

NATIONAL
PREA
RESOURCE
CENTER

PREA and Victim Services: A Trauma-Informed Approach
Notification of Curriculum Utilization
October 2014

The enclosed *PREA and Victim Services: A Trauma-Informed Approach* curriculum was developed by Just Detention International (JDI) 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 and Victim Services: A Trauma-Informed Approach* curriculum being to satisfy specific PREA standard requirements.

It is recommended that the *PREA and Victim Services: A Trauma-Informed Approach* 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 JDI 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.

Understanding the PREA Standards on Victim Services

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Acknowledgement

Just Detention International (JDI) developed this training and materials in partnership with the National PREA Resource Center (PRC).

***JDI** is a health and human rights organization that seeks to end sexual abuse in all forms of detention.*

*The mission of the **PRC** is to assist adult prisons and jails, juvenile facilities, lockups, community corrections 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.*

Module Objectives

- Place victim services within the context of the PREA standards
- Understand how to use the PREA standards as a tool for providing victim-centered care
- Examine how to implement the PREA standards related to victim services
- Hear from survivors of sexual abuse in detention about how the PREA standards can help protect inmates from sexual abuse

PREA Standards as a Tool

The PREA Standards

- Offer guidance for a trauma-informed, coordinated response
- Recognize that sexual abuse and harassment require a different response than other critical incidents
- Require a multidisciplinary team including:
 - Staff first responders;
 - Medical and mental health practitioners;
 - Investigators; and
 - Facility leadership.

PREA in Context

Pop Quiz!

- When was PREA passed by Congress and signed into law?
- Is PREA binding on adult and youth corrections facilities and community confinement facilities nationwide?
- What is the emphasis, or the spirit and intent, of PREA?

Voices for Justice

What the PREA Standards Mean for Survivors

www.youtube.com/watch?v=ZV0bb4I-5yw



Overview of the PREA Standards

§115.5 General Definitions

Confined Individuals are

- Inmates in adult prisons and jails
- Detainees in lockups
- Residents of juvenile or community confinement facilities

Overview of the PREA Standards

§115.6 Definitions Related to Sexual Abuse

- *Sexual abuse* includes a range of non-consensual sexual behaviors of an inmate, detainee, or resident by another inmate, detainee, or resident or by a staff member, contractor, or volunteer
- *Sexual Harassment* includes repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed to another and by staff, contractors, or volunteers.

Overview of the PREA Standards

Relevant Victim Services Standards

- Facilities shall try to make a victim advocate from a rape crisis center available to provide confidential support services to a victim (§115.21(d))
- Inmate access to outside confidential support services (§115.53)
- Agreements with community service providers (§115.53(c))
- Immediate steps when inmate is at substantial risk of imminent sexual abuse (§115.62)

Overview of the PREA Standards

Additional Relevant Victim Services Standards

- Institutional coordinated response plans (§115.65)
- Protecting staff and inmates from retaliation for reporting sexual abuse or cooperating with investigations (§115.67(a))
- Emergency and ongoing medical & mental health care for the victim (§115.82; §115.83)
- Ongoing medical and mental health care for sexual abuse victims and abusers (§115.83)
- Sexual abuse incident reviews (§115.86)

Applying the PREA Standards on Victim Services

Core Components

§115.21 Uniform Evidence Protocol:

- The plan must maximize the potential for useable evidence
- Victims must have access to forensic medical examinations
- The agency shall document its efforts to provide a qualified SAFE or SANE

Based on "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," www.ncjrs.gov/pdffiles1/ovw/206554.pdf.

See also "Recommendations for Administrators of Prisons, Jails, and Community Confinement Facilities for Adapting the U.S. DOJ's A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," www.ovw.usdoj.gov/docs/confinement-safe-protocol.pdf.

Applying the PREA Standards on Victim Services

Core Components

§115.65 Coordinated Response:

- The facility shall develop a written institutional plan to coordinate actions in response to an incident of sexual abuse
- The plan includes staff first responders, medical and mental health practitioners, investigators, and facility leadership
- The plan frames the facility response and gives staff members tool to handle disclosures effectively

Applying the PREA Standards on Victim Services

Core Components

§115.53(c) and §115.21(d) Memoranda of Understanding

- The agency shall maintain or attempt to enter into an MOU with a community service provider that can offer confidential support services related to sexual abuse
- The corrections facility must make available a victim advocate from a rape crisis center. If a rape crisis center is not available, a qualified staff member from another community organization or a qualified agency staff member can be made available

Interpreting the PREA Victim Services Standards

Corrections Must Offer Services to Inmates Who Report

- Emergency medical and mental health care
- Forensic evidence collection, as appropriate
- Preventive measures such as pregnancy and HIV/AIDS tests
- Accompaniment by advocate for the victim
- Services must be free and provided whether the victim names the abuser or not

Putting Policy Into Practice

Jose's Story

- 25 years old
- Former gang member
- Works as a porter
- Threatened and sexually abused by two former rival gang members

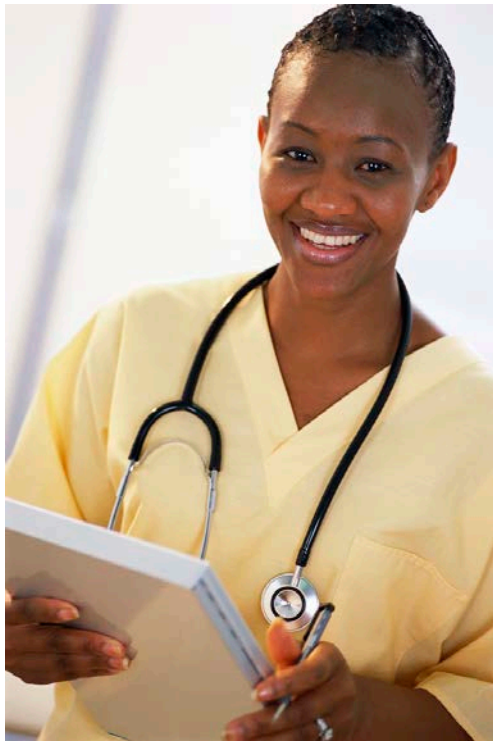


First Responder Duties

Security Staff

- Ensures victim's safety
- Separates victim and abuser
- Preserves the crime scene and any potential evidence
- Notifies the investigator
- Escorts victim to the clinic

Emergency Medical Response



Facility Medical Staff

- Collects basic information
- Assesses for injuries and suicide risk
- Administers first aid
- Preserves evidence
- Informs the investigator of any injuries

Rape Crisis Advocate Duties

Advocate

- Provides confidential support, information, and referrals
- Accompanies victim during the exam and interviews
- Maintains confidentiality



JDI Survivor Council member Frank Mendoza talking with an advocate.

ER Medical and Mental Health Care and Forensic Exam

Sexual Assault Nurse Examiner

- Coordinates the forensic exam
- Obtains informed consent
- Conducts the exam
- Provides medical care and prophylaxis
- Offers referrals and discharge instructions
- Collects and preserves evidence
- Gives the “rape kit” to the detective

Benefits of the Institutional Coordinated Response Plan

The Institutional Coordinated Response Plan Can Also Be a Model for

- Multiple mechanisms for reporting
- Steps to take when an inmate is at risk
- Protecting staff and inmates from retaliation for reporting
- Incident reviews

Wrap-Up Discussion

- Emergency and ongoing medical and mental health care
- Confidential access to rape crisis advocates
- Victim notification
- Protection from retaliation



Hope, a JDI Survivor Council member who received services from a rape crisis counselor.

For More Information

For more information about the **National PREA Resource Center**, visit www.prearesourcecenter.org. Direct questions to info@prearesourcecenter.org

For more information about **Just Detention International**, visit www.justdetention.org. Direct questions to info@justdetention.org.

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