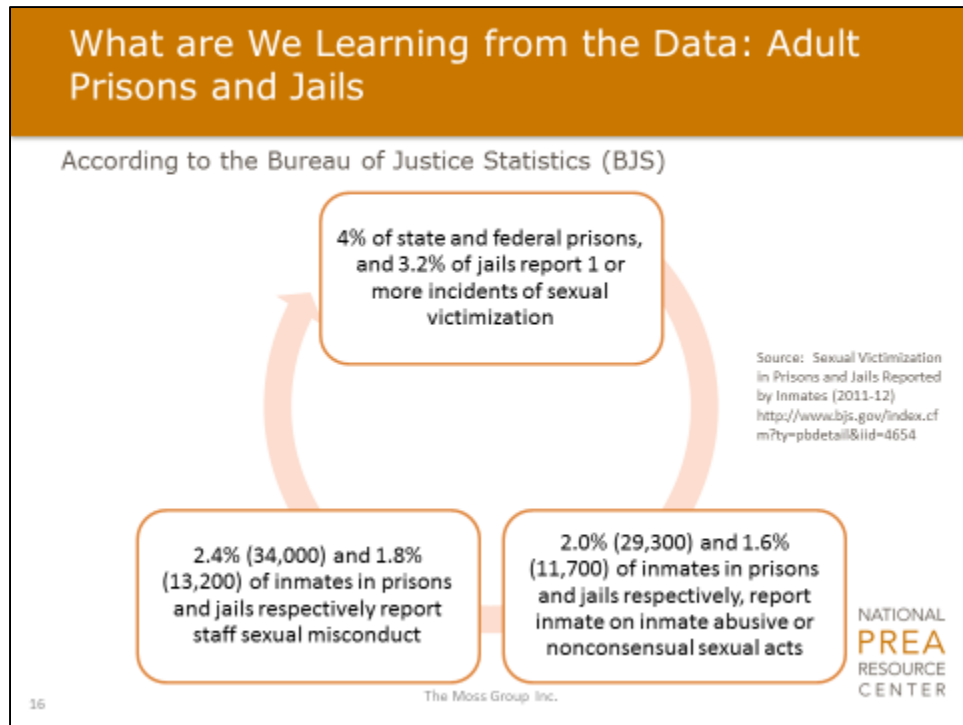
Time: 1 minute

Do: Review slide content.

Say: *There are four sets of standards. The PDF document at this link contains all PREA standards. They are indexed by topic and contain a reference number. Individual sets are also available in PDF. At first glance the standards may seem overwhelming but in many cases, your facility is likely already doing many of the required standards as just good operations and security.*

Notes:

What are We Learning from the Data: Adult Prisons and Jails



Time: 3 minutes

Facilitator

Do: Review slide content

Say: *The Bureau of Justice Statistics (or BJS) collects data relative to inmate sexual assault; various reports can be accessed via the BJS website. This 2011-2012 data provides information pertaining to the instances of sexual victimization reported by inmates in state and federal prisons as well as jails. There is a report that is also available that contains administrative data reported by facilities.*

Notes:

The class may question how this data and reports are collected. Trainers should read the BJS reports and be prepared to address methodology and process if necessary. The data process is collected and reported through the Bureau of Justice Statistics, U.S. Department of Justice.

This data reflects a range from 1.6% to 2.4% of inmates in prisons and jails being involved in some form of sexual abuse.


Does this seem realistic in your experience?

What are We Learning from the Data: Juveniles

What are We Learning from the Data: Juveniles

According to the Bureau of Justice Statistics (BJS) (2012):

- 9.5% (1,720) adjudicated youth in state and state contracted facilities reported experiencing one (1) or more incidents of sexual victimization
- 2.5% (450 youth) reported youth-on-youth incidents
 - 67.7% reported experiencing physical force or threat of force
 - 25.2% incidents were a result of favors of protection
 - 18.1% were given drugs or alcohol to engage in sexual contact



Source: Sexual Victimization in Juvenile Facilities (2011-12) <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4656>

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Time: 1 minute

Facilitator

Do: Review slide content

Say: *BJS data also tracks victimization rates involving juveniles.*

9.5% (1,720) adjudicated youth in state and state contracted facilities reported experiencing one (1) or more incidents of sexual victimization.

2.5% (450 youth) reported youth-on-youth incidents:

- *67.7% reported experiencing physical force or threat of force*
- *25.2% incidents were a result of*

Notes:

This slide is specific to juvenile data.

The sub bullets are in reference to the 450 youth who reported youth-on-youth incidents.

favors of protection

- *18.1% were given drugs or alcohol to engage in sexual contact.*


Source: Sexual Victimization in Juvenile Facilities (2011-12)

<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4656>

Juvenile Data, Continued

Juvenile Data, Continued

- 7.7% (1,390 youth) reported staff on youth incidents
 - 3.5% reported sexual contact with staff as a result of force or another form of coercion
- 4.7% (850 youth) reported sexual contact with staff without any force, threat, or explicit form of coercion



Source: Sexual Victimization in Juvenile Facilities (2011-12) <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4656>

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Time: 4 minutes

Facilitator

Do: Continue discussing juvenile data.

Say: 7.7% (1,390 youth) reported staff on youth incidents:

- 3.5% reported sexual contact with staff as a result of force or another form of coercion.

4.7% (850 youth) reported sexual contact with staff without any force, threat, or explicit form of coercion.

The prevalence of youth victimization is an issue for correctional agencies housing juveniles. As you can see from this and the previous slide,

Notes:

This slide is juvenile specific data.

comparatively youth are victimized at a higher rate than adults.

Why do you think that might be?

Source: Sexual Victimization in Juvenile Facilities (2011-12)

<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4656>

Group Activity

Group Activity



In your groups, answer the following:

- Has PREA impacted your job?
- What may be more challenging as a result of PREA?
- How might PREA be helpful in your job?

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Time: 15 minutes

Facilitator

Say: *Based on the questions posed, talk in your groups and identify responses that can be shared with others.*

Have someone write down the responses; that person or another in your group can be the reporter. Talk and formulate your responses for 5 minutes.

Do: Facilitate discussion with participant responses.


Notes:

Legal Considerations

Legal Considerations

- The climate within corrections agencies has changed significantly over the last two decades
- Correctional administrators have been addressing staff sexual misconduct as a correctional management issue requiring a multiple strategy approach since the early 1990's. Before then, it was addressed on a case-by-case basis by administrators
- All 50 states, the federal government and D.C. have laws specifically covering the sexual abuse of persons in custody
- For more information on legal considerations and PREA visit American University, Washington College of Law, An End to Silence: The Project on Addressing Prison Rape

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Time: 1 minute

Facilitator

Do: Review slide content

Say: *Corrections as an industry has progressed over the past 2 decades to address sexual abuse.*

Today, we see all 50 states have laws that cover sexual abuse of persons in custody.

This is an important shift from the early 1990's.

While this is not a legal considerations training, if you are interested in more information please visit: American University's

Notes:

<i>Washington College of Law, An End to Silence: Project on Addressing Prison Rape.</i>	
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Legal Considerations, Continued



Time: 2 minutes

Facilitator

Do: Direct participants to discuss what they believe to be the local laws (of their state, jurisdiction, etc.) that relate to PREA. Record information on a flipchart. Provide any laws or details they may have left out at the end of the discussion.

Say: *What laws impact your response to sexual abuse?*

Notes:

The Facilitator should be prepared in advance to discuss relevant laws pertaining to sexual abuse.

Mandatory Reporting Laws

Mandatory Reporting Laws

What MANDATORY REPORTING laws impact reporting sexual abuse to outside authorities?

- Are there specific considerations for juvenile justice?
- Lockups?
- Jails?
- Community Confinement?
- Prisons?



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Time: 3 minutes

Facilitator

Say: *In addition to knowing your local laws covering persons in custody there may also be mandatory reporting laws where staff must report to outside authorities. Let's discuss our mandatory reporting laws and ensure we all understand and know how to comply with them if applicable [115.31(a)(10)]*

Notes:

Review relevant state laws regarding mandatory reporting laws. This may be particularly important for staff working with juveniles.

Objective 4

Objective 4: Understand the PREA Audit Process

To meet this objective we will discuss:

- The three primary stages in the audit and compliance process
- How staff may be involved in the process at the facility-level

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Time: 30 seconds

Facilitator

Say: *To meet this objective we will discuss the three primary stages in the audit process and discuss how staff at the facility may be involved in the audits either through interviews, data gathering or other ways.*

Notes:

PREA Audits

PREA Audits

Scope

- Facility-level, not Agency-level; Localized
- Occur every 3 years
- Agencies with multiple facilities will be required to provide information for the audit that facilities cannot provide (i.e., agency-wide and human resources information)



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Time: 1 minute

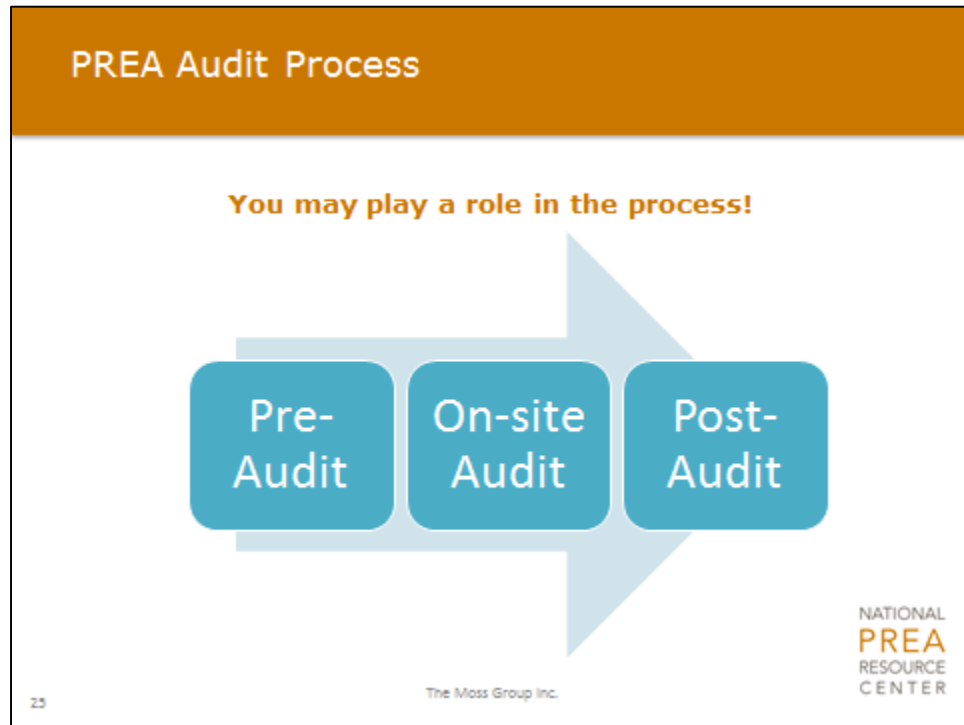
Facilitator

Say: *PREA compliance requires accreditation through an audit process. Auditors will use the coinciding set of standards for the audit process.*

The audit cycle is 3 years in duration, with audits taking place in each of those year., An individual facility only needs to be audited once every three years during the audit cycle.

Notes:

PREA Audit Process



Time: 1 minute

Facilitator

Do: Continue discussing audits

Say: *This graphic depicts the 3 general steps involved in a PREA audit, to include a pre-audit component that begins offsite with document review, the onsite visit and a post-audit piece.*

Notes:

PREA Audit Process: Pre-Audit Phase

PREA Audit Process: Pre-Audit Phase

Step 1: Pre-Audit Phase

1. Pre-audit questionnaire completed by facility PREA Coordinator/Compliance Manager responsible for PREA
2. Agency selected PREA Auditor reviews questionnaire and communicates with PREA Coordinator with questions and process explanation
3. Auditor will notify the facility at least 60 days prior to the on-site visit
4. Facility will post notice for staff and inmates making them aware of when the PREA Auditor will be on-site

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Time: 1 minute

Facilitator

Do: Continue discussing audits

Say: *The PREA compliance manager or PREA coordinator completes a pre-audit questionnaire which captures data/information as to how aligned the facility is with PREA standards. Department of Justice Certified PREA Auditors review the completed questionnaire, obtain clarification on any needed areas, and confirm the date for the actual on-site audit. Notices of when the audit will occur are provided to both staff and inmates along with*

Notes:

<i>contact information for the auditor for advance communication.</i>	
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PREA Audit Process: On-site Audit

PREA Audit Process: On-site Audit

Step 2: The Audit

1. A tour is conducted at the facility
2. Additional documentation is reviewed
3. Interviews conducted with staff and inmates
 - Specialized staff (specific function related to audited area)
 - Random selection of staff
 - Random selection of inmates

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Time: 1 minute

Facilitator

Say: *At the point the auditor(s) arrive on-site to conduct the audit, a tour is provided and further documentation maintained at the facility is reviewed. This slide depicts the many different categories of staff and inmates who may be interviewed during the on-site portion of the audit. You can refer to the PREA Resource Center's website to review the audit tool that provides more guidance specific to type of facility.*

Notes

PREA Audit Process: Post-Audit

PREA Audit Process: Post-Audit

Step 3: Post-Audit

1. Auditor completes a summary report, outlining findings regarding the extent to which the facility does/does not meet each PREA standard. Recommendations for corrective action are provided if needed
2. Measures used to determine compliance include: review of policies/procedures, documentation, data, interviews and tour; additional info as needed
3. Findings are listed as: Exceeds Standard, Meets Standard, or Does Not Meet Standard; justification for decisions are provided

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<p>Time: 1 minute</p> <p>Facilitator</p> <p>Say: <i>Following the audit, the auditor completes a summary report wherein findings are outlined regarding the extent to the facility does or does not meet each PREA Standard. Standards for which the facility “does not meet” will be subject to an 180-day corrective action period. Recommendations for corrective action are provided if needed. Within the report, information is cited reflecting the measure used to evaluate the level of compliance. There are 3 possible</i></p>	<p>Notes:</p> <p>Utilize the PRC website for ongoing and updated information on the audit process.</p>
--	---

<p><i>outcomes or findings resulting from the audit – (listed above).</i></p> <p><i>Justification for the findings are provided within the auditor’s report.</i></p> <p><i>Following the corrective action period, the auditor will review those standards to see if the facility has met the standard before issuing a final audit report. The facility is required to make the final report publicly available.</i></p>	
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Objective 5

Objective 5: Review and Understand Local PREA Policies and Zero-Tolerance Policies for Sexual Abuse and Sexual Harassment

To meet this objective we will discuss:

- Facility/agency zero-tolerance policy and what that means for staff in their role to address sexual abuse

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<div><div>Time: 30 seconds</div><div>Facilitator</div><div><i>Say: To meet this objective we will discuss the zero-tolerance policy and what that means for staff in their role to address sexual abuse.</i></div></div>	<div>Notes:</div>
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Zero-tolerance, 115.11

Zero-tolerance, 115.11

PREA Standards states:

- The agency shall have a written policy mandating zero-tolerance toward all forms of sexual abuse and sexual harassment, outlining the agency's approach to preventing, detecting, and responding to such conduct
- What does this mean for staff?
- What does our policy say?

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Time: 5 minutes

Facilitator

Do: Go over questions on slide and lead group discussion.

Say: *In order for change to endure, enforcement of agency's zero tolerance policies and procedures is critical. In addition to training, staff must believe it's about doing the right thing and keeping themselves, coworkers and inmates safe.*

What does our zero-tolerance policy say?

Notes:

<i>What does this policy mean for staff?</i>	
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Objective 6

Objective 6: Examine the Relationship Between PREA and Organizational Culture Change to Achieve a Safe Environment

To meet this objective we will discuss:

- The definition of organizational culture
- The role of organizational culture in PREA implementation
- Staff's role in promoting a healthy culture

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Time: 30 seconds

Facilitator

Say: *Our sixth objective for this session has us examining the correlation between PREA compliance, organizational culture and looking at strategies to achieve a safer environment.*

Notes:

Define Organizational Culture

Define Organizational Culture

- The values, assumptions, and beliefs the people in an organization hold that “drive the way they think and behave within the organization” (Cooke, 1989)
 - Organizational culture is clear to those who work within it, although it often is not overtly defined
 - In a correctional facility, the organizational culture encompasses both the culture of the staff and that of the inmates
 - Culture can be seen in many ways, including the way staff and inmates interact, who has what kinds of power and how they use it, how people work through the chain of command in communicating and decision-making, and who is rewarded and promoted

Source: Fisherty-Zonis, Carol, “Building a Culture Strategically: A Team Approach for Corrections” February 2007. Cooperative agreement numbers 02/03-PO9GIW1 and 04P33GJCI from the National Institute of Corrections, U.S. Department of Justice.

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Time: 1 minute

Facilitator

Do: Read the information from the slide

Say: *People communicate the culture through their interactions, conversations, work styles, leadership, management and supervision styles, rituals, facility maintenance, performance appraisals, staff meetings, organizational chart, and more.*

Notes:

PREA and Organizational Culture

PREA and Organizational Culture

Culture can play a Positive Role or be a Barrier:

- Formal policies, systems & practice
- Informal practice and symbolic actions
- Beliefs, values and attitudes

Think about your facility

- What are the positive characteristics in your facility culture?
- What can be improved?
- How can this impact PREA implementation?

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Time: 3 minutes

Facilitator

Do: Read the slide and discuss questions on slide

Say: *What are the positive characteristics in your facility culture?*

What can be improved?

How can this impact PREA implementation?

Notes:

PREA and Organizational Culture, Continued

PREA and Organizational Culture, Continued

Success depends on:

- Effective agency and facility leadership
- Development of an agency culture that prioritizes efforts to combat sexual abuse
- A change in culture by institutionalizing policies and practices through adherence to standards
- Simply checking off the PREA Standard compliance list does not ensure your facility is sexually safe

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Time: 1 minute

Facilitator

Do: Go over slide

Say: *Successfully moving towards PREA compliance can be more readily achieved if the culture of the facility supports PREA efforts. The PREA standards drive effective correctional practices, which staff are likely to embrace when they understand the significant impact it can have on improving operations.*

Notes:

Role of Leadership and Culture to Promote Sexual Safety

Role of Leadership and Culture to Promote Sexual Safety

From the Department of Justice Final Rule:

The success of the PREA standards in combating sexual abuse in confinement facilities will depend on effective agency and facility leadership, and the development of an agency culture that prioritizes efforts to combat sexual abuse. Effective leadership and culture cannot, of course, be directly mandated by rule. Yet implementation of the standards will help foster a change in culture by institutionalizing policies and practices that bring these concerns to the fore.

Source: Department of Justice, 28 CFR Part 115; National Standards To Prevent, Detect, and Respond to Prison Rape; Final Rule. August 2012

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Time: 1 minute

Facilitator

Say: *The Department of Justice PREA Final Rule expresses the importance of culture and leadership in combating sexual abuse through the following statement:*

The success of the PREA standards in combating sexual abuse in confinement facilities will depend on effective agency and facility leadership, and the development of an agency culture that

Notes:

prioritizes efforts to combat sexual abuse. Effective leadership and culture cannot, of course, be directly mandated by rule. Yet implementation of the standards will help foster a change in culture by institutionalizing policies and practices that bring these concerns to the fore (pg. 2 of DOJ Final Rule).

PREA and Organizational Culture, What Role Can You Play?

PREA and Organizational Culture, What Role Can You Play?

Ways you can promote a culture of safety:

- Adhere to facility/agency zero-tolerance policy
- Take note of physical plant vulnerabilities
- Maintain respectful communication among fellow staff and inmates
- Accept reports from inmates respectfully and take all reports seriously
- Hold yourself and co-workers accountable by promoting a safe environment (respectful language, good operations and security practices, follow policies, professionalism)
- Others?

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Time: 5 minutes

Facilitator

Do: Go over slide and discuss.

Say: *What are you willing to do to promote compliance with PREA?*

Can you think of additional ways you can contribute to a healthy and sexually safe culture?

We will discuss some of the ways you can prevent, detect and respond to sexual abuse in upcoming PREA training units.

Notes:

Review Objectives for Unit 1

Review Objectives for Unit 1

1. Explain what the Prison Rape Elimination Act (PREA) is and to whom it applies
2. Explain why PREA was enacted
3. Determine how PREA impacts your role as a corrections professional
4. Understand the PREA Audit process
5. Review and understand local PREA policies and zero-tolerance policies for sexual abuse and sexual harassment
6. Examine the relationship between PREA and organizational culture change to achieve a safe environment

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Time: 2 minutes

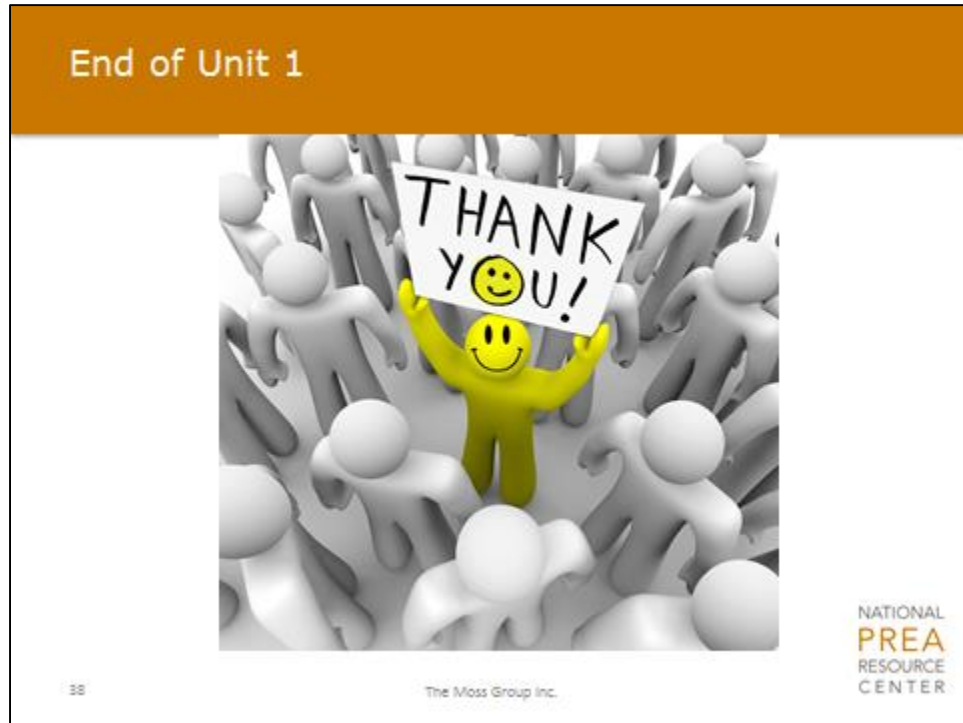
Facilitator

Do: Review the performance objectives for today's lesson.

Say: *Thank you for your attention.*

Notes:

End of Unit 1



<p>Time: 1 minute</p> <p>Facilitator</p> <p>Do: Conduct closing activities for the session.</p> <ul style="list-style-type: none">• Pass out/Retrieve evaluations• Present certificates (if appropriate) <p>Do: Wrap up and adjourn</p>	<p>Notes</p>
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Supplemental Materials

Supplemental Materials

PowerPoint Handouts (3 slides per page)

Local PREA policies