

NATIONAL
PREA
RESOURCE
CENTER

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Power Hour:
Chat with a PREA Expert

*PREA Standard 115.34 – Specialized Training:
Investigations*
September 12, 2019

Welcome and Introductions



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The National Prison Rape Elimination
Act Resource Center (PRC)

The National PREA Resource Center

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.

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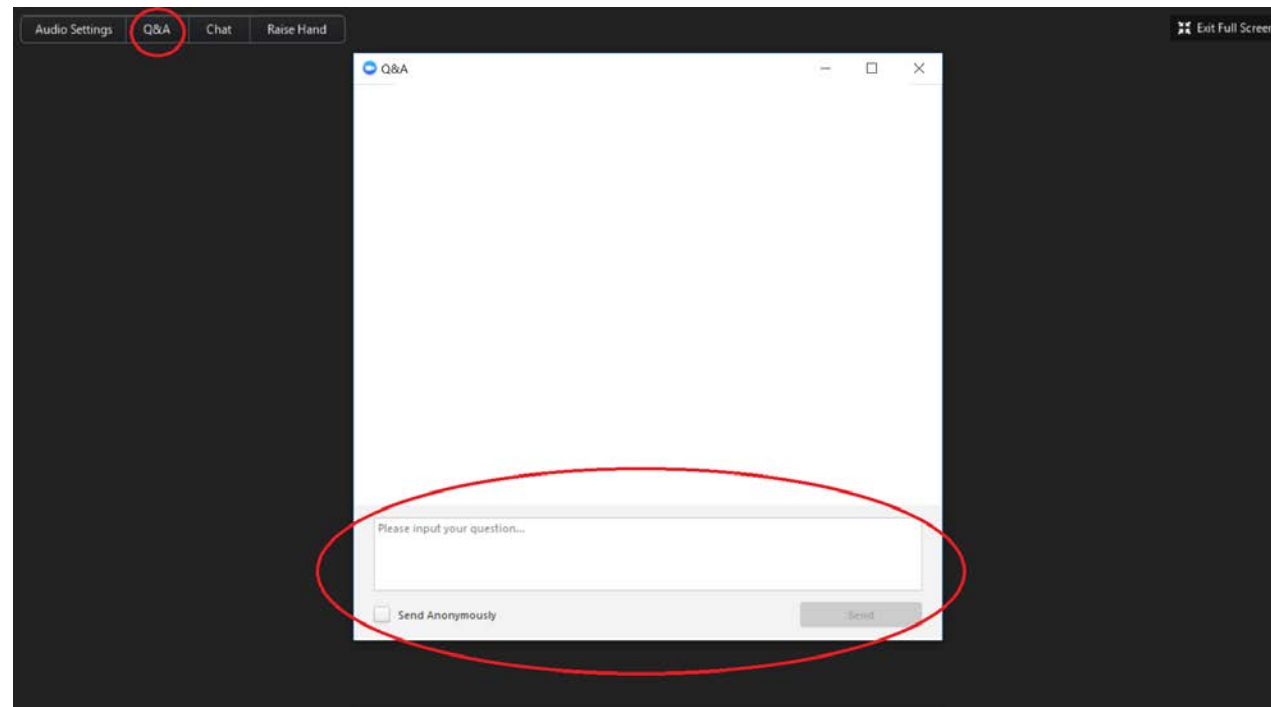
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Presenter



Teresa Stroud

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Standard Requirements

- (a) In addition to the general training provided to all employees pursuant to §115.31, the agency shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received **training in conducting such investigations** in confinement settings.
- (b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

Standard Requirements

- c) The agency shall maintain documentation that agency investigators have completed the **required specialized training** in conducting sexual abuse investigations.

- d) Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

Purpose of the Standard

The goals of providing specialized investigative training are:

- To ensure that **every allegation** of sexual abuse is thoroughly and appropriately investigated
- To develop **quality** investigators that are **trained** to investigate sexual abuse allegations in confinement settings
- To increase confidence in the facility's ability to respond to sexual abuse, which leads to **more reliable reporting** and ultimately the **prevention** of sexual abuse in confinement

Challenges

- Agencies should ensure that the **staff who are considered investigators have previous investigatory training and experience**. The specialized training under §115.34 on its own **will not** be adequate to make unqualified staff, like administrative or custodial staff without proper training, into competent investigators capable of conducting a thorough and effective investigation. This training is designed to ensure that **experienced and qualified investigators** also receive specific training regarding the challenges posed by investigating sexual abuse in confinement.

Challenges

- Agencies do not have the authority to demand that external investigators, like state police who investigate incidents in a county jail, have the training required by §115.34. To the extent they are able, agencies should **request that external investigators have specialized training** that includes the fundamental components listed in the standard.

Best Practices

- Agencies should ensure that any staff who conduct investigations into sexual abuse allegations have training and experience as investigators **before** receiving the specialized training described in 115.34.
- Agencies should require **all** investigators who conduct sexual abuse investigations to complete specialized training on how to conduct these investigations in confinement settings **prior** to dispatching them to investigate any allegation of a sexual nature. Investigators should also be required to attend refresher trainings on a recurring basis and following any change to agency policy or procedure regarding PREA that could impact investigations.

Best Practices

- Any national-level resources or curricula used to deliver specialized training on sexual abuse investigations in confinement to investigators should be **tailored to the specific agency's policies, procedures, and culture**. Specialized training for investigators who are going to conduct sexual abuse examinations must include agency or facility-specific information that allows them to respond appropriately to an actual incident.
- The specialized training should be delivered by trainers with experience conducting **trauma-informed investigations** and who can speak to the specific challenges of conducting administrative and criminal investigations into sexual abuse in a confinement setting.

Audit issues

- Auditors will review training records for investigators and any other relevant documentation, which will include training schedules, investigator handbooks, training curricula, and other materials.
- Auditors will interview agency investigators to determine whether they are informed about **all** the topics that are required to be covered in the specialized training. They will also interview inmates who have reported sexual abuse about how they experienced the investigative process, particularly their interview(s) with the investigator.
- When auditors review investigative files to determine compliance with 115.71, they will also look for signs that investigators have been properly trained to conduct sexual abuse investigations.

Standard Variations: Juvenile Facilities

- The Juvenile Facilities standard **specifically requires** that investigators receive specialized training that includes **techniques for interviewing juvenile sexual abuse victims**. The specialized training provided to investigators in adult facilities **would not** meet the juvenile standard unless it also included a section on interviewing juvenile sexual abuse victims, and in the case of potential contractors, consult any applicable child abuse registries.

Resources

- **Frequently Asked Questions** (FAQs) on the PREA Resource Center (PRC) Website
- **PREA Essentials** on the National PREA Resource Center Webpage:
<https://www.prearesourcecenter.org/training-technical-assistance/PREA-essentials>
- **Training and Curriculum:**
 - Specialized Training: Investigating Sexual Abuse in Confinement Settings, developed by The Moss Group, Inc.
<https://www.prearesourcecenter.org/node/1912>
 - Responding to Sexual Abuse of Inmates in Custody: Addressing the Needs of Men, Women, and Gender Nonconforming Populations, The Project on Addressing Prison Rape, American University, Washington College of Law (2014). <https://www.prearesourcecenter.org/node/1912>

Resources

- **PREA Standards in Focus**
 - §115.34/134/234/334 Specialized Training: Investigations
<https://www.prearesourcecenter.org/sites/default/files/library/PREA%20Standard%20in%20Focus%20115.34.pdf>
- **E-Courses from the National Institute of Corrections:**
 - Specialized Training: Investigating Sexual Abuse in Confinement Settings
<https://nicic.gov/specialized-training-investigating-sexual-abuse-confinement-settings>
 - Prison Rape Elimination Act (PREA) Investigating Sexual Abuse in a Confinement Setting
<https://nicic.gov/prison-rape-elimination-act-prea-investigating-sexual-abuse-confinement-setting-course>

Resources

Always check the following sources for excellent training on PREA.

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

Questions & Answers



PRC Library

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 In this section of the library you will find tools such as training materials, handbooks, policy development toolkits, and a list of resources for survivors.
[See all Resources articles >](#)

STANDARDS

 In this section of the library you will find the federal PREA standards and information about the development, implementation, compliance with, and enforcement of the standards.
[See all Standards articles >](#)



BREAKING NEWS: The Department of Justice's national PREA standards were released on May 17, 2012. Read the final standards [here](#).

Welcome!

The PREA Resource Center (PRC) is working to address sexual safety in confinement, and to assist state and local jurisdictions with implementation of the Department of Justice [national PREA standards](#). Visit the library for research and guidance on implementation of the standards; the Training and Technical Assistance section of the website to learn about the PRC's four strategies for assisting the field with PREA implementation; and [sign up for upcoming webinars here](#).

Need Help?

The PREA Resource Center provides training and technical assistance to adult and juvenile corrections and law enforcement agencies seeking to prevent, detect, and respond to sexual abuse in confinement.

[REQUEST ASSISTANCE >](#)

Resources for survivors and their families are available [here](#).



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Field Initiated TTA Request

Jurisdictions can request assistance by completing a web form on the PRC website under the Training and Technical Assistance tab and clicking "**Request for Assistance**" on the sidebar.

<https://www.prearesourcecenter.org/>

For more information about the
National PREA Resource Center,
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