Detainee/Resident Education in Police Lockups & Community Confinement

July 25, 2013

Introduction and Welcome

A nonprofit health and human rights organization that seeks to end sexual violence in all forms of detention.

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.

Notice of Federal Funding and Federal Disclaimer – This project was supported by Grant No. 2010-PR-BX-K001 awarded by the Bureau of Justice Assistance. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.

Today’s Moderator

Carolina Aparicio
Communications Officer
Just Detention International

Webinar Agenda

I. Introduction
II. Call to Action
III. Overview of PREA Resident/Detainee Education Standards
IV. Voices from the Field
V. Strategies for an Effective PREA Education Program
VI. Developing a Sample PREA Intake Module
VII. Questions and Answers

Logistics

Webinar Information

- Use the question box to ask a question
- An archive of this webinar will be posted on the PREA Resource Center website: www.prearesourcecenter.org

How to ask a question

Detainee reading a handbook regarding sexual abuse in detention
Call to Action: Setting the Stage

Meagen Mader
Director of Quality Assurance & Training/
PREA Coordinator
Alston Wilkes Society
Columbia, SC

PREA Inmate Education:
• Sets the appropriate tone from the first contact the detainee has with agency staff
• Is ongoing, from arrival to departure
• Should be in different forms (presented verbally, and in brochures, posters, and other written materials)

Call to Action: Setting the Stage

A strong educational program sends the message that:
• Sexual abuse by staff or detainees will not be tolerated
• Detainees have a right to be free from abuse
• Holding abusers accountable and supporting victims are top priorities in the agency
Building Buy-in Among Staff

<table>
<thead>
<tr>
<th>Challenges</th>
<th>Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>PREA burnout</td>
<td>Leadership</td>
</tr>
<tr>
<td>Failure to take inmate reports seriously</td>
<td>Intensive training</td>
</tr>
<tr>
<td>Resistance to change</td>
<td>Modeling</td>
</tr>
<tr>
<td>Institutional culture</td>
<td></td>
</tr>
</tbody>
</table>

PREA Standards on Resident/ Detainee Education

Cynthia Totten, Esq.
Senior Program Director
Just Detention International

PREA Resident Education in Community Confinement

Upon Intake in Police Lockups

§115.132 Detainee, contractor, and inmate worker notification of the agency’s zero-tolerance policy.

(a) During the intake process, employees shall notify all detainees of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment.

PREA Resident Education Standards in Community Confinement

§115.233 Resident Education

During the intake process, facilities must provide information explaining:

• The agency’s zero tolerance policy regarding sexual abuse/harassment
• How to report incidents or suspicions of sexual abuse/harassment
• Right to be free from sexual abuse/harassment and from retaliation for reporting
• Agency policies and procedures for responding

Preparing Intake Staff for Disclosures of Sexual Abuse

Additional Requirements (§115.233):

• Agency shall provide refresher information whenever a resident is transferred to a different facility
• Information must be accessible to all detainees
• The agency must document resident participation in these education sessions
• Information must be continuously and readily accessible through posters, handbooks or other written formats

During intake, residents/detainees may disclose that they have been abused previously.

Intake staff should be trained on:

• Responding to such disclosures
• Who to notify if a report needs to be made to another corrections institution (§§115.163/263)
Voices from the Field: PREA Detainee Education in Police Lockups

Dianne Beer-Maxwell
Program Manager
International Association of Chiefs of Police

IACP’s Elimination of Sexual Abuse in Confinement Initiative

- Sexual abuse in confinement and officer misconduct are serious concerns
- DOJ developed and released standards to prevent, detect, and respond to sexual abuse in lockups
- IACP is working to:
  - Conduct a needs assessment on PREA readiness in lockups
  - Conduct a national awareness raising campaign for law enforcement leaders
  - Assist in the development of an audit instrument and measures of compliance for lockups

Ensuring Safety and Reducing Liability in Police Lockups and Holding Cells
(www.theiacp.org/PREA)

Tools and Resources

- Addressing Sexual Offenses and Misconduct by Law Enforcement
  (www.theiacp.org)
- Enhancing Law Enforcement Response to Victims
  (www.responsetovictims.org)

What constitutes a lockup under PREA?

Lockup means a facility that contains holding cells, cell blocks, or other secure enclosures that are:

1. Under the control of a law enforcement, court, or custodial officer; and
2. Primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency.

What is a lockup?

- Addressing Sexual Offenses and Misconduct by Law Enforcement
  (www.theiacp.org)
- Enhancing Law Enforcement Response to Victims
  (www.responsetovictims.org)
Prevention Planning (§115.116)
Detainees with disabilities and detainees who are limited English proficient (LEP)

Training and Education (§115.132)
Detainee, contractor, and inmate worker notification of the agency’s zero-tolerance policy

Reporting (§115.151)
Detainee reporting

It is good agency management practice to:

• Effectively prevent, detect, and respond to sexual abuse in confinement facilities
• Voluntarily strive for significant compliance with the PREA standards, which represents strong agency leadership
• Demonstrate agency commitment to valuing human life, dignity, and safety

The first time you want to educate your residents is as soon as they arrive at your facility.

This can be done in your resident guide.

PRISON RAPE ELIMINATION ACT (PREA): The Alston Wilkes Society has zero tolerance toward all forms of sexual abuse: Resident-on-Resident sexual assault, Resident-on-Resident sexual harassment, Staff-on-Resident sexual assault, and Staff-on-Resident sexual harassment will not be tolerated. Residents will be free from fear of sexual assault and if a report of sexual assault is made, it will be investigated thoroughly and with respect to the resident’s safety, dignity, and privacy, without fear of retaliation.

The next time to educate residents is during the intake process.

This can be done with a Resident PREA Briefing.
**Education at Intake**

This is also a good time to give them a brochure outlining your agency’s zero tolerance policy and the reporting procedures specific to that facility.

**Education During Resident Orientation**

Resident Orientation is another opportunity to provide education on PREA and to document the education provided.

**Education Through Posters**

**Strategies for an Effective PREA Education Program**

Gwyn Smith-Downes  
Senior Program Director  
Just Detention International

**Making Information Accessible**

**Techniques**
- Use clear, plain language that is easy to understand and translate
- Have written materials in common languages and large print format
- Make sure staff and inmate educators know procedure for using translation services
- Consider holding workshops in different languages
- Provide information in a variety of ways
Developing a Sample PREA Intake Module

Cynthia Totten, Esq.
Senior Program Director
Just Detention International

Sample PREA Intake Module/Zero Tolerance for Sexual Abuse

What is PREA?

- Law passed in 2003
- PREA covers staff against resident sexual abuse AND resident against resident sexual abuse.
- Sexual abuse includes any unwanted sexual contact by another resident.
- Sexual abuse by staff includes any sexual contact, as well as the display of ‘private parts’ and voyeurism. Detainees can not consent to sexual contact with staff and, in all 50 states, it is illegal for staff to engage in sexual activity with inmates.

Sample PREA Intake Module/Zero Tolerance for Sexual Abuse

- This institution has a zero-tolerance policy on sexual abuse and harassment, meaning that all reports of such conduct will be taken seriously and no sexual abuse will be tolerated.
- Consensual sexual activity between residents is against institutional policy, but is covered under different guidelines.

Sample PREA Intake Module

Provide information to every incoming resident about the agency’s programs and policies regarding sexual abuse.

During the intake process, facilities must provide information explaining (§115.233 Resident Education):

- The agency’s zero tolerance policy regarding sexual abuse/harassment
- How to report incidents or suspicions of sexual abuse/harassment
- Right to be free from sexual abuse/harassment and from retaliation for reporting
- Agency policies and procedures for responding

Sample PREA Intake Module

Variety of Materials

- Pamphlets and handouts
- Videos

Inmate Education Materials

Making the information continuously and readily available:

- Posters and signs
- Using other technology: kiosks, telephone systems, loop messages in waiting areas

Sample PREA Intake Module/Zero Tolerance for Sexual Abuse

• What is PREA?
  - Law passed in 2003
  - PREA covers staff against resident sexual abuse AND resident against resident sexual abuse.
  - Sexual abuse includes any unwanted sexual contact by another resident.
  - Sexual abuse by staff includes any sexual contact, as well as the display of ‘private parts’ and voyeurism. Detainees can not consent to sexual contact with staff and, in all 50 states, it is illegal for staff to engage in sexual activity with inmates.

Sample PREA Intake Module/Zero Tolerance for Sexual Abuse

• This institution has a zero-tolerance policy on sexual abuse and harassment, meaning that all reports of such conduct will be taken seriously and no sexual abuse will be tolerated.
• Consensual sexual activity between residents is against institutional policy, but is covered under different guidelines.
There are several ways to report sexual abuse:

- Report to any staff person verbally or in writing. Staff are required to act on any verbal reports.
- There are several ways for you to report privately, if you are concerned about retaliation [provide detail].
- Report anonymously to [X], an outside entity that can forward your report to agency officials without identifying you.
- Third-party reports (such as from a family member) will also be taken seriously.

After you report:

- The facility will take steps to ensure your safety
- Medical and mental health care will be provided

Available Resources

Where can I get help?

- National PREA Resource Center: www.prearesourcecenter.org
- Just Detention International: www.justdetention.org
- International Association of Chiefs of Police: www.theiacp.org/rea
- International Community Confinement Association: http://www.icalive.org/icca/

Questions and Answers

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.

Connect with JDI:
- www.facebook.com/JDJonFB
- www.twitter.com/justdetention
Thank you for joining us today!

Evaluation

We would like to ask you to please complete a brief evaluation. Your feedback is extremely important to us.

Here is a link to the evaluation. We will also email it to you shortly.


Please forward the evaluation link to others who may have joined you.

THANK YOU!