

NATIONAL
PREA
RESOURCE
CENTER



BJA
Bureau of Justice Assistance
U.S. Department of Justice

**PREA COMPLIANCE AUDIT INSTRUMENT – INTERVIEW GUIDE FOR PREA COMPLIANCE
MANAGERS and PREA COORDINATORS**

Juvenile Facilities

APRIL 18, 2014

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PREA COMPLIANCE MANAGER

1. Do you feel that you have enough time to manage all of your PREA-related responsibilities?
(115.311)
2. Discuss how you coordinate your facility's efforts to comply with the PREA standards?
3. If you identify an issue with complying with a PREA standard, what actions/process do you undertake to work towards compliance with that standard?
4. When assessing adequate staffing levels and the need for video monitoring, please explain if and how the facility staffing plan considers: *(115.313)*
 - a. Generally accepted juvenile detention and correctional/secure residential practices;
 - b. Any judicial findings of inadequacy;
 - c. Any findings of inadequacy from Federal investigative agencies;
 - d. Any findings of inadequacy from internal or external oversight bodies;
 - e. All components of the facility's physical plant (including "blind spots" or areas where staff or residents may be isolated);
 - f. The composition of the resident population;
 - g. The number and placement of supervisory staff;
 - h. Institution programs occurring on a particular shift;
 - i. Any applicable state or local laws, regulations, or standards;
 - j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
 - k. Any other relevant factors.
5. How does the agency or facility use information from risk screening during intake (per 115.341) to keep residents safe and free from sexual abuse? *(115.342)*
6. Has the agency outlined who can have access to a resident's risk assessment within the facility in order to protect sensitive information from being exploited? *(115.341)*
7. What tools does the facility provide residents with to help them make written reports of sexual abuse or sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents? *(115.351)*
8. How does the facility provide at least one way for residents to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? *(115.351)*
9. Do these procedures enable receipt and immediate transmission of resident reports of sexual abuse and sexual harassment to agency officials, which allow the resident to remain anonymous upon request? *(115.351)*
 - a. If YES, describe the entity and procedures.
 - b. If NO, explain.
10. When the facility receives an allegation of sexual abuse, to whom do you report the allegation?
(Probe if the appropriate agency office, the alleged victim's parents or legal guardians, unless there is official documentation showing that the parents or legal guardians should not be notified.)
(115.361)

11. If the victim is under the guardianship of the child welfare system, who do you report the allegation to? (*Probe if it is the victim's caseworker instead of the parents or legal guardians.*) (115.361)
 - a. On average, how long after notification of an alleged sexual abuse does the facility report the allegation to the appropriate parties? (115.361)
12. If a juvenile court retains jurisdiction over the victim, do you also report the allegation to the juvenile's attorney or other legal representative of record? (115.361)
 - a. On average, how long after notification of an alleged sexual abuse does the facility report the allegation to the victim's attorney or other legal representation of record? (115.361)
13. *If an outside agency investigates allegations of sexual abuse, ask:* How does the facility remain informed of the progress of a sexual abuse investigation? (115.371)
14. If requested by the victim, does a victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and provide emotional support, crisis intervention, information, and referrals during the forensic medical examination process and investigatory interviews? (115.321)
15. In what ways does the agency or facility attempt to make available a victim advocate from a rape crisis center? (115.321)
16. If a rape crisis center provides victim advocate services, how do you ensure it meets the qualifications described in standard 115.321(d)? (115.321)
17. What is your policy/practice for providing residents with access to their attorneys or other legal representation? Under what circumstances are they permitted access to attorneys or legal representation? Are there circumstances where they are limited access to attorneys or legal representation? Do you ensure confidentiality? (115.353)
18. What is your policy/practice for providing residents with access to parents or legal guardians? Under what circumstances are they permitted access to parents or legal guardians? Are there circumstances where they wouldn't be allowed access to parents or legal guardians? (115.353)
19. Does the facility have special housing unit(s) for lesbian, gay, bisexual, transgender, or intersex residents? (*Clarify that by "transgender," you mean people whose gender identity and/or gender expression does not match the sex and/or gender they were assigned at birth; by "intersex," you mean: an individual born with external genitalia, internal reproductive organs, chromosome patterns, and/or endocrine systems that do not seem to fit typical definitions of male or female; and by "gender non-conforming," you mean: individuals who express their gender in a manner that breaks societal norms for one's gender (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men).*) (115.342)
20. How does the agency/facility determine housing and program assignments for transgender or intersex residents? (115.342)
21. Does the agency consider whether the placement will ensure the resident's health and safety? (115.342)
22. Does the agency consider whether the placement would present management or security problems? (115.342)

23. How often are placement and programming assignments for each transgender or intersex resident reassessed to review any threats to safety experienced by the resident? *(115.342)*
24. Are a transgender or intersex resident's own views with respect to his or her own safety given serious consideration when making placement and programming assignments? *(115.342)*
25. Are transgender and intersex residents given the opportunity to shower separately from other residents? If YES, how are they given the opportunity? *(115.342)*
26. If the agency reviews data collected and aggregated pursuant to 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training, what role do the facility and facility data play in this review? *(115.388)*
27. If the facility conducts a sexual abuse incident review, does the facility prepare a report of its findings from the review, including any determinations per standard 115.386 (d)-1 through (d)-5 and any recommendations for improvement? *(115.386)*
28. Are these reports forwarded to you for review? Have you noticed any trends? *(Note to auditor: the Standard does not require examination of trends, but this question might be a helpful way to gather an overview.) (115.386)*
29. What actions, if any, do you take subsequent to the report being submitted? *(115.386)*

PREA COORDINATOR

1. Do you feel that you have enough time to manage all of your PREA related responsibilities? *(115.311)*
2. How many facility PREA compliance managers you are there throughout your agency? How, if at all, do you interact with them? *(115.311)*
3. If you identify an issue with complying with a PREA standard, what actions/process do you use to work towards compliance with that standard?
4. Has the agency outlined who should have access to a resident's risk assessment within the facility in order to protect sensitive information from exploitation? *(115.341)*
5. Does the facility have a special housing unit(s) for lesbian, gay, bisexual, transgender, or intersex residents? *(115.342)*
6. Does the agency review data collected and aggregated pursuant to §115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training? *(115.388)*
 - a. How does the agency ensure that data collected pursuant to § 115.387 are securely retained? *(115.389)*
 - b. Does the agency take corrective action on an ongoing basis based on this data? *(115.388)*
7. Does the agency prepare an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole? *(115.388)*
8. What types of material are typically redacted from the annual report? Does the agency indicate the nature of material redacted? *(115.388)*
9. *If an outside agency investigates allegations of sexual abuse, ask:* How does the agency remain informed of the progress of a sexual abuse investigation? *(115.371)*
10. Are you consulted regarding any assessments of, or adjustments to, the staffing plan for this facility? How often do these assessments happen? *(115.313)*