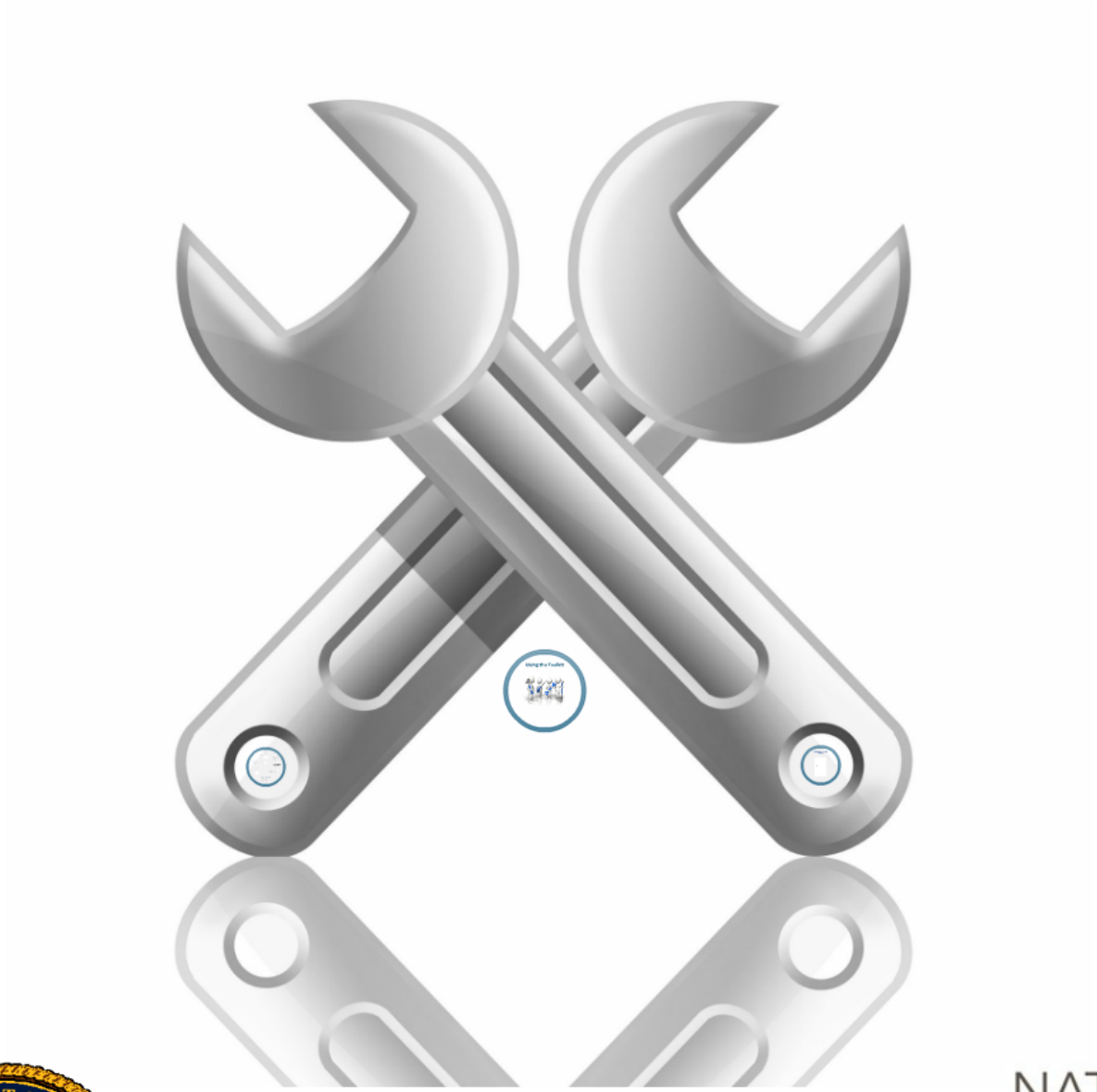


The PREA Toolkit for Jails and Juvenile Facilities

NATIONAL PREA RESOURCE CENTER

The National PREA Resource Center

The PRC was established through a cooperative agreement between the Bureau of Justice Assistance and the National Council on Crime and Delinquency (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.

NATIONAL
PREA
RESOURCE
CENTER

The Toolkit has three major sections

- Narrative Information
- Self-Assessment Checklists
- Background Information

The narrative sections provide summary information on the PREA Standards.

since 2003.

The Self-Assessment Checklists provide facilities with a way to measure their level of PREA implementation and develop action plans to address areas of concern.

The background information folder provides information on the history and implementation of PREA since 2003.

Using the Toolkit

Toolkit Organization

The Toolkit is organized by the following topic areas:

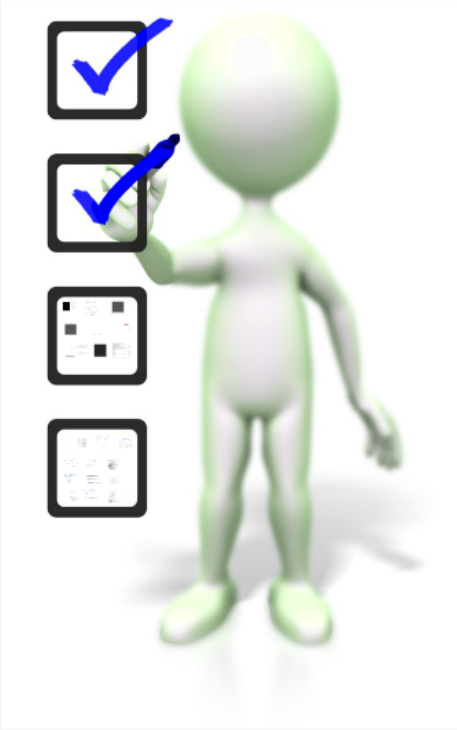
- Definitions
- Administrative Considerations
- Inmate Management and Services
- Inmate Screening
- Reporting
- Investigations
- Training and Education
- Data Collection

Other than the definitions, each section has a narrative overview, a self-assessment checklist, and a list of resources.

Narrative Sections

- Intended to address key areas of the standards and summarize important additional DOJ guidance
- Not a substitute for reading the standards
- Can be a quick reference for staff or stakeholders

Using the Self-Assessment Checklists



Action Plan | Summary | **Administrative Considerations** | First Page | Last Page

Self-Evaluation Checklist

Section I - Administrative Considerations

1) Agency Zero Tolerance Policy
2) Staffing, Personnel & Facility Considerations
3) Agreements with External Entities

1) Agency Zero Tolerance Policy

	Yes	No	Standard
1. Is there a written policy that does the following?			
	Yes	No	
A. Mandates zero tolerance toward all forms of sexual abuse and sexual harassment.	☐	☐	§ 115.11
B. Outlines the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment.	☐	☐	
2. If the answer to (1) is YES, does the policy include the following?			
	Yes	No	
A. Definitions of prohibited behaviors.	☐	☐	Best Practice
B. Sanctions for participation in prohibited behaviors.	☐	☐	
C. Other agency strategies and responses to sexual abuse and sexual harassment of inmates.	☐	☐	

2) Staffing, Personnel & Facility Considerations

	Yes	No	Standard
1. Does the agency employ or designate an upper-level, agency-wide PREA coordinator?	☐	☐	§115.11
A. If the answer to (1) is YES, does the PREA coordinator have sufficient time and authority to develop, implement and oversee agency efforts to comply with the PREA standards in all its facilities?	☐	☐	§115.11

The Self-Evaluation Checklists give agencies the ability to:

- Evaluate their level of PREA implementation
- Develop action plans for improvement based on their evaluation results

Remember that the results of the assessment are dependent on you answering each question honestly and to the best of your ability.

When completing the assessment, checking "Yes" means the agency/facility is FULLY conducting the activity discussed in the question or the agency can confirm that the activity is being conducted by an outside entity.

If you are not sure whether the agency (or an outside entity where appropriate) is conducting the activity discussed in the question, then "No" should be selected.

Self-Evaluation Checklist

Section V - Investigations

1) General Considerations
2) Response to Report of Allegation
3) Investigators and Investigation Criteria
4) Investigations Aftermath
5) Disciplinary Sanctions
6) Incident Review Team

1) General Considerations

	Yes	No	Standard
1. Is the agency responsible for investigating allegations of sexual abuse?	☐	☐	§115.21
A. If the answer to (1) is YES, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions?	☐	☐	§115.21
i. If the answer to (1) A is YES, is the protocol developmentally appropriate for youth where applicable?	☐	☐	§115.21
ii. If the answer to (A) is YES, is the protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011?	☐	☐	§115.21
B. If the answer to (1) is NO, does the agency cooperate with outside investigators and endeavor to remain informed about the process of the investigation?	☐	☐	§115.71
C. If the answer to (1) is NO, does the agency request that the investigating entity follow the requirements of paragraphs (a) through (e) of §115. 21?	☐	☐	§115.21
D. If the answer to (1) is NO, and investigations are conducted by a			

Complete the checklist by reading and answering each question according to your agency/facility operations.

Self-Evaluation Checklist

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After completing the checklist, note any questions with a "No" answer.

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2. Does the agency conduct its own investigations into allegations of sexual abuse?	✔		§115.71
A. If the answer to (2) is **YES**, does it do so as follows for all sexual abuse and sexual harassment allegations, including third-party and anonymous reports?		✔	§115.71

	Yes	No
i. Promptly	✔	
ii. Thoroughly	✔	

Section V - Investigations

1) General Considerations
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	Yes	No
i. Promptly	✔	
ii. Thoroughly	✔	

Implementing The Prison Rape Elimination Act: A Toolkit for Jails

2.2—Self-Assessment Checklist Summary

Using the responses to each Self-Assessment question and the PREA Standards, list all the standards that will require follow-up. After listing the standards, assign a priority level and an implementation status to each.

Standards for Follow-Up	Priority Level					
	Low	Medium	High	1. Not Currently Implemented	2. Partially Implemented	3. Fully Implemented
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐

You can use the Checklist Summary to create a summary of the standards that need attention.

Section V - Investigations

1) General Considerations
2) Response to Report of Allegation
3) Investigators and Investigation Criteria
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1) General Considerations

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2. Does the agency conduct its own investigations into allegations of sexual abuse?	✔		§115.71
A. If the answer to (2) is **YES**, does it do so as follows for all sexual abuse and sexual harassment allegations, including third-party and anonymous reports?			§115.71

	Yes	No
i. Promptly	✔	
ii. Thoroughly	✔	
iii. Objectively	✔	
iv. Using investigators who have received special training in sexual abuse investigations pursuant to § 115.34		✔

2.2—Self-Assessment Checklist Summary

Using the responses to each Self-Assessment question and the PREA Standards, list all the standards that will require follow-up. After listing the standards, assign a priority level and an implementation status to each.

Standards for Follow-Up	Priority Level					
	Low	Medium	High	1. Not Currently Implemented	2. Partially Implemented	3. Fully Implemented
115.21 Evidence Protocol and Forensic Medical Examinations	☐	☐	☐	☐	☐	☐
115.71 Criminal and Administrative Agency Investigations	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐

2.3—Self-Assessment Checklist Action Plan

Using the Self-Assessment Checklist Summary, note each individual standard that needs follow-up on the action plan form. Enter the dates, implementation level, staff assigned to follow up, any resources needed, and any other notes.

Checklist Completion Date: _____ Target Review Date: _____

Standard:	**Priority Level:** ☐ **Low** ☐ **Medium** ☐ **High**
	Implementation Level ☐ **Not Currently Implemented** ☐ **Partially Implemented** ☐ **Fully Implemented**
Responsible Parties: Internal: External:	
Available Resources: **Required Resources:**	
Notes:	

Once you know all of the standards that need attention (based on checklist results), you can then create an Action Plan for each standard.

Like the Summary, the Action Plan is in the "Support Materials" section of the Toolkit

2.3—Self-Assessment Checklist Action Plan

Using the Self-Assessment Checklist Summary, note each individual standard that needs follow-up on the action plan form. Enter the dates, implementation level, staff assigned to follow up, any resources needed, and any other notes.

Checklist Completion Date: 11/27/12 Target Review Date: 1/10/13

Standard: 115.21, Evidence protocol and forensic medical examinations The protocol shall be developmentally appropriate for youth where applicable and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.	**Priority Level:** ☐ Low ☐ Medium ☐ High **Implementation Level** ☐ Not Currently Implemented ☐ Partially Implemented ☐ Fully Implemented
Responsible Parties: Internal: External:	
Available Resources: **Required Resources:**	

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Responsible Parties: Internal: External:	
Available Resources: **Required Resources:**	
Notes:	

- Select a priority level for addressing the standard
- Select the agency/facility's current implementation level related to the standard

Standard: 115.21, Evidence protocol and forensic medical examinations The protocol shall be developmentally appropriate for youth where applicable and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.	**Priority Level:** ☐ Low ■ Medium ☐ High **Implementation Level** ■ Not Currently Implemented ☐ Partially Implemented ☐ Fully Implemented
Responsible Parties: Internal: External:	
Available Resources: **Required Resources:**	
Notes:	

List the parties that will be responsible for implementation work, both internal staff and any external agencies that the agency may need to partner with.

- List resources that will be needed to address the standard
- Use the Notes section to address any specifics needed for follow up

Standard: 115.21. Evidence protocol and forensic medical examinations The protocol shall be developmentally appropriate for youth where applicable and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.	**Priority Level:** ☐ Low ■ Medium ☐ High **Implementation Level** ■ Not Currently Implemented ☐ Partially Implemented ☐ Fully Implemented
Responsible Parties: Internal: Investigations Director External: Police Department Investigations Chief	
Available Resources: **Required Resources:**	
Notes:	

Follow Up

- It is recommended that you conduct a self-evaluation on a periodic basis (e.g. monthly, quarterly).
- On the Action Plan, update the Priority and Implementation levels as you implement the standards.
- This allows you to have a record of progress on PREA implementation that can be shared with external stakeholders (e.g. parent agency, legislature, county board)

So What Do We Do Next?

We've read the standards

We've reviewed the Toolkit

What's next?

Road Map to PREA Readiness

- Assure Leadership and Command Staff Buy-In
- Educate the Funding Authority
- Designate a PREA Coordinator
  -Establish that job description/post order

- Assess Agency Readiness

  -Consider naming a PREA Compliance Assessment Team

  -Establish roles, meeting times, due dates, deadlines

  -Divide up the work of ASSESSING readiness

  -Identify:

    - New policies/procedures to be written
    - Existing policies/procedures to be amended, updated
    - External stakeholders
    - Needed collaborations/MOUs with law enforcement/investigators
    - Identify obligations of contractors

  -Complete assessment/share findings

    - Update leadership/funding authority

Road Map to PREA Readiness

- Using your self-assessment results

  -Draft new policies/procedures

  -Update/amend existing policies/procedures

  -Assign the work, names, dates due

  -Establish an internal review schedule, participants

  -Develop an implementation schedule for updated/new policies/procedures

- PREA Coordinator monitors the work, acts as a resource, finds help as needed, overcomes obstacles, barriers

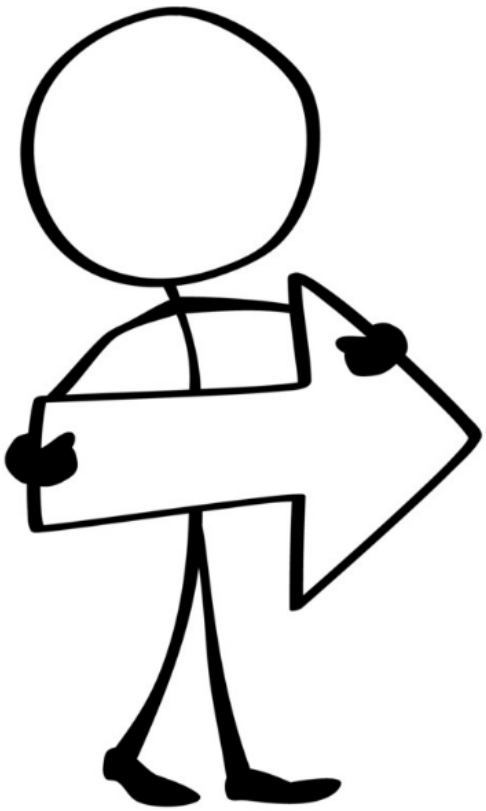
- Develop and implement a plan to gain and maintain staff buy-in
  - -Overcome resistance
  - -Address agency culture
  - -PREA standards are accepted correctional practice

- Develop and implement collaborations/MOUs with external stakeholders
  - -Update contracts with providers (medical/mental health/food services/counseling/education)

Road Map to PREA Readiness

- Identify internal agency trainers

  -Develop lesson plans
  -Provide training for trainers
  -Establish employee training schedule
  -Schedule inmate/resident orientations
  -Assure contractor training
  -Areas for collaboration with external stakeholders, law enforcement, etc.



- Keep funding authority updated

- Work with state agency to:

  -Identify audit schedule
  -Collaboration about measures of compliance
  -Assistance/coordination

Road Map to PREA Readiness

- Prepare for the audit

  -Prepare files

- Keep alert to opportunities to have agency employees certified as DOJ auditors

Go it alone? Opportunities for Collaboration

- Check with state associations
  - -Collaborate in policy development?

  - -Collaborate in:
    - Training development/lesson plans
    - Training-for-trainers
    - Training delivery
- Consider talking to other facilities in your region
- Keep close to your state PREA Coordinator
- External Stakeholders
  - -What can they contribute? Policies/training?
- Law enforcement/investigatory agencies
  - -MOU's/Training