

Welcome!

Webinar information

- We will begin at 3:00 p.m. Eastern Time.
- The audio for today's web conference will be coming through your computer speakers. If you do not hear any sound coming from your speakers, or if you're experiencing any other technical difficulties, please send a **Private Chat** to Vedan Anthony-North, or email Vedan at vanthonynorth@vera.org
- If you have any questions or comments throughout the presentation, please send those to Kaitlin Kall through **Private Chat** or via email at kkall@vera.org

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PREA in Action Webinar Series

The PREA Audit Experience: Lessons Learned from the Southwest Idaho Juvenile Detention Center

April 17, 2014

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.

PREA Resource Center

National PREA Resource Center (PRC)

PRC was established through a cooperative agreement between the Bureau of Justice Assistance and NCCD. 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.

Vera Institute of Justice



Vera was founded in 1961 and combines expertise in research, demonstration projects, and technical assistance to help leaders in government and civil society improve the systems people rely on for justice and safety.

Webinar Agenda

- Overview of the audit process
 - Michela Bowman, *PREA Resource Center Co-Director, National Council on Crime and Delinquency*
- SW Idaho Juvenile Detention Center's Audit Experience
 - Steve Jett, *Director, SW Idaho Juvenile Detention Center*
- Q & A
 - Allison Hastings, *Senior Policy Associate, Vera Institute of Justice*

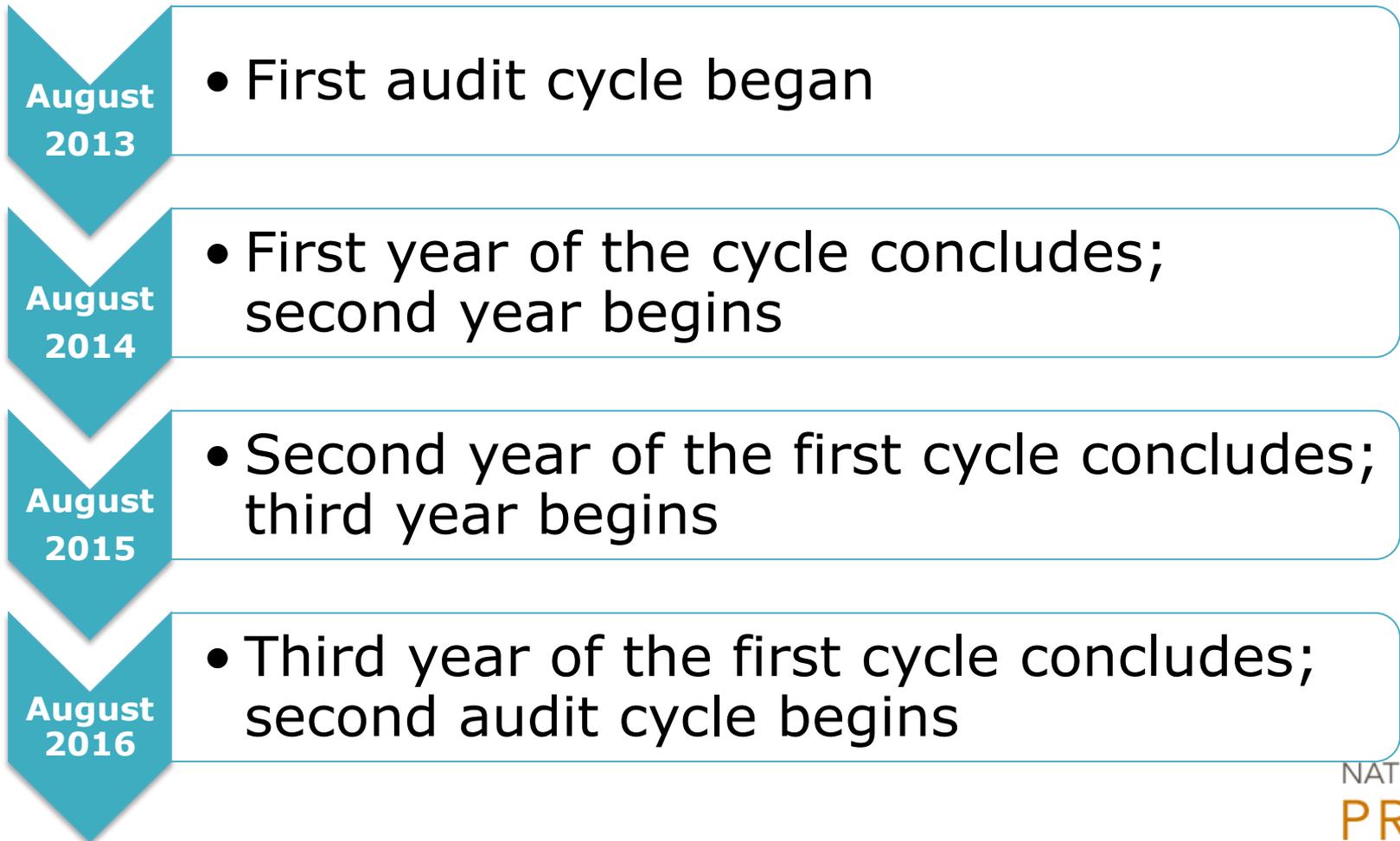
Introducing Michela Bowman



**Senior Program Specialist,
National Council on Crime
and Delinquency**

**Co-Director, PREA
Resource Center**

Audit Cycle



Auditor Selection & Certification

Qualifications

- Work experience
- Education
- References

Certification

- 40-hour training and exam
- Certified by DOJ

Trained and Certified Auditors

As of April 2014:

- **4 trainings have been conducted**
- **286 auditors trained**
- **155 auditors certified**
 - **122 Adult Prison and Jail Auditors**
 - **55 Juvenile Auditors**
 - **12 Community Corrections Auditors**

Overview of the Audit Instrument

What?

- Documents designed to help facilities and auditors through the audit process

Where?

- Available on the PREA Resource Center's website: prearesourcecenter.org

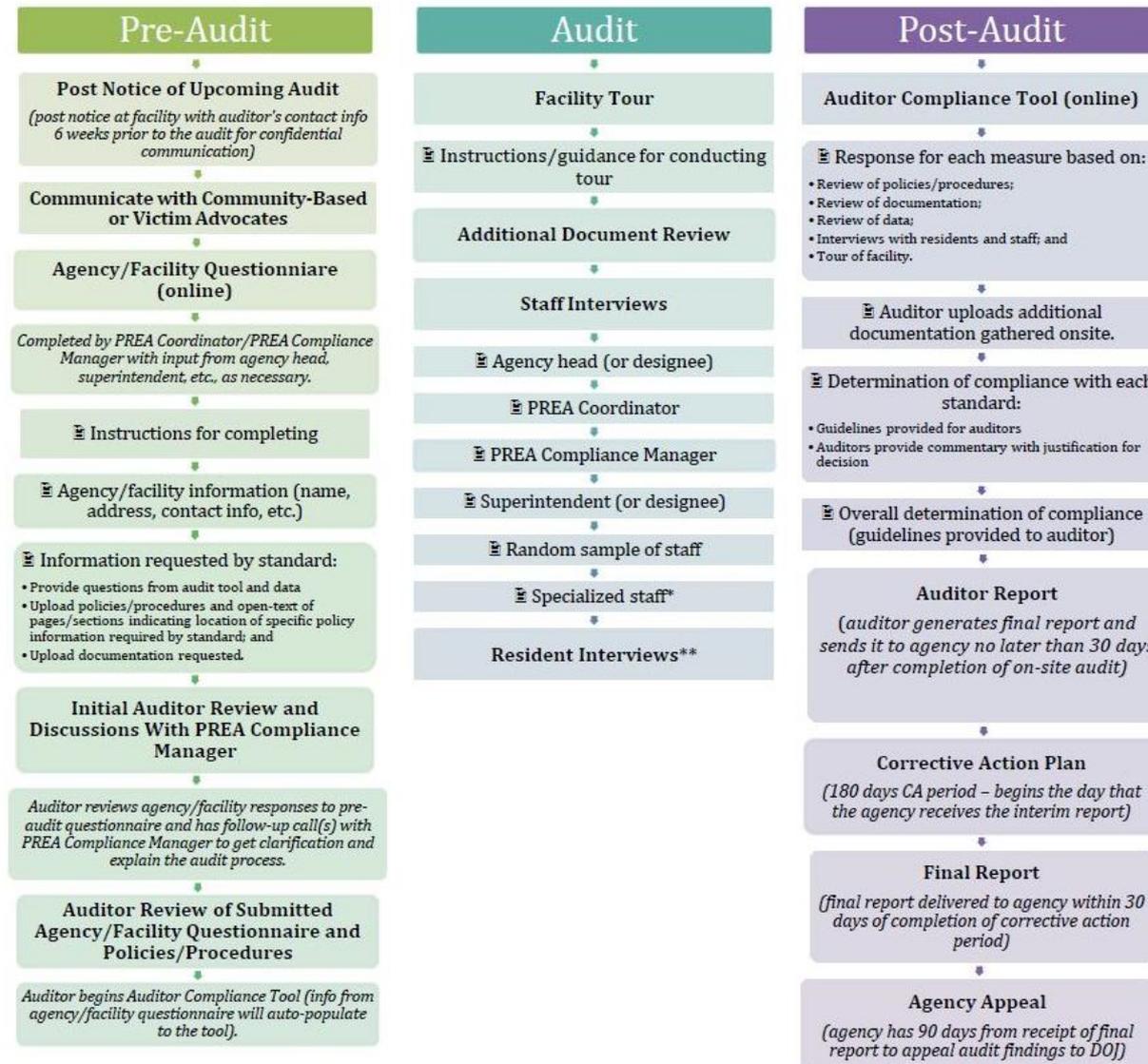
Why?

- Mandatory

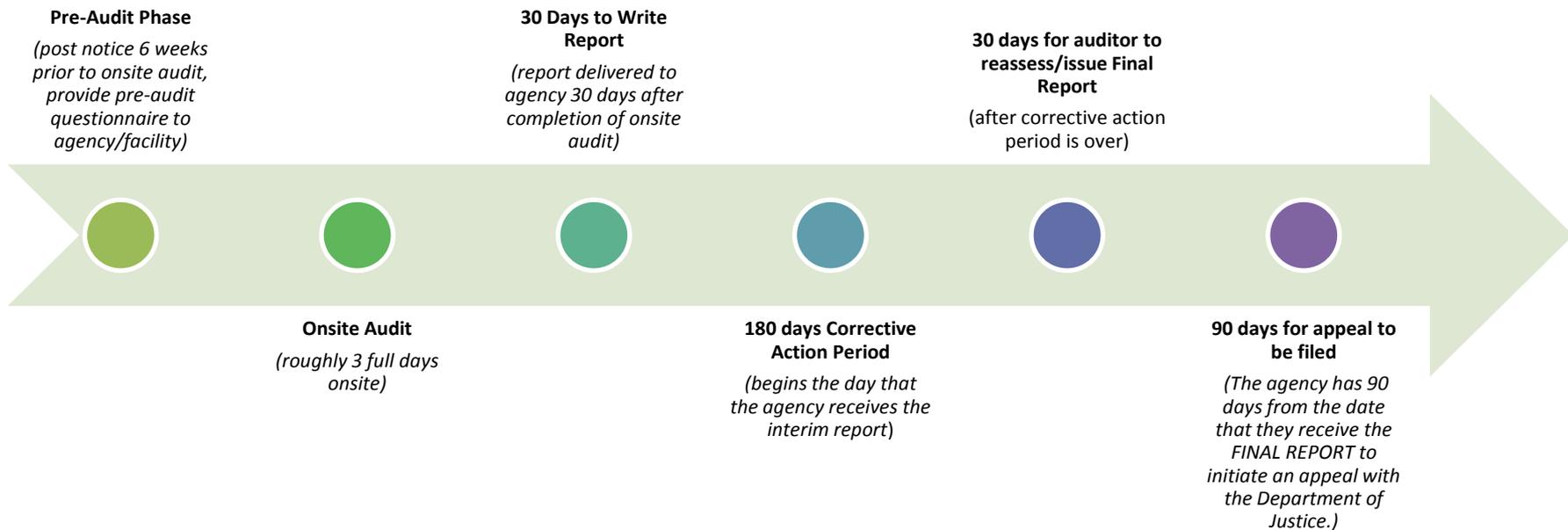
Audit Instrument Documents

- **Process Map**
- **Checklist of Documentation**
- **Pre-Audit Questionnaire**
- **Auditor Compliance Tool**
- **Instructions for PREA Audit Tour**
- **Interview Protocols (6)**
- **Auditor Report Template**

Juvenile PREA Audit Process Map



Auditing Timeline



Introducing Steve Jett

- Director of the Southwest Idaho Juvenile Detention Center since 1993
- Executive Boards:
 - Idaho Association of County Juvenile Justice Administrators 1992 - 2011
 - National Partnership for Juvenile Services 2006 - 2014
- President of the National Juvenile Detention Association, 2008 - 2012



Overview of SW Idaho Juvenile Detention Center

- Opened in 1992
- Expanded to 90 beds in 2000
 - Highest population was 87
 - Average population 2013 is approximately 30



Disc golf and
Balloon tying

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Overview of SW Idaho Juvenile Detention Center Continued



Campout, horse riding and airplane demonstration



- Serves 6 counties in Southwestern Idaho
 - 15,138 sq. miles (larger area than the 4 smallest states combined)
 - 281,000 people
 - 83,356 juveniles

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Overview of SW Idaho Juvenile Detention Center Continued

- Average length of stay is approx. 14 days
- Cost per day is approx. \$175 per juvenile
- Approximately 32 staff
Award-winning Garden



The Pat Andersen School Garden has raised and donated over 3 tons of produce to a domestic violence shelter and senior citizen's center in 3 years

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Why volunteer for a PREA Audit?

➤ **Why volunteer?**

➤ **Why so soon?**

➤ **WHY FIRST?**

Sexual Abuse Prevention History at SW Idaho Juvenile Detention Center

Opened in 1992

- “Prohibited Contact” training has always been a part of our training
- Idaho Code 18-6110
 - Staff on inmate/resident sexual contact
 - Violators face maximum penalty of LIFE

Sexual Abuse Prevention History at SW Idaho Juvenile Detention Center Continued

New developments in 2000

1. Center expanded:

- 12 new staff members all started in July
- Expanded “Prohibited Contact” training conducted by Idaho Counties Risk Management Program
- Still primarily focused on staff-on-resident sexual contact

Sexual Abuse Prevention History at SW Idaho Juvenile Detention Center Continued

New developments in 2000

2. Idaho Basic Juvenile Detention Academy:

- Always included prohibited contact training in the academy curriculum
- “Red Flags” training added in 2007

Sexual Abuse Prevention History at SW Idaho Juvenile Detention Center Continued

PREA Coordinator appointed in 2012

Identification of a PREA Coordinator/Compliance Manager:

- Policy experience helps
- Sufficient authority
- Enough time
- Enough knowledge of the Standards
- Good organizational skills

Why volunteer for an audit?

- At first auditor training class, faculty expressed an interest in having a juvenile audit take place before the second training class
- Staff and administrators at the SW Idaho Juvenile Detention Center had already committed a lot of time and energy to PREA
- Knew the audit would set firm deadlines to finish our work

Pre-Audit Phase

Time to get organized!

Start with a facility self-assessment

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graph TD; A[Start with a facility self-assessment] --> B[Hire an auditor]; B --> C[Complete the audit pre-questionnaire]; C --> D[Submit policies to the auditor];
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Hire an auditor

Complete the audit pre-questionnaire

Submit policies to the auditor

Start with a facility self-assessment

Just starting out?? Use a PREA Toolkit!

- PREA Resource Center (PRC) Website:
www.prearesourcecenter.org
 - Search for “toolkit”
 - Select appropriate toolkit for your facility
- Toolkit will help you:
 - Identify policies and practices already in place
 - Identify policies and practices needing work
 - Outline an action plan
 - Make assignments and deadlines
 - Track progress

Facility self-assessment

Pre-Audit Questionnaire

- PRC Website: www.prearesourcecenter.org/audit
 - Click on "Audit Instruments"
- At the present time, only the Adult Prisons and Jails Instrument is available
 - If your facility is a juvenile facility, being familiar with the adult instrument is still very valuable
- Juvenile Audit Instrument is expected very soon

Hiring your auditor

List of Auditors

- PRC Website: www.prearesourcecenter.org/audit
 - Click on “List of Certified Auditors”
 - Screen for the type of facility
- There are several ways to select an auditor
 - Select one from the list
 - Proximity
 - Familiarity
 - Undergo an RFP process
 - PRC will send out a blanket announcement to all auditors if requested

Contracting with your auditor

Considerations

- Scheduling
- Costs and fee structure
- Travel, lodging, transportation arrangements

Remember, once contract is signed, clock starts ticking!

Official notifications

Auditor and Facility Obligations

- Auditor will have to provide the facility official notification of the on-site portion of the audit at least 60 days in advance of the visit
- Facility will post official notification so staff and residents/inmates are aware that the auditor will be on-site

Posting notice of an audit

ATTENTION **NOTICE TO YOUTH** **AND STAFF**

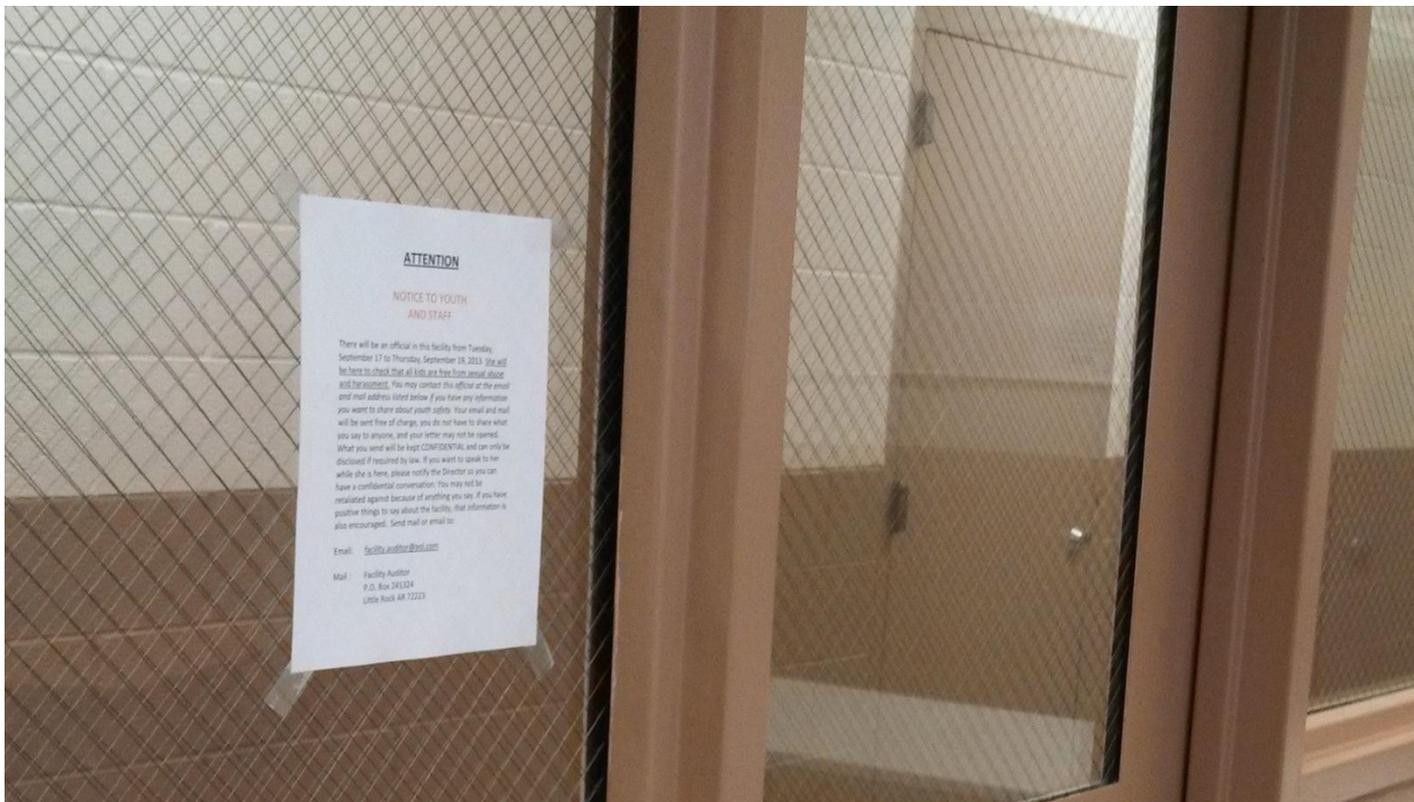
There will be an official in this facility from Tuesday, September 17 to Thursday, September 19, 2013. She will be here to check that all kids are free from sexual abuse and harassment. *You may contact this official at the email and mail address listed below if you have any information you want to share about youth safety.* Your email and mail will be sent free of charge, you do not have to share what you say to anyone, and your letter may not be opened. What you send will be kept CONFIDENTIAL and can only be disclosed if required by law. If you want to speak to her while she is here, please notify the Superintendent so you can have a confidential conversation. You may not be retaliated against because of anything you say. If you have positive things to say about the facility, that information is also encouraged. Send mail or email to:

Email:

Mail:

Phone:

Posted notice at the SW Idaho Juvenile Detention Center



Pre-Audit Questionnaire

PREA AUDIT: PRE-AUDIT QUESTIONNAIRE ADULT PRISONS & JAILS

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

Original date completed:
Dates revised:
Completed by:
Title:
Date of last agency PREA audit (if applicable):
Date of last facility PREA audit:

AGENCY INFORMATION (IF APPLICABLE)	
Name of agency:	
Governing authority or parent agency: (if applicable)	
Physical address:	
Mailing address: (if different from above)	
Telephone number:	
The agency is:	<input type="checkbox"/> Military <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Private for profit <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Private not for profit
Agency mission: (attach additional pages if necessary)	Upload Attachment
Agency Chief Executive Officer	
Name:	Title:
Email address:	Telephone number:
Agency-Wide PREA Coordinator	
Name:	Title:
Email address:	Telephone number:
PREA coordinator reports to:	
Number of compliance managers who report to PREA coordinator:	
Agency website with PREA information:	
Is the agency accredited by any other organization? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Other	
Number of volunteers and individual contractors currently authorized to enter the facility:	
Number of investigators the agency currently employs for investigating allegations of sexual abuse:	

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Pre-Audit Questionnaire Continued

Organization!!

OFFICIAL RESPONSE FOLLOWING A RESIDENT REPORT		
§115.361 – Staff and agency reporting duties.		
115.361 (a)-1	The agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		UPLOAD POLICY Page/Section: 6-18 II E
115.361 (a)-2	The agency requires all staff to report immediately and according to agency policy retaliation against residents or staff who reported such an incident.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		6-18 II E
115.361 (a)-3	The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		6-18 II E
115.361 (b)-1	The agency requires all staff to comply with any applicable mandatory child abuse reporting laws.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		UPLOAD POLICY Page/Section: 6-18 II E
115.361 (c)-1	Apart from reporting to the designated supervisors or officials and designated State or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		6-18 II H
§115.362 – Agency protection duties.		
115.362 (a)-1	When the agency or facility learns that a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident (i.e., it takes some action to assess appropriate protective measures without unreasonable delay).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		UPLOAD POLICY Page/Section: 7-05 VIII,6-18 II D

Using wording from PREA Standards

Some Standards need more information to be used as policies

Example: § 115.362 Agency protection duties.

When an agency learns that a resident is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the resident.

- If cut and pasted into a policy with no other procedures, this would not be enough information to instruct staff on what needs to be done or what they have the authority to do
- Additional information is needed to illustrate to staff what is the immediate action that they can take, such as room or dorm reassignments, classroom changes, extra staff escorts, different schedule, etc.

Using wording from PREA Standards

Some Standards can stand alone as policies

§ 115.364 Staff first responder duties.

(a)(3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; ...

Pre-Audit Questionnaire Continued: Supporting Documentation

TRAINING AND EDUCATION	
§115.331 – Employee training.	
115.331 (a)-1 The agency trains all employees who have contact with residents in the following matters (check all that apply and indicate where in training curriculum this information is covered): <ul style="list-style-type: none"> <input checked="" type="checkbox"/> (1) Agency’s zero-tolerance policy for sexual abuse and sexual harassment. <input checked="" type="checkbox"/> (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. <input type="checkbox"/> (3) Residents’ right to be free from sexual abuse and sexual harassment. <input checked="" type="checkbox"/> (4) The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment. <input type="checkbox"/> (5) The dynamics of sexual abuse and sexual harassment in juvenile facilities. <input checked="" type="checkbox"/> (6) The common reactions of sexual abuse and sexual harassment juvenile victims. <input checked="" type="checkbox"/> (7) How to detect and respond to signs of threatened and actual sexual abuse. <input checked="" type="checkbox"/> (8) How to avoid inappropriate relationships with residents. <input checked="" type="checkbox"/> (9) How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents. <input type="checkbox"/> (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <input checked="" type="checkbox"/> (11) Relevant laws regarding the applicable age of consent. 	UPLOAD TRAINING POLICY AND/OR PROCEDURES POL 1-05 Page/Section: UPLOAD TRAINING CURRICULUM Page/Section of training curriculum: PREA TRAINING 072013 Slide 13 Page/Section of training curriculum: PREA TRAINING 072013 First Responder Training Page/Section of training curriculum: POST PREA Slide Page/Section of training curriculum: PREA TRAINING 072013 Slide 33, 37 Page/Section of training curriculum: POST PREA Slide 5 Page/Section of training curriculum: POST PREA Slide 4 Page/Section of training curriculum: PREA TRAINING 072013 Slide 20, 21, 29, 30, 34 Page/Section of training curriculum: RED FLAG TRAINING Page/Section of training curriculum: Page/Section of training curriculum: PREA TRAINING 072013 Slide 20, 21, 29, 30 Page/Section of training curriculum: POST PREA Slide 26
115.331 (h)-1 Training is tailored to the unique needs and attributes and gender of the	[X] ✓

Initial auditor review

Initial auditor review and discussions with PREA Coordinator/Compliance Manager



- Auditor reviews agency/facility responses to pre-audit questionnaire and has follow-up call(s) with PREA Coordinator/Compliance Manager to get clarification and explain the audit process



Additional documentation?

How much documentation do you need to provide to the auditor?

- General rule—All available documentation from past 12 months should be uploaded
- Auditor may allow for a sample even if the item doesn't call for it due to anticipated or actual volume
- No set sampling threshold, can vary from Standard to Standard depending on what is required

Bottom line—The auditor must be convinced that the activity is compliant with the Standard

Pre-Audit Phase: Lessons Learned

- Set parameters in the contract
- Post the notice of audit 6 weeks prior to the audit
- Communication between auditor and facility/agency is critical and sets the tone of the audit
- Start early in communicating and providing information

BE ORGANIZED!

What to Expect

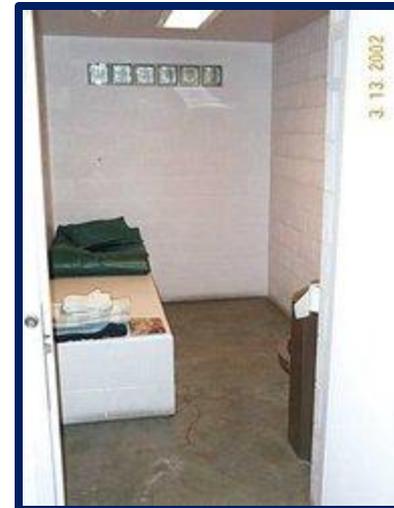
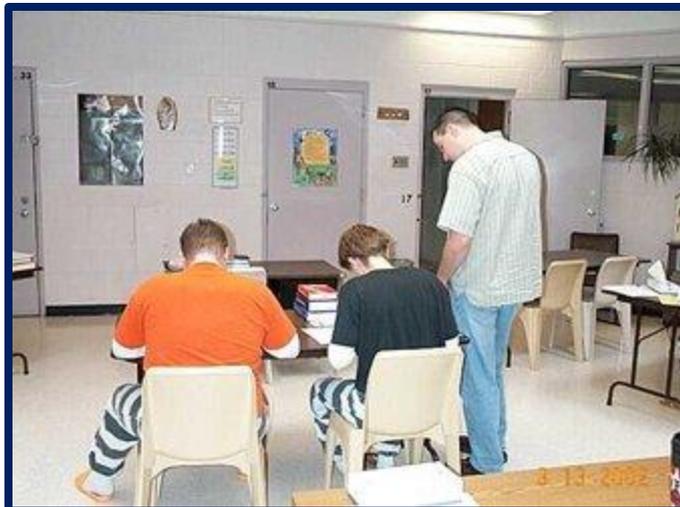
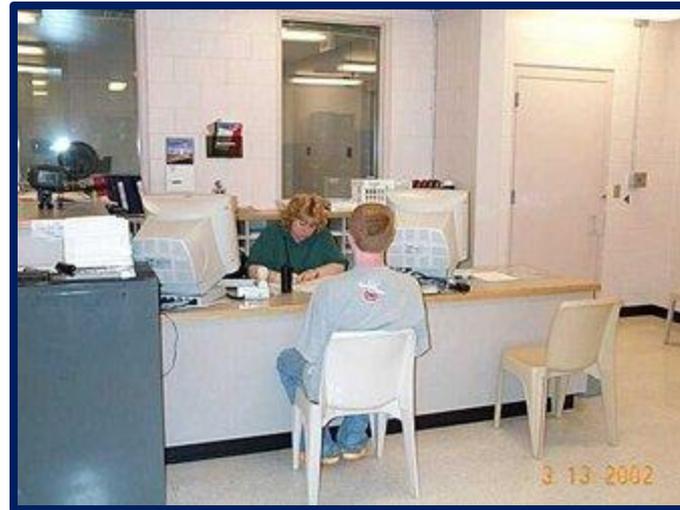
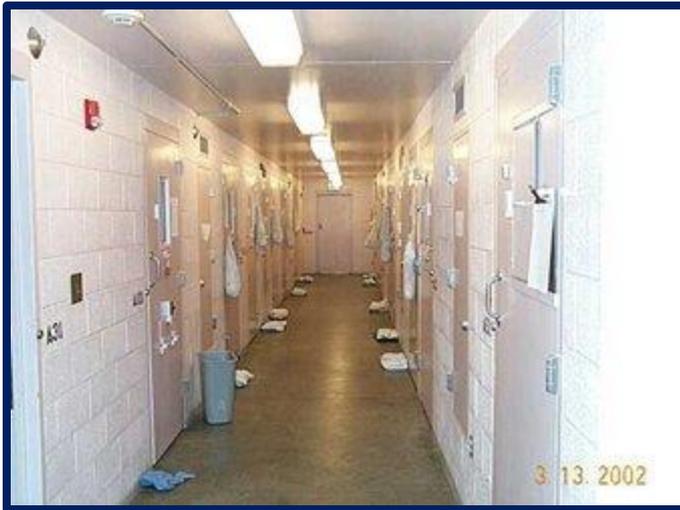
Facility tour

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graph TD; A[Facility tour] --> B[Document review]; B --> C[Interviews];
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Document review

Interviews

Audit Phase: Facility Tour



Audit Phase: Facility Tour

All areas of facility:

- Checking for:
 - PREA notices and information posted
 - Cross-gender observation Standards
 - Camera coverage and viewing
 - Staff coverage
 - Blind spots
 - Segregation
- Observation of interactions between staff and residents, including searches
- Reporting systems
- Conversations with staff and residents that are not part of random or scheduled interviews

Consider using line staff to conduct the tour

Audit Phase: Additional Document Review

Examples:

- **Training records**
- **Personnel records**
- **Screening sheets**
- **Mental health records**
- **Investigations and follow-on paperwork**

Audit Phase: Staff and Resident Interviews

Key Staff

- **Agency head or designee**
- **Warden or designee**
- **PREA Compliance Manager/Coordinator**
- **Specialized staff (E.g., volunteers, staff who screen, investigators)**
- **Random staff**

Audit Phase: Staff and Resident Interviews Continued

Resident Population

- **LGBTI residents**
- **Residents who reported sexual abuse**
- **Residents with disabilities and LEP residents**
- **Residents who disclosed sexual victimization during risk screening**
- **At risk residents housed in segregation**

Audit Phase: Exit Meeting

How does an audit end?

- Auditor will probably meet with facility staff and sum up determinations that have been made or are still in question
- Some decisions may not have been made by the auditor at that point, but may require more analysis during the 30 days leading up to the summary report

Audit Phase: Lessons Learned

- Auditors are not trained to be investigators—they want you to be in compliance
- Train your staff and know your population
- **BE ORGANIZED**

What to Expect

Auditor completes compliance tool & issues summary report



Corrective action period



Auditor issues final report

Post-Audit Phase

Findings

- There will be a determination of findings for each subsection
 - Exceeds Standard
 - Meets Standard
 - Does Not Meet Standard
- Auditors provide commentary with justification for decision
- Agency and auditor shall jointly develop a plan to achieve compliance



Post-Audit Phase: Corrective Action Period

Corrective Action Period

- Upon receipt of the auditor's report, a 180-day corrective action period begins



Corrective actions may include:

- Policy development or editing
- Staff training on new or edited policies
- Revisions to training/education curricula
- Submission of resident education attendance records
- Submission of other documents (e.g., MOUs)

Post-Audit Phase: Corrective Action Period

Agency must correct the issue and auditor shall verify that the Standard is met within the period

- Auditor verification could include an on-site visit if necessary
- After the 180-day Corrective Action Period, auditor has 30 days to issue final report, which the facility must publish to be compliant

Post-Audit Phase: Final Report

SW Idaho Juvenile Detention Center's Final Audit Report

<http://www.canyonco.org/JuvenileDetention/>

Click on “Compliance with Prison Rape Elimination Act”

Overall Lessons Learned

- **Use the PREA Resource Center**
- **Do not simply cut and paste PREA Standards as your policy and procedures**
- **Staff must know and follow policy and procedures**
- **Collect data and develop systems to have information readily available upon request**
- **PREA information needs to be posted visibly**
- **Document attempts to get assistance from community sexual assault advocates**

Questions?

We will now take questions from our participants. Please send those to Kaitlin Kall through Private Chat or via email at kkall@vera.org, and we will ask them on your behalf.

A recording of this webinar will be available on the PREA Resource Center in a few days.

For More Information on the PREA Resource Center

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

For Audit Assistance please contact one of the following:

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For More Information on the Vera Institute of Justice

For more information about the **Vera Institute of Justice**, visit www.vera.org. Direct questions to contactvera2@vera.org.

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