

NATIONAL
PREA
RESOURCE
CENTER

**Human Resources and Administrative Investigations
Notification of Curriculum Use
April 2014***

The enclosed Human Resources and Administrative Investigations curriculum was developed by the Project on Addressing Prison Rape at American University, Washington College of Law as part of contract deliverables for the National PREA Resource Center (PRC), a cooperative agreement between the National Council on Crime and Delinquency 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 Human Resources and Administrative Investigations curriculum to satisfy specific PREA standards requirements.

It is recommended that the Human Resources and Administrative Investigations curriculum be reviewed in its entirety before choosing which modules to use. Any alterations to the original materials require either acknowledgement during their presentation or removal of the PRC and Project on Addressing Prison Rape logos.

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

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*All materials and information provided in this publication (e.g., state laws, civil case law examples, BJA statistics) are accurately represented as of October 2013.

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Human Resources and Administrative Investigations

Pre-test

Provide your demographic information

Name: _____

Title: _____

Jurisdiction: _____

Read each question carefully and select the answer you feel is most correct.

1. The Prison Rape Elimination Act (PREA) provides for:
 - a. Increased accountability of prison officials; establish grant programs; establish zero tolerance; protect against frivolous lawsuits
 - b. Limits on attorney's fees; limits on consent decrees; standardize definitions; increase in available data
 - c. Increased accountability of prison officials; establish grant programs; establish zero tolerance; make prevention a top priority
 - d. Limits on attorney's fees; limits on consent decrees; exhaustion requirement, zero tolerance

2. [True or False] PREA Standards apply to locally operated facilities?
 - a. True
 - b. False

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3. Who should be a part of the planning process when considering operational practices for administrative investigations?
 - a. General Counsel, Security Staff, Law Enforcement, IA Investigators, Prosecutor
 - b. General Counsel, Security Staff, Defense Counsel, IA Investigators, Prosecutor
 - c. General Counsel, Security Staff, the Press, IA Investigators, Prosecutor
 - d. General Counsel, Security Staff, the Press, IA Investigators, Defense Counsel
4. What is a challenge when investigating sexual abuse in correctional settings?
 - a. Prosecutors who accept cases
 - b. Culture of reporting
 - c. Poor quality of evidence
 - d. Established investigative policies
5. What are good investigative practices when addressing sexual abuse in correctional settings?
 - a. Unwritten investigative policy, trained medical staff, trained investigators, and clear instructions for first responders
 - b. Trained investigators, multiple reporting venues, evidence collection procedures, and SART teams
 - c. Trained medical staff, multiple reporting venues, SART teams, and good relationship with defense counsel
 - d. Trained investigators, multiple reporting venues, evidence collection procedures, and provide press misinformation
6. What is a foundation for a successful administrative investigation?
 - a. Not keeping victim involved in the process
 - b. Training for staff and offenders/youth on the investigative process
 - c. Strong human resource policies
 - d. No coordination with other responding agencies
7. What is one reason administrative investigations of sexual abuse in correctional settings fail?
 - a. Distrust of investigators
 - b. Strong coordinated response
 - c. Trained investigators



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- d. Strong investigative policy
8. When conducting an administrative investigation into alleged sexual abuse in a correction setting, your first consideration should be given to the health and safety of the victim.
 - a. True
 - b. False
 9. Elements of effective classification policies include:
 - a. Risk assessment tools, classification responsibilities, housing, and separation
 - b. Staff training, offender/ youth training, screening, and data collection
 - c. Visitation, sexual behavior allowed, and types of publications allowed
 - d. Avenues of reporting, offender/ youth training, data collection, and housing
 10. Elements of effective sexual assault policies include:
 - a. Risk assessment tools, classification responsibilities, housing, and separation
 - b. SART team, housing, separation, visitation
 - c. Visitation, sexual behavior allowed, and types of publications allowed
 - d. Staff training, offender/ youth training, screening, and data collection
 11. According to the PREA standards, employers are not required to conduct background checks on potential hires.
 - a. True
 - b. False
 12. When conducting pre-employment reference checks an agency official may have "qualified privilege" as long as their comments are:
 - a. Made in good faith or for a proper motive; are well known to others, and made only to those in uniform
 - b. Made in good faith or for a proper motive; based on a reasonable belief, and made only to those with a common interest
 - c. Made in good faith or for a proper motive; based on reasonable belief, and made only to the prosecution
 - d. Made in good faith to a contractor; based on reasonable belief, and made only to those with a common interest



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13. Employers cannot request former employees to sign waivers when asking for a reference.
- True
 - False
14. A probation officer may be terminated for exchanging letters with a man she previously dated who is serving a life sentence in a facility outside her jurisdiction.
- True
 - False
15. The Supreme Court case *Garrity v. New Jersey* found that:
- Employees under a collective bargaining agreement are permitted to be represented by a union official during questioning related to an administrative investigation
 - An employee is innocent until proven guilty
 - An employee has the right to remain silent
 - An employee can be required to answer questions in an administrative investigation and can be fired for failing to do so
16. Municipal, official, individual, and _____ are all forms of liability.
- Correctional
 - Personal
 - State
 - PREA
17. Elements of effective investigative policies include:
- Reporting and notification, evidence collection, separation of victim, and time frames
 - SART team, housing, separation, visitation
 - Visitation, sexual behavior allowed, and types of publications allowed
 - Staff training, offender/ youth training, screening, and data collection
18. Components of agency culture include beliefs, values and _____.
- Opinions
 - Norms



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- c. SART team
 - d. The press
19. Phantom rules are created based on the misunderstanding of real rules or past history.
- a. True
 - b. False
20. Red flags associated with staff sexual misconduct include all of the following except _____.
- a. Staff granting special requests or showing favoritism
 - b. Offender/ youth has letters or photos of staff
 - c. Staff observe offenders/ youth during meal hours
 - d. Offender/ youth knows personal information about staff