Objectives:

- Understand what a PREA guided policy is
- Define policies needed to respond to sexual abuse of youth in custody
- Define what makes a good policy
- Identify policy considerations and decisions
- Identify challenges and dilemmas in policy making
- Understand how staff, youth, contractors and volunteers know policies
- Define avenues for policy review

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PREA Guided Policies

- Definitions
- Data Collection: methodology and responsibility
- Division Responsibilities
  - Operations: programs, facilities management
  - Support: training, compliance
- Standard Operating Procedures

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Project under NIC CA
#06S20GJJ1
PREA Guided Policies

- Staff and youth training
- Prevention and detection efforts
- Monitoring culture
  - Gang activity, contraband, racial tensions
- Safety of vulnerable populations
- SART
- Victim safety and support
PREA Guided Policies

- Medical and mental health
  - examination and treatment
  - communicable diseases
  - Confidentiality v. mandated reporting
- Timelines for responses
- Investigative responsibility and procedure
- Reporting
  - who, to whom, when, procedure

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Project under NIC CA
#06S20GJJ1
Policies Needed to Address Sexual Abuse of Youth in Custody

- Classification
- Sexual Assault
- Medical and Mental Health
- Sexual Behavior
- Sexual Assault Response Teams (SART)
- Investigations
- Reporting
- Grievance

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Classification Policies

- Risk Assessment Tools
- Do you classify based on risk or something else
- Who is responsible for Classification
- Housing
- Separation
Sexual Assault Policies

- Employee Training
  - prevention, detection, response, investigation
- Youth Training
  - prevention, self-protection, reporting, treatment
- Screening
  - predators, prey, housing, separation
- Medical and Mental Health
  - reporting, confidentiality, victim services, examinations
- Data Collection
Medical/ Mental Health Policies

- Reporting and Confidentiality
  - incident reports, reporting up the chain of command
- Procedures
  - Evidence collection, off-site medical care, referral for mental health services
- Providing emergency care
- Consent of victim for services
- Follow up

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Sexual Behavior

- Visitation

- What if any sexual behavior is allowed
  Masturbation, touching, fondling

- What type of publications will be allowed
Sexual Assault Response Teams (SART)

- Who will be on your SART Team?
- What will the responsibilities of SART members be?
- SARTs are generally composed of:
  - Medical and Mental Health
  - Agency Investigators and/or Law Enforcement
  - Agency and Facility Representatives
  - Prosecution Representatives
  - Advocacy Organizations (such as Rape Crisis Centers)

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#06S20GJJ1
Investigative Policies

- Reporting and Notification
- Evidence Collection
- Medical and Mental Health Services Responsibilities
- Separation of victim
- Procedures
  - Recent v. non-recent sexual assaults
- Administrative v. Criminal Cases
- Timeframes

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Reporting Policies

- Procedure for reporting
- Reporting requirements
- Inclusions in report
- Record keeping
Grievance Procedures

- Authority and responsibility
- Contents of grievance
- Procedure for filing a grievance
- Procedural requirements
- Responding to a grievance
- Timeframes
- Emergency procedures
- Record-keeping

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#06S20G JJ1
What makes a good policy?

- Clear and inclusive definitions
- Clear and inclusive responsibilities for staff
- Clear and inclusive procedures
- Clear sanctions for not following policy
What makes a good policy?

- Multiple reporting points for employees and youth
- Strong investigative protocols
- Employee training and skills
  - Development
  - Refinement
- Effective youth orientation
  - Reception
  - Existing populations

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Policy Considerations

- Gender Differences
- Thread issue through policies
- Periodic review and update policies
  - Case law
  - State law
  - PREA
  - Association standards
- Agency culture
Policy Considerations:

- Compliance with state and federal law
- Implementation standards
- Review and update
- Culture: institution and youth
- Gender differences
- Challenges and dilemmas
- Measuring effectiveness

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Policy Decisions:

- Actions to include
- Responsibility assignments
- Reporting structures
- Safety v. confidentiality
- Sanctions
- Data Collection
Challenges and Dilemmas

- Leadership
  - Role modeling behaviors and commitment
- Culture and history
  - Unions and employee groups
  - Past attempts to address sensitive issues
- Practices are “in synch” with policy
Challenges and Dilemmas, continued

- Youth programming
  - Gender responsive
  - Inclusive
  - Equality and parity
- Investigative protocols/practices
  - Not accepting the “consensual” response
  - Defining internal roles
  - Ability to conduct thorough investigations
How do employees know the policy?

- Informal v. formal “education”
- Leadership by example
- Practice v. policies and procedures
Measuring Effectiveness

- Policies/procedures modeled by supervisors, managers, and leaders
  - Accountability and compliance
- Understandable language (realistic)
- Common sense practice
- Integrated into operations
- Aligns with state law
- Reporting and responding
- Leadership understands and acknowledges the aftermath of allegations and investigations

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Measuring Effectiveness

- Investigations are thorough, timely and professional
  - Conclusions reached
  - Employees cooperate
  - Disciplinary sanctions consistent
- There is medical and mental health support
  - Employees and youth
  - Employee assistance programs
Policy Review Guides

- **PREA Review Guide**
  Developed by The Moss Group, Inc. under cooperative agreement with the National Institute of Corrections, U.S. Department of Justice.

- **Community Corrections**
  Developed by CIPP, Inc. under cooperative agreement with the National Institute of Corrections, U.S. Department of Justice.

- **Jails**
  Developed by CIPP, Inc. under cooperative agreement with the National Institute of Corrections, U.S. Department of Justice.

Developed by the NIC/WCL Project under NIC CA #06S20GJ1
Summary

- Written policy exists and is comprehensive
- Operational practice follows policy
- Behavior and philosophy are role modeled
- Training is an effective tool for employees and youth
- Evaluation and revision

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