

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.

Reporting Sexual Abuse and Sexual Harassment

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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

- Understand the importance of effective mechanisms for reporting sexual abuse
- Recognize corrections staff's role in meeting agency reporting responsibilities
- Understand state-specific reporting requirements for abuse of juveniles and vulnerable adults
- Learn strategies for victims to obtain outside confidential services
- Understand how to encourage and support inmates, detainees, and residents to report sexual abuse and sexual harassment when it occurs

Rodney Hulin, Jr.

Video

- In 1995, 16 year old Rodney Hulin pled guilty to arson. He was sentenced as an adult to 8 years in a Texas prison
- Within 3 days of transfer to the Clemens Unit, Rodney was raped and beaten—it went on for over 2 ½ months
- Rodney reported the abuse and asked for help

No Escape: The Rodney Hulin Story

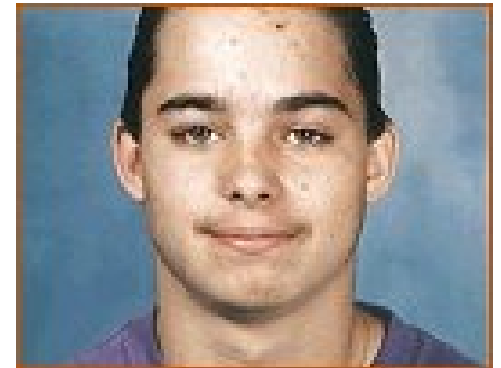
Directed by Gabriel London, for Human Rights Watch

www.youtube.com/watch?v=R3j3Wk711zY

Rodney Hulin, Jr.

Discussion

- Rodney's mother testified before the National Prison Rape Elimination Commission, appealing for strong standards
- What troubling comments or attitudes did you hear in the video?
- How could current coordinated response and reporting requirements have changed the outcome?



Reporting Sexual Abuse and Sexual Harassment

The Most Underreported Crime

8,763 official reports of sexual abuse were recorded in adults prisons and jails in 2009¹

The BJS estimates that, during that same time period, over 200,000 people were sexually abused at least once²

1. Beck and Guerino, BJS, *Sexual Victimization Reported By Adult Correctional Authorities, 2009-2011*, January 2014

2. Department of Justice, *PREA Notice of Proposed Rule Making*, January 24, 2011

Reporting Requirements

§115.61 Staff and Agency Reporting Duties

The agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Reporting Requirements

What Must You Report?

- Every incident, allegation, or suspicion of sexual abuse or sexual harassment within a corrections facility
- Sexual abuse of a child, and in many states of a person with a disability or an elderly person
- Retaliation for reporting sexual abuse or sexual harassment
- Staff neglect that may have contributed to abuse

Reporting Requirements: Discussion

Reporting or Not: Implications

- What happens if staff members are aware of sexual abuse or sexual harassment and do not report?
- What happens next for the victim after a report?
- What training do staff need to be able to give complete information?
- What are medical and mental health staffs' guidelines for reporting?
- What does 'need to know' mean?

Reporting Requirements

Keep It Simple

- Provide staff with simple, clear instruction about reporting responsibilities, both through initial training and at refreshers
- Provide information in multiple formats, such as written, verbal, and visual
- Make the information available to staff where they work

Reporting Requirements

Keep It Simple

Provide staff with pocket cards that include:

- First response steps
 - Tips for a trauma-informed response
 - Basic evidence preservation reminder
 - Next steps
-
- Consider making different cards that describe each job function in the coordinated response, such as supervisors, line staff, medical staff, and mental health staff.

Reporting Requirements

State and Agency Guidelines

What are state requirements for

- Child abuse
- Elder abuse
- Dependent adult abuse

How do these statutes effect your role in reporting sexual abuse and sexual harassment?

Partnering with Community Resources

Who Is Our Community?

- What agencies and resources, related to sexual abuse and victim services, exist in this community?
- What is this agency's relationship with the local rape crisis center?
- How do inmates learn about what services are available?

Making Reporting Possible

§115.51 Inmate Reporting

Facilities shall provide multiple, internal ways for inmates to report privately

- Sexual abuse and sexual harassment
- Retaliation for reporting
- Staff neglect that may have contributed to abuse

Making Reporting Possible: Discussion

How Do You Encourage Reporting?

- Do you believe that inmates see staff as approachable and helpful in a crisis?
- Are staff members trained to take sexual harassment seriously?
- Do staff feel comfortable reporting concerns, even if it is about coworkers?
- What other steps has this facility taken to make sure that reporting is a good option for someone who has been sexually abused or sexually harassed?

Reporting Requirements

§115.54 Third Party Reporting

The agency provides a method for third parties to report sexual abuse and sexual harassment

- What is the facility's method?
- How are staff trained to accept reports?
- How have you or your colleagues handled third party reports?

Reporting Requirements

§115.63 Reporting to Other Confinement Facilities

Upon receiving an allegation that an inmate was sexually abused at another confinement facility, agencies are required to report the allegation

- to the facility head or appropriate office
- as soon as possible, but within 72 hours
- document that the report was made

The facility head or office that receives the allegation will make sure that it is investigated in accordance with the standards

Sexual Abuse Incident Reviews

§115.86 Sexual Abuse Incident Reviews

The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation

- Including when the investigation was either substantiated or unsubstantiated, but not unfounded
- Within 30 days of the conclusion of the investigation
- With a team including upper-level management, with input from supervisors, investigators, and medical or mental health practitioners

Sexual Abuse Incident Reviews

Considerations for Review

The review team shall consider multiple factors, like

- Indications of a need for a change in policy or practice
- Whether the incident was motivated by race, ethnicity, gang activity, gender identity, sexual orientation, or other group dynamics
- The need to address physical barriers, facility layout, staff levels, or gap in technology

Reporting Requirements

Group Exercise

- Split up into three groups
- Review the scenario
- Group One: Outline the reporting process, from first responder to outside reports
- Group Two: Discuss a plan for informing those staff who need to know and protecting victim privacy
- Group Three: List the information that will go into the incident review

Reporting Sexual Abuse and Harassment

Wrap Up

Reporting is key to any victim services plan. A solid, safe, accessible plan

- Protects the agency and staff by reducing liability and increasing the chances they will receive the reports they need
- Assists staff by delineating clear roles
- Promotes quality care for victims of sexual abuse and sexual harassment
- Sends the message that sexual abuse and sexual harassment are not tolerated

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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