

<p>ANNE ARUNDEL COUNTY DEPARTMENT OF DETENTION FACILITIES  ADMINISTRATIVE DIRECTIVE</p>	<p>AD NO: 06.06 DATE: January 9, 2024 SUBJECT: Inmate Rights TITLE: PREA-Sexual Abuse and Sexual Harassment FOR PUBLIC RELEASE: Yes</p>
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I. Reference: Prison Rape Elimination Act (PREA) of 2003 (P.L. 108-79); MD. Criminal Law Code Title 3, Subtitle 3-Sexual Crimes; Black's Law Dictionary Free Online Legal Dictionary, 2nd Ed.; AD 01.04, 01.08, 01.13, 01.14, 03.05, 03.24, 03.30; SOD 01.0D, 01.0E, 01.0L, 13.0B; JRDC 12.01, 15.01, 17.01; JRDC PO General Orders, 06, 21; ORCC OD 12.01; ORCC PO 04, 10

II. Applicable to: All Anne Arundel County Department of Detention Facilities' (AACDDF) employees, contractors, volunteers and incarcerated individuals.

III. Purpose: To establish a zero-tolerance policy toward all forms of sexual abuse and sexual harassment of incarcerated individuals.

IV. Policy:

It shall be the policy of the Anne Arundel County Department of Detention Facilities (AACDDF) to maintain zero-tolerance toward all forms of sexual abuse and sexual harassment of incarcerated individuals by other incarcerated individuals, employees, contractors or volunteers. This shall be accomplished by;

A. considering any allegation of sexual abuse or sexual harassment as a serious incident in accordance with AD 01.04 VI.A.-K.

B. training AACDDF employees, contractors and volunteers to recognize the signs of sexual abuse and sexual harassment and ensuring understanding of their responsibility to prevent, detect and report all alleged sexual abuse and sexual harassment incidents.

C. training AACDDF employees, contractors and volunteers on the appropriate steps to take if an incarcerated individual reports an incident of sexual abuse or sexual harassment.

D. ensuring employees, contractors and volunteers recognize that sexual abuse and sexual harassment can occur in virtually any area of a correctional facility, especially those that are not directly supervised at all times. Sound correctional practices include direct sight and sound supervision of incarcerated individuals whenever possible; conducting frequent, but random area and cell checks and maintaining an open line of communication with incarcerated individuals.

- E. ensuring employees, contractors and volunteers understand that first time, youthful, elderly, mentally ill, developmentally disabled, lesbian, bisexual, gay and/or transgender incarcerated individuals or incarcerated individuals who have committed sex offenses are at an increased risk for vulnerability.
- F. ensuring employees, contractors and volunteers are aware of possible warning signs that may indicate an incarcerated individual has been sexually abused or sexually harassed or is in fear of being sexually abused or sexually harassed. Warning signs include, but are not limited to: isolation, depression, lashing out at others, refusing to shower, suicidal thoughts or actions, seeking protective custody and refusing to leave segregation.
- G. ensuring employees, contractors and volunteers can identify potential sexually abusive behavior. Characteristics or warning signs may include a prior history of committing sex offenses, use of strong-arm tactics (extortion), associating or pairing up with incarcerated individuals who meet the profile of a potential victim, exhibiting voyeuristic/exhibitionistic behavior and demonstrated inability to control anger.
- H. developing action plans to prevent sexual abuse and sexual harassment.
- I. establishing a systematic method for incarcerated individuals to report sexual abuse or sexual harassment.
- J. maintaining a memorandum of understanding with a community service provider for confidential reporting, victim advocacy and emotional support services.
- K. taking immediate action to protect an incarcerated individual who is subject to a substantial risk of imminent sexual abuse.
- L. providing appropriate medical and mental health services to incarcerated individuals who have experienced sexual abuse or sexual harassment either in custody or in the community.
- M. providing appropriate mental health services to incarcerated individuals who have previously perpetrated sexual abuse or sexual harassment either in custody or in the community.
- N. ensure any employee, contractor or volunteer accused of involvement in a PREA incident shall be prohibited from contact with all incarcerated individuals pending the outcome of the investigation.
- O. ensure substantiated PREA investigations are reported to law enforcement agencies or relevant licensing bodies unless the activity was clearly not criminal.

- P. supporting the prosecution of sexual abuse perpetrated at the AACDDF, in partnership with law enforcement and county prosecutors.
- Q. collecting data to better identify potential abusers and victims of sexual abuse or sexual harassment.

V. Duties and Responsibilities

A. The Superintendent shall;

- 1. be responsible for AACDDF's compliance with federal and state laws relating to PREA.
- 2. be notified when an incarcerated individual reports they were sexually abused while confined at another facility.
- 3. notify the agency head of the facility where the alleged sexual abuse occurred as soon as possible but not later than 72 hours after learning of the allegation.
- 4. document this notification in the incarcerated individual's Programs file.

B. The PREA Coordinator shall;

- 1. be responsible for oversight of all PREA related activities.
- 2. coordinate and develop procedures to identify, monitor and track sexual abuse and sexual harassment incidents perpetrated against incarcerated individuals committed to the AACDDF.
- 3. conduct audits as necessary to ensure compliance with departmental policy and the PREA National Standards.
- 4. coordinate PREA facility and program related activities, and ensure facility and program compliance with training requirements.

C. The Mental Health Director shall;

- 1. develop and coordinate mental health services, both internal and external, (e.g., crisis intervention, trauma-specific treatment, etc.) for victims of sexual abuse and sexual harassment.
- 2. develop and coordinate mental health services, both internal and external (e.g., crisis intervention, trauma-specific treatment, etc.) for incarcerated individuals other than the victim who have been affected by an incident.

3. design and implement a diagnostic instrument (PREA Screening Tool) to be utilized for assessing an incarcerated individual's sexual vulnerability or sexual abusiveness.
  4. ensure counseling and mental health treatment is provided to victims and abusers by mental health professionals.
  5. adhere to applicable mandatory reporting laws for alleged victims under the age of 18 or victims considered vulnerable adults. The Mental Health Director shall report all such allegations to the designated State or local services agency.
- D. The Captains of each facility shall serve as PREA Compliance Managers and shall;
1. coordinate PREA related activities (incident reviews, bi-annual reviews, audits, signage, etc.) with the PREA Coordinator.
  2. track and report PREA statistical data to the PREA Coordinator.
- E. Lieutenants shall conduct periodic, unannounced rounds to identify and deter staff sexual abuse and sexual harassment. These rounds shall be conducted once per six-day tour of duty and shall be documented in the Post Log Book. Staff are prohibited from alerting other staff members when these rounds are occurring unless otherwise related to the legitimate operations of the facility.
- F. The Training Director shall be responsible for developing PREA related educational materials and training curriculums. The Training Director or designee shall provide instruction to employees, contractors and volunteers.
- G. Employees, contractors and volunteers shall;
1. adhere to AACDDF policies relating to sexual abuse and sexual harassment of incarcerated individuals.
  2. take immediate action to protect an incarcerated individual whom they reasonably believe is at a substantial risk of imminent sexual abuse.
  3. immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment through their chain of command to the Captain, ACFA, CFA and Superintendent.
  4. provide complete cooperation and full disclosure during any inquiry or investigation into an allegation of sexual abuse or sexual harassment.

- H. Captains, Lieutenants, Sergeants and Criminal Justice Program Supervisors shall serve as the AACDDF's PREA Investigators and shall;
  - 1. treat all reported incidents of sexual abuse and sexual harassment seriously.
  - 2. ensure known or suspected acts or allegations of sexual abuse and sexual harassment are reported immediately through their chain of command to the Captain(s), Assistant Correctional Facility Administrators, Correctional Facility Administrator and Superintendent.
  - 3. ensure that all abusers (incarcerated individuals, staff, contractors or volunteers) involved in substantiated incidents of sexual abuse and sexual harassment are referred appropriately for disciplinary action in accordance with departmental policy, up to and including referral for criminal prosecution.
  - 4. ensure all incarcerated individuals making allegations of sexual abuse and sexual harassment determined to be unfounded may be subject to disciplinary action in accordance with departmental policy.
  - 5. ensure all victims who report sexual abuse and sexual harassment are appropriately referred to medical/mental health services/crisis intervention counseling.
  - 6. ensure adequate measures are taken to provide separation between an alleged victim and alleged abuser, while ensuring that such separation does not represent a form of punishment for the alleged victim.
- I. The Compliance Officer shall;
  - 1. ensure all orientation and acknowledgment forms have been signed and dated by the incarcerated individuals, employees, contractors and volunteers.
  - 2. work in conjunction with the PREA Coordinator and PREA Compliance Managers to review collected data in order to improve the effectiveness of the AACDDF policies, practices and training.
- J. Incarcerated individuals shall be responsible for adhering to AACDDF policies and procedures related to sexual abuse and sexual harassment.

VI. Procedures:

A. Training and Education

- 1. The Training Unit shall develop and implement a PREA training curriculum

to include but not limited to;

- a. departmental policies that address the agency's zero-tolerance toward sexual abuse and sexual harassment.
  - b. the employees', contractors' and volunteers' responsibilities toward sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.
  - c. the incarcerated individual's and employee's right to be free from sexual abuse, sexual harassment and retaliation for reporting such incidents.
  - d. the dynamics of sexual abuse and sexual harassment in confinement.
  - e. the common reactions of sexual abuse and sexual harassment victims.
  - f. how to avoid inappropriate relationships with incarcerated individuals.
  - g. effective and professional communication with incarcerated individuals including lesbian, gay, bisexual, transgender, intersex or gender nonconforming incarcerated individuals.
  - h. how to comply with relevant laws for mandatory reporting of sexual abuse to outside authorities.
  - i. how to conduct cross-gender pat down searches, and searches of transgender and intersex incarcerated individuals, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.
2. All new AACDDF employees and contractors with direct and/or incidental contact with incarcerated individuals shall receive initial PREA training during the New Employee Orientation Program. After completing training, employees and contractors shall sign a PREA Acknowledgment Form indicating their understanding of their responsibilities.
  3. All new volunteers with direct and/or incidental contact with incarcerated individuals shall receive initial PREA training during the Volunteer Orientation. After completing training, volunteers shall sign a PREA Acknowledgment Form indicating their understanding of their responsibilities.
  4. All current employees shall receive refresher training every two years. In years in which the employee does not receive refresher training, the Training

Director shall provide refresher information on current PREA policies.

5. Supervisors shall receive specialized training on how to conduct investigations in confinement settings to include;
  - a. techniques for interviewing sexual abuse victims.
  - b. proper use of Miranda and Garrity warnings.
  - c. techniques for preservation and collection of sexual abuse evidence in confinement settings.
  - d. the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
6. All employees and contractors shall have access to online self-study materials that provide ongoing PREA education.

**B. Specialized Training - Medical and Mental Health Care**

1. The Department shall ensure all full-time and part-time medical and mental health care practitioners who work regularly in the facilities have been trained in;
  - a. How to detect and assess signs of sexual abuse and sexual harassment.
  - b. How to preserve physical evidence of sexual abuse.
  - c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment.
  - d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

**C. Volunteer Training**

1. The Volunteer Coordinator shall provide New Volunteer Orientation to all volunteers having direct or indirect contact with incarcerated individuals of their responsibilities under the AACDDF's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.
2. The Volunteer Coordinator shall provide PREA informational resources to all renewing volunteers annually during the month of the volunteer's anniversary.

3. Any volunteer who allegedly engages in sexual abuse or sexual harassment shall be prohibited from contact with incarcerated individuals and shall be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies.

D. Incarcerated Individual - Orientation and Education

1. Within 30 days of intake, the AACDDF shall provide an Inmate Orientation Booklet containing information about;
  - a. the definition of sexual abuse and sexual harassment and behaviors prohibited by staff, contractors, volunteers and incarcerated individuals.
  - b. the AACDDF's zero-tolerance toward all forms of sexual abuse and sexual harassment.
  - c. prevention and intervention methods.
  - d. self-protection methods.
  - e. protection against retaliation.
  - f. how to avoid becoming a target for sexual abuse or sexual harassment.
  - g. sexual contact is strictly prohibited and punishable by disciplinary action and criminal prosecution.
  - h. what to do if they have become a victim of sexual abuse or sexual harassment, including the various reporting methods and how to preserve physical evidence.
  - i. consequences of false allegations.
  - j. reporting sexual abuse and sexual harassment.
  - k. treatment and counseling.
2. In accordance with JRDC OD 15.01, incarcerated individuals shall view a video regarding their right to be free from sexual abuse, sexual harassment and their right to be free from retaliation for reporting such incidents.
3. In accordance with AD 01.13 and AD 01.14, PREA related materials for incarcerated individuals shall be available in formats accessible those with disabilities (deaf, hard of hearing, blind, low-vision, intellectual disabilities, psychiatric disorders, speech disabilities, etc.) to ensure all incarcerated



individuals have an equal opportunity to participate in or benefit from all aspects of the Department's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

E. Initial Screening at Intake

1. In accordance with JRDC OD 15.01, a CPS shall screen all new incarcerated individuals during the classification intake process to determine potential vulnerability/tendencies of acting out with sexually aggressive behaviors. The CPS shall document relevant information on the PREA Intake Screening Tool in the Offender Management System (OMS).
2. The intake screening shall consider, at a minimum, the following criteria to assess incarcerated individuals for risk of sexual victimization:
  - a. Whether the incarcerated individual has a mental, physical or developmental disability.
  - b. The age of the incarcerated individual.
  - c. The physical build of the incarcerated individual.
  - d. Whether the individual has previously been incarcerated.
  - e. Whether the incarcerated individual's criminal history is exclusively nonviolent.
  - f. Whether the incarcerated individual has prior convictions for sex offenses against an adult or child.
  - g. Whether the incarcerated individual is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming.
  - h. Whether the incarcerated individual has previously experienced sexual victimization.
  - i. The incarcerated individual's own perception of vulnerability.
  - j. Whether the incarcerated individual is detained solely for civil immigration purposes.
3. When an incarcerated individual indicates they have been sexually abused or sexually harassed in the past, the CPS shall offer Protective Custody in accordance with SOD 01.0E.

4. When an incarcerated individual indicates they have been sexually abused or sexually harassed by another incarcerated individual, the victim shall be assigned to Administrative Segregation in accordance with SOD 01.0D. Incarcerated individuals reporting sexual abuse and sexual harassment and incarcerated individuals who indicate to staff that they have sexually abused or sexually harassed another incarcerated individual shall be referred to a qualified health care professional (QHCP) and/or qualified mental health practitioner (QMHP) for a mental health assessment.
5. All incarcerated individuals shall be given a Mental Health Screening during the intake process. All reports of prior sexual abuse and sexual harassment shall be documented on the Intake Mental Health Screening (Appendix 5). In addition, incarcerated individuals who report a history of prior sexual abuse and sexual harassment shall be offered a referral to Mental Health for a follow-up meeting within 14 days of the intake screening.
6. Mental Health Assessment/Referral
  - a. All incarcerated individuals shall receive timely, unimpeded access to mental health services following an allegation of sexual abuse. Staff who first receive a report of alleged abuse shall immediately complete a priority Referral for Mental Health Services (JRDC and ORCC OD 17.01, Appendix 2). Incarcerated individuals referred to mental health following an allegation of sexual abuse shall be seen by the next available QMHP for evaluation.
  - b. The nature and scope of any subsequent mental health care services shall be determined by the mental health practitioners providing the care, according to their professional judgment and in accordance with current policies.
  - c. An employee may make a mental health referral, utilizing Referral for Mental Health Services, based on their observation of the incarcerated individual's behavior or at the incarcerated individual's request. This referral may be based on the concerns that the incarcerated individual has been a victim, or is at risk of being a sexual victim or sexual aggressor.
7. Incarcerated Individual Placement
  - a. All information obtained during the assessment process shall be used to assist in the initial classification and/or housing assignment of an incarcerated individual in accordance with the SOD 13.0B.
8. Incarcerated Individual Monitoring

- a. Identified victims, potential victims and sexual aggressors known to staff through reports, investigations and disciplinary history for sexual abuse or sexual harassment shall be monitored and counseled by a QMHP during regularly scheduled contacts.
- b. Employees, contractors and volunteers who observe incidents or behaviors that may cause a reasonable concern that an incarcerated individual may be at significant risk of sexual victimization or sexual aggression shall notify a supervisor and document this incident or observation on an Incident Report in accordance with AD 01.04.

F. Reporting Sexual Abuse and Sexual Harassment

1. Employees, contractors or volunteers who become aware of sexual abuse or sexual harassment of an in custody incarcerated individual shall immediately report the incident to a shift supervisor. Additionally, the reporting staff member shall forward an Incident Report in accordance with AD 01.04.
2. Anyone (incarcerated individuals, visitors, family members, etc.) may confidentially report sexual abuse, sexual harassment and/or retaliation for reporting sexual abuse and sexual harassment verbally or in writing.
3. AACDDF shall include an unrecorded, confidential phone number and address to a community service provider in the Inmate Orientation Booklet. The community service provider shall receive and immediately forward reports of sexual abuse or sexual harassment to AACDDF administrators.
4. Incarcerated individuals who are victims of or have knowledge of nonconsensual sexual abuse or sexual harassment shall immediately report the incident by one of the following methods:
  - a. Submit a PREA report using the inmate kiosk.
  - b. Report the incident to any employee, contractor or volunteer verbally or in writing.
  - c. Submit a Health Service Request using the inmate kiosk.
  - d. Use the formal grievance procedure in accordance with JRDC and ORCC OD 12.01.
  - e. Contact the community service provider using the information contained in the Inmate Orientation Booklet.

5. No incarcerated individual reporting sexual abuse or sexual harassment shall be issued an infraction for lying based solely on the fact that their allegations could not be substantiated or that they later recanted the allegation.
6. Malicious or false reports by incarcerated individuals or other parties shall result in disciplinary action and/or criminal charges.
7. Any employee, contractor or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete or untruthful information shall be subject to disciplinary action up to and including dismissal in accordance with AD 03.05.
8. The AACDDF shall not tolerate retaliation against incarcerated individuals, employees, contractors, volunteers or other parties for reporting sexual abuse or sexual harassment. Any individual who retaliates shall face disciplinary action.
9. For at least 90 days following a report of sexual abuse, the PREA Compliance Manager(s) shall monitor the conduct and treatment of an incarcerated individual(s) or staff who reported the sexual abuse and of an incarcerated individual(s) who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by incarcerated individuals or staff, and shall act promptly to remedy any such retaliation. The PREA Compliance Manager(s) should monitor disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Compliance Manager(s) shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

G. Supervisor Investigative Procedures

1. Each alleged incident shall be carefully evaluated on its merit, considering all evidence and circumstances.
2. The shift supervisor shall physically separate the alleged victim(s) and alleged abuser(s). The alleged victim shall be housed in an environment that will, to the extent possible, permit the alleged victim the same level of privileges permitted immediately prior to the alleged incident.
3. If the alleged abuser is an employee, the shift supervisor shall immediately eliminate contact between the alleged victim and the employee.
4. The shift supervisor shall document the time as well as the names of all potential witnesses in the area and secure witnesses.

5. An initial investigation of sexual abuse, sexual harassment or threats of sexual abuse shall be conducted by a supervisor, to include isolating witnesses and securing the crime scene.
6. The supervisor shall ensure that the alleged victim and alleged abuser do not wash, brush their teeth, shower or change clothes.
7. The shift supervisor shall ensure the collection of evidence is conducted in accordance with section VI.H. of this directive.
8. The supervisor shall notify the Captain, ACFA, CFA and Superintendent in accordance with AD 01.04.
9. A non-invasive medical examination of the alleged victim and alleged abuser shall be conducted by an AACDDF contractual QHCP and documented on the Sexual Assault/Rape Medical Assessment form (Appendix 4).
  - a. The QHCP shall advise the shift supervisor whether a sexual assault exam is warranted by a SANE (Sexual Assault Nurse Examiner), and shall direct the supervisor or CFA/ACFA to transport the incarcerated individual(s) to an outside medical facility.
10. When alleged sexual abuse is suspected;
  - a. and the area appears to be undisturbed, the supervisor shall determine whether a formal police investigation is warranted for evidence collection.
  - b. in the past and the supervisor is confident the area where the sexual abuse occurred no longer contains any physical evidence (i.e., area has been cleaned, clothing or other materials have been laundered, etc.) and/or the incarcerated individual has bathed or indicates there are no visible or obvious signs of the abuse, the supervisor shall proceed with their investigation.
11. If the supervisor determines the quality of evidence appears to support criminal prosecution, they shall contact the Anne Arundel County Police Department.

H. Collection of Evidence/Crime Scene Preservation

1. After donning gloves, conduct a strip search of the alleged abuser(s) and any incarcerated individuals in the immediate area.
2. Unless otherwise directed by responding police personnel, secure any

evidence in biohazard bags and initiate a chain of custody form(s) (SOD 01.0L, Appendix 3).

3. Ensure any evidence on the alleged victim(s) and alleged abuser(s) remains undisturbed and is preserved.
4. Security staff shall secure the area and it as a crime scene, taking all necessary precautions to avoid disturbing possible evidence. Evidence shall be safeguarded and secured without touching or moving it pending the arrival of Anne Arundel County Police. Gloves shall be used if anything is moved or touched.
5. Photographs of the crime scene shall be taken at the direction of the supervisor.

I. Criminal and administrative agency investigations

1. All investigations shall include an effort to determine whether staff action(s) or failure(s) to act contributed to the abuse.
2. Completed investigative documentation shall include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
3. The AACDDF shall retain all written reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years (records retention).
4. The departure of the alleged abuser from AACDDF employment or the alleged victim from AACDDF custody shall not provide a basis for terminating an investigation.
5. When outside agencies investigate sexual abuse, the AACDDF shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.
6. The AACDDF shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse and sexual harassment are substantiated. Allegations must be deemed substantiated, unsubstantiated or unfounded.

J. Reporting to Incarcerated Individuals

1. Following an investigation into an incarcerated individual's allegation that they suffered sexual abuse or sexual harassment in the AACDDF, the PREA

Investigator shall inform the alleged victim as to whether the allegation has been deemed substantiated, unsubstantiated or unfounded.

2. If the AACDDF did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the incarcerated individual.
3. Following an incarcerated individual's allegation that a staff member has committed sexual abuse against them, the AACDDF shall subsequently inform the incarcerated individual (unless the AACDDF has determined that the allegation is unfounded) whenever:
  - a. the staff member is no longer assigned to the incarcerated individual's unit;
  - b. the staff member is no longer employed at the AACDDF;
  - c. the AACDDF learns that the staff member has been indicted on a charge related to sexual abuse within the AACDDF; and/or
  - d. the AACDDF learns that the staff member has been convicted on a charge related to sexual abuse within the AACDDF.
4. Following an incarcerated individual's allegation that they have been sexually abused by another incarcerated individual, the AACDDF shall subsequently inform the alleged victim whenever:
  - a. the AACDDF learns that the alleged abuser has been indicted on a charge related to sexual abuse within the AACDDF;
  - b. the AACDDF learns that the alleged abuser has been convicted on a charge related to sexual abuse within the AACDDF.
  - c. all such notifications or attempted notifications shall be documented; and/or
  - d. the AACDDF's obligation to report under this standard shall terminate if the incarcerated individual is released from AACDDF custody.

K. Treatment – Medical

1. If an incarcerated individual reports that sexual abuse has occurred, the QHCP shall interview the incarcerated individual.
  - a. If the QHCP determines the incarcerated individual requires a SANE

examination, the QHCP shall inform the hospital.

- b. The security supervisor shall arrange for transportation to the hospital for a SANE examination.
  - c. The QHCP shall document the interview on an Incident Report and forward to the security supervisor.
2. If practical, upon request by the victim, a victim advocate, qualified agency staff member or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals.
  3. The AACDDF contractual Infection Control Nurse (ICN) shall offer timely information about and access to pregnancy tests, emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.
  4. If pregnancy results from in custody sexual abuse, victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
  5. The QHCP shall refer an incarcerated individual who has been identified as a victim of an alleged sexual abuse to a QMHP for follow up.

L. Treatment – Mental Health

1. The AACDDF shall provide incarcerated individuals with confidential, timely and unimpeded access to outside crisis intervention and emotional support services following reports of sexual abuse within the AACDDF.
2. A QMHP shall interview the incarcerated individual within 48 hours of an incident and provide appropriate care as necessary.
3. The nature and scope of any crisis intervention and emotional support services shall be determined by the QMHP providing the care, according to their professional judgment.
4. Following a report of sexual abuse, access to treatment services shall be provided to the alleged victim without financial cost regardless of whether the victim names the abuser or cooperates with the investigation.
5. The QMHP shall document their interview with the alleged victim for inclusion in the medical file.



6. The evaluation and treatment of alleged victims shall include, as appropriate;
  - a. follow-up services.
  - b. treatment plans.
  - c. referrals for continued care following transfer to other facilities or release from custody.

M. PREA Review Team

1. The PREA Review Team shall be comprised of the Correctional Facility Administrator(s), Assistant Correctional Facility Administrator(s), PREA Compliance Manager(s) and the PREA Coordinator.
2. The PREA Review Team shall review all allegations of sexual abuse within 30 days of the conclusion of the investigation. The PREA Review Team shall;
  - a. consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse;
  - b. consider whether the incident or allegation was motivated by race; ethnicity, gender identity, lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the AACDDF;
  - c. examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
  - d. assess the adequacy of staffing levels in that area during different shifts;
  - e. assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
  - f. prepare a report of the findings including, but not limited to, determinations made pursuant to a.-e. of this section and any recommendations for improvement and submit such reports to the Correctional Facility Administrator(s).

N. Data Review for Corrective Action

1. The PREA Review Team shall evaluate the data collected in order to assess and improve the effectiveness of its sexual abuse prevention, detection and

response policies, practices and training including;

- a. identifying problem areas.
  - b. taking corrective action on an ongoing basis.
2. The PREA Compliance Managers shall prepare a facility specific annual report of their findings and corrective actions for the previous calendar year. This report shall be submitted to the PREA Coordinator no later than January 30th for the previous year's incidents.
  3. The PREA Coordinator shall prepare a departmental Annual Report using the findings from each facility specific report. The Annual Report shall be submitted to the Superintendent and Correctional Facility Administrators no later than March 1st for the previous year's incidents.
  4. The Superintendent or designee shall make the Annual Report readily available to the public through the AACDDF's website.

**NOTE: THE AACDDF SHALL REDACT SPECIFIC MATERIAL FROM THE ANNUAL REPORT WHEN PUBLICATION WOULD PRESENT A CLEAR AND SPECIFIC THREAT TO THE SAFETY AND SECURITY OF THE AACDDF BUT SHALL INDICATE THE NATURE OF ANY MATERIAL REDACTED.**

O. Outside Agency Notification

1. Incarcerated individuals who report sexual abuse while confined in another facility:
  - a. The Superintendent shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred no later than 72 hours after receiving the allegation.
  - b. The Superintendent shall document they have provided such notification.
2. Upon receiving an allegation that an incarcerated individual was sexually abused while confined at the AACDDF, the Superintendent shall ensure that the allegation is investigated in accordance with these standards.

This directive shall be reviewed at least annually and revised as necessary.



Christopher Klein  
Superintendent

Rescinds: AD 6.6 dated November 1, 2005  
AD 06.06 dated September 10, 2014  
AD 06.06 dated March 18, 2016

Appendix 1 - Staff-on-Incarcerated Individual Sexual Misconduct and Harassment  
Appendix 2 - Incarcerated Individual-on-Incarcerated Individual Sexual Assault/Rape Violence  
Report  
Appendix 3 - First Report of Incarcerated Individual Sexual Assault/Rape  
Appendix 4 - Sexual Assault/Rape Medical Assessment Report  
Appendix 5 - Intake Mental Health Screening  
Appendix 6 - Sexual Assault/Rape Data Summary  
Appendix 7 - Sexual Abuse and Sexual Harassment Terminology

Appendix Reference

AD 01.04, Appendix 1 – Incident Report  
SOD 01.0E, Appendix 1 – Notice of Assignment to Protective Custody  
SOD 13.0B, Appendix 3 – Intake Interview Form  
JRDC and ORCC OD17.01, Appendix 2 – Referral for Mental Health Services

