

# POWER HOUR

Chat with a PREA Expert

115.65

Coordinated response

May 25, 2023

**IMPACT/JUSTICE**

NATIONAL  
**PREA**  
RESOURCE  
CENTER



# Phebia Moreland

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## National PREA Resource Center mission

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

# Logistics

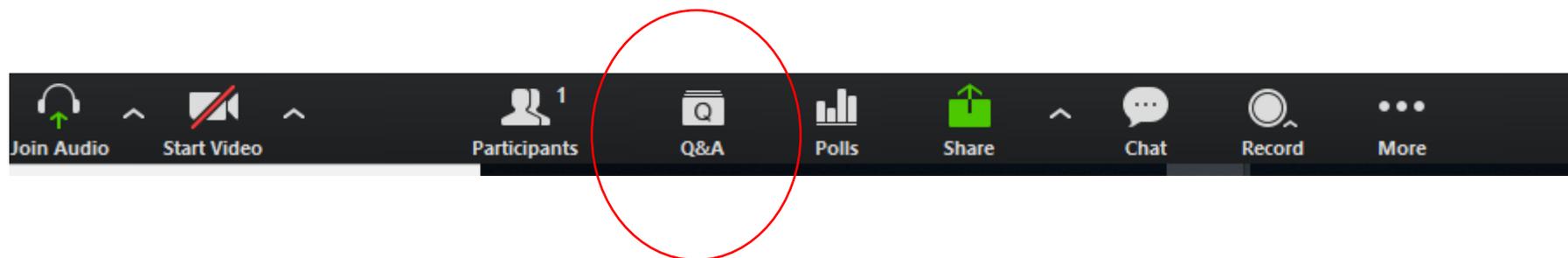
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# Logistics

## Submitting questions

- To submit a question during the webinar, use the Q&A feature on your webinar toolbar, as seen below.
- Presenters will address the questions at the end of the presentation.





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## Standard requirements

### § 115.65, 115.165, 115.265, 115.365

The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.



## Purpose of the Standard

- To ensure that every person in the facility who has the responsibility for responding to an incident of sexual abuse – including first responders, medical and mental health practitioners, investigators, and facility leadership – understands precisely what their roles are and how their roles interact with others’ so that the facility achieves an effective, coordinated response to every incident of sexual abuse.
- To ensure that the facility has developed a written plan requiring that the actions of all initial responders are coordinated so that their interventions following an incident of sexual abuse are organized, timely, and deliberately and systematically focused on the needs of the victim.



## Purpose of the Standard

- To enable staff to protect the safety and security of the victim, as well as of the facility, while ensuring that physical evidence is preserved, perpetrators are identified and secured, and a timely investigation of the incident is begun.

# Implementation – coordinated response



- Facilities must develop a facility-specific written institutional plan to coordinate responses to incidents of sexual abuse.
- The written plan must identify, describe, and coordinate the duties of, at a minimum, the following individuals:
  - staff first responders,
  - medical and mental health practitioners,
  - investigators,
  - and facility leadership.

# Implementation – coordinated response (cont.)



- The written plan must establish how the responsible staff will perform their required functions and work together in response to an incident of sexual abuse. The coordinated response plan integrates the requirements of several PREA Standards into one comprehensive document. These Standards include:
  - **Staff first responders:** Staff first responders are responsible for separating victims from abusers, preserving any crime scene, and ensuring that physical evidence from the alleged victim or abuser is protected until appropriate steps can be taken to collect any evidence [§ 115.64].

# Implementation – coordinated response (cont.)



- **Medical practitioners:** Medical staff (and/or mental health staff) will ensure that all victims are offered access to any necessary emergency medical treatment and forensic medical examinations, as appropriate [§§ 115.21(c) and 115.82].
- **Mental health practitioners:** Mental health (or medical) staff will attempt to make a victim advocate from a rape crisis center available to the victim; or provide access to a qualified staff member from a community-based organization, or to a qualified staff member [§ 115.21(d)].
- **Investigators:** Investigators with specialized training will be notified of the allegation or incident and perform the appropriate investigatory tasks [§§ 115.34 and 115.71].

# Implementation – coordinated response (cont.)



- **Facility leadership:** Facility leadership must ensure that the following Standards are implemented, as appropriate:
  - Post-allegation protective custody [§§ 115.43 and 115.68].
  - Inmate access to outside confidential support services [§ 115.53].
  - Reporting to other confinement facilities [§ 115.63].
  - Agency protection against retaliation [§ 115.67].
  - Reporting to inmates [§ 115.73].

# Implementation – coordinated response (cont.)



- **Facility leadership:** Facility leadership must ensure that the following Standards are implemented, as appropriate:
  - Disciplinary sanctions for staff [§ 115.76].
  - Corrective action for contractors/volunteers [§ 115.77].
  - Disciplinary sanctions for inmates [§ 115.78].
  - Ongoing medical and mental healthcare for sexual abuse victims and abusers [§ 115.83].
  - Sexual abuse incident reviews [§ 115.86].

# Implementation – coordinated response (cont.)



- Note that Standard § 115.65 does not require any agency to take actions outside the scope of its own authority, but only to coordinate effectively and comprehensively with all responders involved.

# Challenges



- Ensuring that all aspects of a comprehensive and coordinated facility response to incidents of sexual abuse are incorporated into the written, facility-specific plan.
- Ensuring that the written response plan is disseminated to all relevant staff, and that staff are properly and regularly trained on their roles in the coordinated, written, facility-specific response plan.

# Best practices



- As part of a victim-centered coordinated response, the Department of Justice, in its PREA Final Rule (see 28 CFR Part 115, page 123) recommends coordinating the following actions to address the needs of victims of sexual abuse who are confined, as appropriate:
  - *Assessing the victim's acute medical needs.*
  - *Informing the victim of his or her rights under relevant federal or state law.*
  - *Explaining the need for a forensic medical exam and offering the victim the option of undergoing one.*
  - *Offering the presence of a victim advocate or a qualified staff member during the exam.*

# Best practices (cont.)



- Agencies and facilities can often partner with community Sexual Assault Response Teams (SARTs) to enhance their response to victims of sexual abuse who are confined. Community SARTs are integral to the safety and well-being of victims and are extremely useful to facility staff who are responsible for coordinating actions in response to an incident of sexual abuse. By working with the community SART, facility staff can ensure that persons who are confined receive the best care available; and help build a case for prosecuting perpetrators. A partnership with the community SART is also vital to incorporating a victim-centered approach into a facility's response, while also maintaining safety and security. Agencies can work with a community SART coordinator to develop an integrated, coordinated, facility-specific response protocol to guide the steps taken by SART members who respond to incidents of sexual abuse of persons who are confined.

# Best practices (cont.)



- Even without a formal partnership with a community SART, a correctional facility can implement a SART approach using existing relationships with community partners. For the purposes of providing victim support and advocacy services, these community partners can include local rape crisis centers; sexual assault forensic examiner (SAFE) programs/hospitals, which have specially trained staff who conduct medical forensic examinations; and a law enforcement agency with criminal jurisdiction to provide immediate protection of the victim, crime-scene evidence collection and documentation, and a thorough investigation.
- Diagrams or flowcharts can be used to supplement the facility's coordinated, written institutional response plan, and may provide effective visual aids that enable staff to better understand the protocol and their specific responsibilities.

# Best practices (cont.)



- Facilities may want to consider mock scenarios or table-top exercises to test their coordinated, written institutional response plans in a non-emergency setting. These regular exercises that include staff members from inside and outside of the facility can identify weaknesses or issues with the protocol and help the facility identify steps needed to comply with § 115.65.
- Regular training of staff on the facility's coordinated, written, institutional response plan is essential to ensure that all involved parties understand their specific roles and responsibilities in an emergency situation when sexual victimization occurs.

# Audit issues



- An auditor will evaluate compliance by ensuring that a facility has a written institutional plan to coordinate actions when an incident of sexual abuse occurs; and that the plan is sufficiently detailed and comprehensive to ensure an effective, coordinated response.
- An auditor will assess whether the written plan includes appropriate personnel and whether additional facility staff should be involved.
- Auditors may interview staff to determine if they understand the facility's written institutional response plan and the specific roles and responsibilities of individual staff members.

The following variations in Standards are noted for lockups, community confinement facilities, and juvenile facilities. The variations are discussed in summary fashion below and the reader should consult the full text of the specific set of Standards to ensure complete understanding of the differences.

**Lockups:** The lockup Standards include the following obligation:

- “If a victim is transferred from the lockup to a jail, prison, or medical facility, the agency shall, as permitted by law, inform the receiving facility of the incident and the victim’s potential need for medical or social services, unless the victim requests otherwise.” [Standard 115.165(b)]

**Community confinement: no differences.**

**Juvenile confinement: no differences.**

## Resources

### Frequently asked questions:

<https://www.prearesourcecenter.org/frequently-asked-questions>

To date, there are no available FAQs associated with Standard 115.65.

## PRC library

- Victim services and PREA: a trauma-informed approach (Module 6: Sexual assault response teams – SART).
  - Presentation slides:  
[https://www.prearesourcecenter.org/sites/default/files/content/vs\\_curriculum\\_ppt\\_module\\_6\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/vs_curriculum_ppt_module_6_final.pdf)
  - Scenarios:  
[https://www.prearesourcecenter.org/sites/default/files/content/module\\_6\\_appendix\\_a\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/module_6_appendix_a_final.pdf)

## PRC library

- Providing a coordinated, victim-centered response to reports of corrections-based sexual assault.

<https://www.prearesourcecenter.org/sites/default/files/library/providingacoordinatedvictim-centeredresponsetoreportsofcorrections-basedsexualassault.pdf>

- PREA coordinated response protocol template for small jails.
  - Word document:  
<https://justdetention.org/resource/prea-tools/>

## PRC library

- Partnering with community sexual assault response teams: a guide for local community confinement and juvenile detention facilities, December 2015.

<https://www.prearesourcecenter.org/sites/default/files/sexual-assault-response-teams-guide.pdf>

- Recommendations for administrators of prisons, jails, and community confinement facilities for adapting the U.S. Department of Justice's "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," August 2013.

[https://www.prearesourcecenter.org/sites/default/files/library/confinement-safe-protocol\\_0.pdf](https://www.prearesourcecenter.org/sites/default/files/library/confinement-safe-protocol_0.pdf)

## PRC archived webinars

- June 2020. PREA 115.65: “How to have a successful coordinated response to sexual abuse.”

<https://www.prearesourcecenter.org/implementation/training/webinars/prea-11565-how-have-successful-coordinated-response-sexual-abuse>

- February 2018. Making connections: linking community confinement and sexual assault response teams.

<https://www.prearesourcecenter.org/implementation/training/webinars/making-connections-linking-community-confinement-and-sexual>

## PRC archived webinars

- September 2016. Developing facility-level sexual assault response teams (SARTs).
  - Video: <https://vimeo.com/182924072>

## Additional training resources

Always check the following sources for excellent training on PREA:

- National Institute of Corrections  
[nicic.gov/training/prea](https://www.nicic.gov/training/prea)
- End Silence: The Project on Addressing Prison Rape  
[www.wcl.american.edu/endsilence](http://www.wcl.american.edu/endsilence)

# Questions & answers



# PRC library

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## Resource library

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**Documentation Requirements - Prisons and Jail PREA Standards**

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**FEATURED RESOURCE**

**WEBINAR**

**Power Hour: Chat with a PREA Expert on Standard 115.32**

**STANDARDS:**  
115.32

**FACILITY:** Community Confinement  
Juvenile Facility (+2)  
**TERMS:** Volunteers  
Contractors (+2)

**WEBINAR**

**PRC Website Revision: Overview and Q&A**

**STANDARDS:**  
None

**FEATURED RESOURCE**

**WEBINAR**

**Developing a PREA-Compliant Language Access Plan for Incarcerated...**

**STANDARDS:**  
115.16, 115.21, 115.51, 115.53

**FACILITY:** Community Confinement  
Juvenile Facility  
**TERMS:** Accessibility  
Limited English proficient

**TOOL: AUDIT**

**Audit Report Template - Juvenile Facilities**

**STANDARDS:**  
115.401

**FACILITY:** Juvenile Facility  
**TERMS:** Audit  
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## Implementation

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PREA Standards

PREA toolsets

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Training

PREA Academy

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Request Assistance

### Request for assistance

Please fill out the form below in order to request PREA-related training and/or technical assistance for your jurisdiction or agency. The more detail provided in your request will improve the PREA Resource Center's (PRC) ability to meet your needs. For jurisdictions less familiar with PREA, the PRC would encourage you to browse the resources on the [Where to begin page](#). If your jurisdiction has general questions or comments for the PRC you can communicate those through the [Contact us form](#).

To submit information on complaints or concerns about the conduct of a DOJ-certified PREA auditor, please refer to the [Auditor feedback form](#).

The PRC collects the information below in order to efficiently route and respond to inquiries. While all fields are not required, please fill out as much information as possible so that we may better assist you.

# Request assistance

Jurisdictions can request assistance by completing a web form on the PRC website under the “Implementation” tab and clicking “Request for assistance” under “Training.”

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## Sign up for our PRC newsletter

Jurisdictions can sign up for the PRC newsletter by completing a web form on the PRC website under the “How to use this site” tab and going to “Frequently asked questions” and clicking “Subscribe to our newsletter.”

# Dana Shoenberg

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For more information about the National PREA Resource Center, visit [www.prearesourcecenter.org](http://www.prearesourcecenter.org).

To ask a question, please visit our [Contact us](#) page.

**Thank you!**

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# Notice of federal funding and federal disclaimer

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