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CENTER

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Power Hour:
Chat with a PREA Expert

*PREA Standard 115.32 – Volunteer and
Contractor Training
February 20, 2020*

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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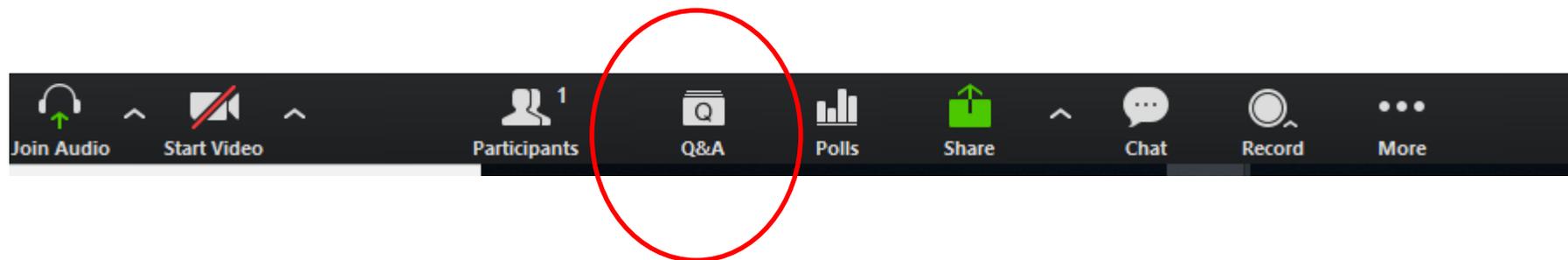
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Logistics

Submitting Questions

To submit a question during the Webinar, use the Q&A feature on your webinar toolbar, as seen below.

Presenters will address the questions at the end of the presentation.



Presenter



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Purpose of the Standard

To ensure that:

- Volunteers and contractors are trained on their responsibilities regarding sexual abuse and sexual harassment prevention, detection, response policies and procedures;
- Everyone in the facility understands the agency's zero-tolerance policy toward sexual abuse and sexual harassment;
- That the agency prohibits volunteers and contractors from engaging in sexual relations with incarcerated people;
- That sexual abuse and sexual harassment allegations are **always** reported.

Purpose of the Standard

The primary goal is to prevent abuse and to create an **effective reporting process that cultivates a reporting culture** among volunteers and contractors while providing appropriate assistance to all survivors.

Standard Requirements

- (a) The agency shall ensure that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

Key Definitions

Contractor - Standard 115.5 defines a contractor as a person who provides services on a recurring basis pursuant to a contractual agreement with the agency (most often these are medical, commissary, etc.). Can be formal or informal arrangements, intergovernmental services agreements, and other types of agreements to provide services to the agency.

Volunteer - Standard 115.5 defines a volunteer as someone who donates time and efforts on a recurring basis to enhance the activities and programs of the agency (most often these are our religious volunteers).

Key Definitions

FAQ Posted: March 20, 2019

Q: For purposes of ensuring that employees and contractors have received required background checks **and PREA training, how should agencies determine whether an individual “may have contact with” inmates/residents/detainees?**

Response: An individual may have contact with inmates/residents/detainees if, within the scope of that person’s official or unofficial duties or privileges, it is reasonably foreseeable that the person will have physical, visual, or auditory contact with a confined person over any period of time.

Key Definitions

FAQ Posted: March 20, 2019

“Contact” for purposes of the standards described below may include being in the same enclosure with an inmate/resident/detainee (e.g., dayroom, cell, courtyard, hallway, clinic, intake, etc.), being able to visually observe an inmate/resident/detainee (e.g., via live video feeds, one-way or two-way glass, etc.), or converse with an inmate/resident/detainee (e.g., through talking or shouting, via intercom, etc.).

<https://www.prearesourcecenter.org/node/5972>

Standard Requirements

- b) The level and type of training provided to volunteers and contractors shall be based on the services they provide and the level of contact they have with inmates, but **all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy** regarding sexual abuse and sexual harassment and informed how to report such incidents.
- c) The agency shall maintain documentation confirming that volunteers and contractors understand the training they have received.

Implementation

All volunteers and contractors who have contact with inmates must be notified of the agency's zero tolerance policy regarding sexual abuse and sexual harassment. Additionally, they must be informed of their responsibilities in the event they have any knowledge or suspicion of an incident of sexual abuse, sexual harassment, or any violation of the agency's PREA policies.

Most contractors and volunteers will be mandatory reporters and must be trained on the proper protocol for reporting should they become aware of or suspect that there has been an incident of sexual abuse, sexual harassment, staff neglect that might lead to either of these, or retaliation for reporting sexual abuse or sexual harassment, and how and to whom to report incidents of sexual abuse and sexual harassment at the facility in which they work.

Implementation

Rape crisis counselors who volunteer in the facility or who are contracted to provide counseling or any other victim services to inmates are an exception to this rule, as may be some medical and mental health professionals, depending on their licensing requirements and local and state laws.

The agency's responsibility is to ensure that every contractor and volunteer who has contact with inmates is clear about his or her responsibilities with regard to the agency's policies for the prevention, detection, and response to sexual abuse and sexual harassment.

Implementation

For those volunteers and contractors **who have rare or consistently supervised contact** with inmates, or contractors **who only enter the facility on a single occasion and under supervision**, the training may consist of the basics—information about the agency’s zero tolerance policy, their obligation to report, and how and to whom to report sexual abuse and sexual harassment—and acknowledged with a signed form. (e.g., maintenance contractor, etc.)

Contractors and volunteers **who have regular contact** with inmates that is **similar or equivalent to contact that a staff person would have** with inmates should receive the same or equivalent training that employees are required to receive in standard 115.31. (e.g., medical staff, commissary staff, chaplain, religious volunteers, etc.)

Implementation

The agency must ensure that it maintains and retains documentation that demonstrates that volunteers and contractors understand the training they received. This may be a signed acknowledgement of the agency's zero tolerance policy, their reporting responsibilities, and acknowledgement of the content of the training they received. Ideally, the agency would retain the training curriculum and the date it was delivered to each volunteer and contractor.

Challenges

- Ensuring that volunteers and contractors that work or provide services to multiple facilities within an agency receive training **tailored to each specific facility**, so they can uphold their responsibilities under the agency's sexual abuse and harassment prevention, detection, and response policies and procedures at each of those facilities. If a volunteer and/or contractor works for an agency and provides services to multiple facilities, the zero-tolerance policy should be the same; but the reporting process would likely differ between facilities. The training should be developed based on the agency's zero tolerance policy, procedures, and coordinated response plan, which can vary depending on the jurisdiction and resources available.
- Providing **quality, comprehensive, and meaningful training** for volunteers and contractors including their specific responsibilities at the facility in which they work.

Challenges

- Understanding and determining the type of training needed for volunteers and contractors based on their level of contact with inmates/detainees/ residents and the services they are providing. This may require individualized assessments of contractors and volunteers regarding their role in the facility and what they need to know in order to ensure that they can carry out their responsibilities and ensure the safety of inmates/detainees/residents.
- Updating training to reflect any changes made to the agency's zero tolerance policy and the responsibilities of the volunteers and/or contractors under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

Challenges

- Ensuring agency staff is well trained and understands that volunteers and contractors can report incidents of sexual abuse and/or sexual harassment and understands how to receive those reports and what to do with them.
- Safeguarding inmates when a facility has ongoing construction and contractors working in the facility by ensuring that all contractors working in the facility are appropriately notified of the agency's zero tolerance policy and their responsibilities under PREA. The agency will be challenged to identify everyone who enters the facility and will have to work with the contracted construction company to ensure that everyone who should be trained receives that training.

Best Practices

- Ensuring that anyone who enters the facility **regardless of their role** and may have contact with an inmate is informed of the agency's zero tolerance policy and how to make a report of sexual abuse and/or sexual harassment.
- Updating and modernizing training curriculum to reflect the agency and/or facility sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Conducting an annual review of training materials is one way to ensure that materials remain current.
- Maintaining detailed records of not only the content of training, but the dates it was delivered and to whom.
- Include the state's sexual abuse or sexual assault statute and any law that prohibits corrections staff from having sex with inmates, if these laws differ from the PREA definitions of sexual abuse.

Best Practices

- Include an outline of the responsibilities and role of a first responder, even if particular contractors or volunteers are not ever expected to be unsupervised or in the role of first responder. It is helpful for them to know a first responder's responsibilities in case an emergency arises. These responsibilities should include: steps on how to provide immediate protection to the inmates/detainees/residents, notification of the appropriate staff, protection of evidence, and questions to ask and not as a survivor. It should be made clear that should they ever find themselves in the role of first responder, it is not their job to investigate the allegation.
- Make use of various training methods – classroom, scenario, online interactive courses, webinar, handouts, videos, brochures, pamphlets.
- Develop and incorporate a volunteer and contractor first responder handout, card, or bookmark of their responsibilities in response to incidents of sexual abuse and/or sexual harassment. It may include a written list of all the ways they can report sexual abuse and/or sexual harassment to include: verbally to their supervisors, security staff, medical/mental health, and civilian staff; in writing; and/or a hotline.

Best Practices

- In addition to annual training for volunteers and contractors, they can be provided with refresher training with updated and new materials, including scenarios and training aids that engage trainees, and which in turn stimulate learning and retention of sexual safety information. Only the initial training is required, but repeating information annually and/or in an ongoing manner, in addition to providing critical updates to policies and practices, is best practice.
- Maintain documentation of volunteers and contractors training to include:
 - Training curricula and the date each training package was delivered and to whom.
 - Acknowledgement form confirming an understanding of the training received. Consider using written and/or electronic signature and date to verify training was completed.
 - A sign in roster for class/course participation.

Audit Issues

- Determining whether the training curriculum effectively meets all the training requirements of the standards and is presented in a manner to ensure volunteers and contractors understand the information. The auditor must assess whether the volunteers and contractors were informed of the agency's zero tolerance policy and how to report such incidents; additionally, whether volunteers and contractors understand the information provided and are able to fulfill their responsibilities under the agency's policies and procedures in practice.
- Analyzing whether volunteers and contractors have been trained **prior to having contact** with inmates/detainees/residents as required. If there are exceptions, the auditor must determine if the circumstances are rare and do not pose a risk to inmates/detainees/residents sexual safety.

Audit Issues

- Assessing whether training documentation by the facility is sufficiently maintained and demonstrates that volunteers and contractors understand the training they received. **Training sign-in sheets are not adequate to demonstrate understanding.**
- Through interviews, auditors will assess volunteers' and contractors' knowledge of their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures as well as confirm they were notified of the agency's zero-tolerance policy.

Standard Variations: Lockups

- §115.132, attorneys, contractors, and any inmates who work in the lockup must be informed of the agency's zero-tolerance policy regarding sexual abuse.
- §115.131 governs training of lockup volunteers.

FAQ Posted: September 28, 2015

FAQ Posted: September 28, 2015

Q. Do the PREA standards require that agencies conduct criminal records background checks on, **and provide PREA-related contractor or volunteer training** for, public defenders, other attorneys, interns working with public defenders or other attorneys, or law students practicing as attorneys under a practice agreement, pursuant to legal representation, before they may enter a confinement facility?

Response: No. Legal counsel are not contractors enlisted by the agency. Therefore, **the listed standards do not apply to them.**

www.prearesourcecenter.org/node/3212

Resources

- **Frequently Asked Questions** (FAQs) on the PREA Resource Center (PRC) Website
 - **July 20, 2018.** *Are there training requirements for individuals who have regular contact with inmates/residents/ detainees?* www.prearesourcecenter.org/node/3211
 - **September 28, 2015.** *Whether PREA-related contractor or volunteer training is needed for public defenders or other attorneys before they may enter a confinement facility.* www.prearesourcecenter.org/node/3212
 - **September 28, 2015.** *Whether a PREA-covered facility is subject to contractor training requirements.* www.prearesourcecenter.org/node/3207
- **PREA Essentials** on the National PREA Resource Center Webpage: <https://www.prearesourcecenter.org/training-technical-assistance/PREA-essentials>

Resources

- **PREA Standards in Focus**

- §115.32/132/232/332 Volunteer and Contractor Training
https://www.prearesourcecenter.org/sites/default/files/library/115.32_0.pdf

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



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 In this section of the library you will find all PREA-related news articles, including news about the law, implementation of standards, and federal and local initiatives.
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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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Request for Assistance

Fill out the form below in order to request PREA-related training and/or technical assistance for your jurisdiction or agency.

Name of jurisdiction/agency making request:

Name and position/title of person making request:

Contact Information of Requester

Address:

City/Town:

State:

ZIP:

Email:

Phone:

Point of contact for the jurisdiction/agency:

Statement of Problem:

Describe, as specifically as possible, the condition or issue for which the TTA is requested.

Previous Efforts:

Have there been any previous attempts to address the condition or issue for which the TTA is requested? If so, what action(s) were taken and what were the results?

Training and Technical Assistance:

Describe what type of training or technical assistance you would like to receive.

Targeted Audience/Recipients:

Search the PREA
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Sign Up for Updates

The PREA Resource Center will provide information on upcoming events, new resources to our library, and PREA-related issues in the news through its newsletter. Sign up to receive our newsletter via email.

Email SIGNUP

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,
visit www.prearesourcecenter.org.

To ask a question, please visit our
[Contact Us](#) page.

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Thank you!

An email will be sent to you following this event with a link to provide feedback. Your input is important and will help to plan and coordinate future events and resources.

Sign up for our [mailing list](#) to be the first to hear about our next
Power Hour: Chat with a PREA Expert!

Bureau of Justice Assistance

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