

VOLUNTEERS OF AMERICA MID STATES
Addiction Recovery Services
POLICIES AND PROCEDURES MANUAL

POLICY NUMBER: 300.24

DATE REVISED: August 11, 2020

SUBJECT: PREA Policy and Procedures

POLICY

It is the policy of Volunteers of America of Kentucky, Inc. (VOAMID) to provide a safe and secure environment for all staff, volunteers, contractors, visitors and residents and to maintain a program for the prevention of sexual misconduct in any facility operated by Volunteers of America (VOA). VOAMID is committed to zero (0) tolerance for sexual misconduct between staff, volunteers, contractors, visitors, or residents whether committed by staff, volunteers, contractors, visitors, or other residents. Sexual misconduct between staff, volunteers, contractors, visitors, and residents, regardless whether consensual or not, is strictly prohibited. In cases where sexual misconduct has been alleged, a thorough investigation shall be conducted. In those cases where it appears that any sexual contact has taken place, prompt intervention shall be provided and all appropriate disciplinary actions shall be taken, including the possibility of criminal prosecution.

All VOAMID staff and volunteers have an affirmative duty to report all allegations or knowledge of sexual abuse, harassment, or sexual contact that takes place. Upon substantiation of any allegations of sexual contact, appropriate disciplinary action will be taken against staff, volunteers, visitors or residents, including possible criminal prosecution.

The purpose of this policy and administrative procedure is to establish guidance for staff and residents regarding the prevention of sexual assaults and those actions to be taken in cases of alleged sexual misconduct by staff or residents, including the establishment of a coordinated, multi-disciplinary approach to respond to incidents of sexual abuse to ensure victims receive the medical and support services needed and that investigators obtain evidence to substantiate allegations and hold perpetrators accountable.

PROCEDURE

1. General Definitions of Terminology:

1. *Contractor* - a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.
2. *Direct staff supervision* means that security staff are in the same room with, and within reasonable hearing distance of, the resident.
3. *Employee* - a person who works directly for the agency or facility.
4. *Facility* - a place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals.
5. *Facility director* - the principal official of a facility.
6. *Gender identity* - is a person's internal, deeply felt sense of being male or female regardless of the person's sex at birth.
7. *Gender nonconforming* - a person whose appearance or manner does not conform to traditional societal gender expectations.
8. *Intersex* - a person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
9. *Medical practitioner* - a health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A "qualified medical practitioner" refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.
10. *Mental health practitioner* - a mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A "qualified mental health practitioner" refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

11. *Official visitor* - is any visitor who is visiting a resident in regards to providing an official service for the benefit of the resident or the community, such as attorneys, law enforcement, parole/probation officers, representatives of government agencies, elected officials, etc.
12. *Pat-down search* - a running of the hands over the clothed body of a resident by an employee to determine.
13. *PREA aggressor likely* - is a resident identified by staff as having a history of sexually assaultive behavior or is determined to be likely to use aggression, coercion, force or familiarity with the prison environment in order to manipulate/control a potential victim.
14. *PREA victim likely* - is a resident identified by staff who may need special services due to being a victim of sexual assault or misconduct or who is potentially susceptible to becoming a victim of sexual assault or misconduct while in a correctional setting.
15. *Resident* - any person residing in a community confinement facility.
16. *Staff* – employees
17. *Strip search* - a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitalia.
18. *Transgender* - a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
19. *Substantiated allegation* - an allegation that was investigated and determined to have occurred.
20. *Unfounded allegation* - an allegation that was investigated and determined not to have occurred
21. *Unsubstantiated allegation* - an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred
22. *Visitor* - is an individual visiting a VOAMID facility, who is not staff, a volunteer, or an official guest

23. *VOAMID PREA coordinator* - is the staff person designated by the CEO to oversee the sexual assault prevention program at the facility, sexual assault reporting and facility compliance with national standards and VOAMID Policy whether the individual possesses contraband
24. *Volunteer* - an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency

2. **DEFINITIONS RELATED TO SEXUAL ASSAULT/SEXUAL ABUSE/SEXUAL HARRASSMENT:**

1. Sexual abuse of a resident by another resident; and Sexual abuse of a resident by a staff member, contractor, or volunteer.
 - a. Sexual abuse of a resident by another resident, includes any of the following acts: if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse;
 - i. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - ii. Contact between the mouth and the penis, vulva, or anus;
 - iii. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - iv. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
 - b. Sexual abuse of a resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the resident:

- i. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - ii. Contact between the mouth and the penis, vulva, or anus;
 - iii. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - iv. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - v. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - vi. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
 - vii. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a resident, detainee, or resident.
2. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an resident by a staff for reasons unrelated to official duties, such as peering at an resident who is using a toilet in his or her cell to perform bodily functions; requiring an resident to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an resident's naked body or of a resident performing bodily functions.
3. Sexual harassment includes —
 - a. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another; and

- b. Repeated verbal comments or gestures of a sexual nature to a resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

3. **PREVENTION PLANNING**

1. Zero (0) Tolerance for Sexual Misconduct

- a. VOAMID shall maintain a stance of zero (0) tolerance for all forms of sexual misconduct between residents and staff, volunteers, contractors, visitors, or other residents. Sexual misconduct includes: abusive sexual contact against another resident, staff, visitor or volunteer; nonconsensual sexual act against another resident, staff, visitor or volunteer; staff/volunteer/visitor sexual harassment; and, staff/volunteer/visitor sexual misconduct.
- b. When contracts are prepared with agencies and organizations to house residents for VOAMID, a provision shall be included to ensure that the agency/organization maintains zero (0) tolerance for sexual conduct and has a mechanism in place to address allegations of sexual conduct.

2. VOAMID PREA Coordinator

- a. The PREA coordinator will be the Director of Addiction Recovery Services at VOAMID, or his/her designee. The PREA coordinator duties will include:
 - i. Oversee all VOA efforts to comply with PREA standards
 - ii. Assist each facility to develop and document a staffing plan that insure levels of supervision are adequate to insure residents are safe from sexual abuse based on the physical layout of the VOAMID reentry facilities, the composition of the residents, the prevalence of incidents of sexual abuse, and any other salient issues.

- iii. Review a least annually the **staffing plan** to insure staffing patterns are adequate, if other technologies are needed, and the estimated cost for adding staff or technological monitoring devices.

3. Supervision and monitoring

- a. VOAMID will have a staffing plan that is designed to ensure the safety and security of the residents, will be review annually and whenever significant changes in programming occur, and will take in account the following:
 - i. The physical layout of each facility;
 - ii. The composition of the resident population;
 - iii. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
 - iv. (2) Prevailing staffing patterns;
 - v. The facility's deployment of video monitoring systems and other monitoring technologies; and
 - vi. The resources the facility has available to commit to ensure adequate staffing levels.

4. Limits to cross-gender viewing and searches

- a. VOAMID does not conduct cross-gender strip searches or cross-gender visual body cavity searches.
- b. VOAMID facility residents shower, perform bodily functions, and change clothing without staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in emergency of life-threatening circumstances.

- c. VOAMID staff shall not search or physically examine a transgender or intersex resident for the sole purpose of determining the resident's genital status. If the resident's genital status is unknown, it may be determined during conversations with the resident.
- d. VOAMID trains staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex residents, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Kentucky DOC training materials are utilized to inform staff of proper procedures.
- e. Staff of the opposite gender are required to announce their presence when entering a resident bedrooms and bathrooms.

5. Residents with disabilities and residents who are limited English proficient

- a. VOAMID shall take appropriate steps to ensure that residents with disabilities (including, for example, residents who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include:
 - i. Make available the appropriate and effective interpreters and or translators, and not rely on other residents for this function, and
 - ii. Read aloud written materials
- b. VOAMID policy prohibits use of resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under, or the investigation of the resident's allegations

6. Hiring and promotion

- a. VOAMID will not hire or promote anyone who may have contact with residents, and shall not enlist the services of any contractor who may have contact with residents, who:

- i. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. § 1997);
 - ii. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse;
 - iii. Has been civilly or administratively adjudicated to have engaged in the activity described above
 - iv. The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents
- b. Before hiring new employees who may have contact with residents, the agency shall:
 - i. Perform a criminal background records check;
 - ii. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- c. VOAMID shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with residents.
- d. VOAMID shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees.
- e. VOAMID shall also ask all applicants and employees who may have contact with residents directly about previous misconduct described above in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current

employees. VOAMID will also impose upon employees a continuing affirmative duty to disclose any such misconduct. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. Unless prohibited by law, VOAMID will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

7. Upgrades to facilities and technologies

- a. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, VOAMID shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse.
- b. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect residents from sexual abuse.

4. TRAINING AND EDUCATION

1. Resident Education and Training

- a. All residents housed in VOAMID correctional facilities shall receive as a part of the orientation to a facility an educational segment regarding sexual conduct. The resident shall be provided with oral and written information regarding:
 - i. VOAMID's zero (0) tolerance of any sexual conduct
 - ii. prevention and intervention
 - iii. self-protection
 - iv. reporting sexual conduct including abuse and/or assault and remain free from retaliation
 - v. how VOAMID will respond to an alleged incident
- b. The presentation of this information shall be in a manner that is easily understandable to the residents. As a part of this educational program, the residents shall be advised that any resident who engages in any type of sexual conduct shall be charged in accordance with the appropriate disciplinary code or code of conduct and, if found guilty, shall receive the fullest sanctions.
- c. As a part of the resident's orientation, the resident shall be given a brochure created by VOAMID advising the resident of the potential dangers of sexual conduct and VOAMID's zero (0) tolerance for such behavior. Additionally, staff at the facility shall supplement the information in the brochure by providing information specific to the operation of the facility. This information shall also be included in the facility's resident handbook. Staff shall address any questions the residents might ask regarding sexual conduct.
- d. Additionally, it shall be noted in each resident's file that the resident received the brochure and was made aware of all appropriate information regarding VOAMID's zero tolerance

for all sexual conduct, including how to report it and how to obtain treatment if he/she becomes a victim. The resident shall sign a receipt indicating that this information was provided and the receipt shall be filed in the resident's client file.

2. Staff Orientation and Training

- a. As a part of VOAMID's zero (0) -tolerance policy for sexual abuse and sexual harassment, all staff who work in the facilities advised of a resident's right to be free from sexual abuse and sexual harassment, and trained in preventing, detecting, and responding to sexual conduct in the correctional setting. Additionally, this training shall include:
 - i. How to recognize signs of sexual abuse or misconduct,
 - ii. How to fulfill their responsibility of the VOAMID policies and procedures on preventing, detecting, reporting and responding to sexual abuse and sexual harassment.
 - iii. Ways that residents may report incidents of sexual conduct,
 - iv. Resident's and staff's right to be free from retaliation for reporting sexual abuse, instructions for staff on reporting incidents of sexual conduct,
 - v. The dynamics of sexual abuse and sexual harassment victims,
 - vi. Common reactions of sexual abuse, crisis intervention, treatment and
 - vii. Crime scene and evidence preservation techniques,
 - viii. How to avoid inappropriate relationships with residents
 - ix. How to effectively communicate with residents
 - x. Cultural competency regarding lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents.

- xi. Duties for first responders to sexual abuse incidents, which are:
- Separate the alleged victim and abuser
 - Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence
 - Request that the alleged victim not take any action that could destroy evidence including washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, as appropriate
- b. As a part of this training, staff shall be provided with a brochure to assist staff in identifying incidents of sexual conduct, including abusive sexual contact against another resident and nonconsensual sexual act against another resident, and the actions to take when such behavior is identified. All training shall be tailored to the gender of the resident population at a given facility. Additional specialized training is provided to medical staff using DOC PREA training materials for medical practitioners.
- c. Staff shall be advised that any form of sexual conduct between staff and residents, whether consensual or not, is prohibited and that staff who are found to have engaged in any form of sexual conduct with residents shall be subject to the appropriate disciplinary action, including termination from employment and criminal prosecution.
- d. Staff shall be informed that any form of harassment or discrimination against an resident, the resident's family or friends, members of the public or other staff shall be prohibited and that any such reports made against a staff person shall be investigated and if substantiated shall result in the appropriate disciplinary action, including termination of employment and possible criminal prosecution.
- e. In addition to the new employee orientation training, a module on identifying, responding to and preventing sexual conduct shall be included in the annual training for staff. This module shall include a refresher of the information in the new employee orientation training, training on guidelines for female staff announcing selves before entering males'

sleeping and bathroom facilities, and any additional information that is deemed to be required.

- f. In addition to new employee orientation training, Medical and Mental Health Practitioners shall receive specialized training in Medical and Mental Care Standards.
- g. All staff trainings will be documented, including that the employee understood the training, and kept in the staff file.

3. Volunteers, Interns and Contractor Training

- a. Volunteers, interns and contractors shall be advised that any form of sexual conduct with an resident, whether consensual or not, is strictly prohibited and that any volunteer, intern or contractor found to have engaged in such conduct shall be removed from the facility and not allowed to return and may be subject to criminal prosecution. Training in the detection and response to sexual behavior shall be made a part of the volunteer, intern and contractor orientation training. Each volunteer, intern or contractor having regular contact with residents shall be provided with a copy of the brochure provided to staff regarding sexual behavior and receive the same information and training materials that are provided to staff. All PREA related training received by volunteers, interns and contractors will be documented, including that they understood the training and the documentation will be kept by the VOAMID volunteer coordinator and/or human resource department.

5. **RESPONSIVE PLANNING**

- 1. Evidence protocol and forensic medical examinations
 - a. VOAMID will offer all victims of sexual abuse access to community-based forensic medical examinations at University of Louisville Hospital / Center for Women and Families or other free community service that offers examinations by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).
 - b. VOAMID will make available at no cost to the victim a victim advocate from a rape crisis center. The rape crisis centers to be utilized will not be part of the criminal justice system (such as a law enforcement agency)

and will offer a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

- c. As requested by the victim, the victim advocate 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.

2. Criminal Investigations

- a. VOAMID shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.
- b. The VOAMID PREA coordinator will ensure that allegations of sexual abuse or sexual harassment are referred for investigation to the legal authority to conduct criminal investigations (the local police department, Kentucky Department of Corrections, or the Federal Bureau of Prisons), unless the allegation does not involve potentially criminal behavior. All such referrals will be documented in an incident report.

6. **SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS**

1. Screening

- a. Within 24 hours of a resident's admission to a VOAMID intake unit, staff shall assess a resident through interviews and reviews of the resident's record to attempt to determine whether the resident may be a potential sexual aggressor or a potential sexual assault victim. Within 30 days of the resident's arrival at the parent facility, staff shall reassess the resident's risk of victimization or abusiveness based upon any additional information received by the facility since the intake assessment. A resident's risk level shall be reassessed when warranted due to a referral, request, and incident of sexual abuse or receipt of additional information that bears on the risk of sexual victimization or abuse.
 - i. This assessment shall use the Kentucky Department of Corrections' Screening for risk of Sexual Victimization and Abusiveness in accordance with its completion

instructions. The results of this assessment are to be considered confidential and filed in the resident's file.

2. Results of Screening

- a. Based upon this assessment identification of aggressor likely and victim likely, the resident shall be placed in the appropriate area; this may include having a client housed in an individual room and placed on more frequent checks to ensure client safety. However no facility shall place lesbian, gay, bisexual, transgender or intersex residents in dedicated units solely on the basis of such identification or status. If staff determines that a resident is a potential aggressor or potential victim, the resident's record shall be appropriately flagged. The screening results will remain confidential and sharing of pertinent information obtained from the screening tools will be decided by the facility director to ensure the safety and security of the resident(s).
- i. Each resident screened as aggressor likely and victim likely will be reviewed by the facility director and an appropriate programmatic, bed, and work detail assignment.

3. Screening Refusal

- a. A resident's refusal to provide information related to disability, sexual orientation, previous sexual victimization, transgender/ intersex status, or the perception of ones on vulnerability will not be disciplined.

4. Transgender/ Intersex

- a. Serious consideration shall be given to such a resident's own views with respect to his or her own safety. Transgender and intersex residents shall be given the opportunity to shower separately from other residents.

5. Resident Reporting

- a. VOAMID intends to make reporting sexual abuse or harassment as convenient and safe as possible and offers the following options for reporting:

- b. VOAMID will inform residents, staff, volunteers, and contractors that reports of sexual abuse or harassment the VOAMID PREA coordinator by:
 - i. calling the PREA coordinator at 502-888-1360 or
 - ii. via email at shreetaw@voamid.org
 - iii. meeting with the PREA coordinator face to face
 - iv. calling 911 or non-emergency LMPD 502-574-7111investigators

- c. All VOAMID staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall forward the reports to the facility director immediately.

6. Exhaustion of Administrative Remedies

- a. There is no a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse; any portion of the grievance that does not allege any incident of sexual abuse will follow the regular VOA timelines for the submission of grievances.
- b. Residents making an allegation of sexual abuse will not be required to use an informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. Nothing in this section shall restrict the agency's ability to defend against a lawsuit filed by a resident on the ground that the applicable statute of limitations has expired.
- c. VOAMID ensures that -
 - i. A resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
 - ii. Such grievance is not referred to a staff member who is the subject of the complaint.
- d. VOAMID shall issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.
 - i. Computation of the 90-day time period shall not include time consumed by residents in preparing any administrative appeal.
 - ii. The agency may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision.
 - iii. The agency shall notify the resident in writing of any such extension and provide a date by which a decision will be made.
 - iv. At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, the resident may consider the absence of a response to be a denial at that level.

7. Third Parties

- a. Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of residents.
- b. If a third party files such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
- c. If the resident declines to have the request processed on his or her behalf, the agency shall document the resident's decision.

8. Emergency Grievances

- a. An emergency grievance alleges that a resident is subject to a substantial risk of imminent sexual abuse.
- b. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, the agency shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the facility director / PREA coordinator, at which time immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
- c. The agency may discipline a resident for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the resident filed the grievance in bad faith.

9. Resident Access To Outside Confidential Support Services

- a. Residents will be given access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim

advocacy or rape crisis organizations, and by enabling reasonable communication between residents and these organizations, in as confidential a manner as possible.

- b. Residents will be informed, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.
- c. VOAMID will maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse.

10. Third-Party Reporting

- a. Any third party can report sexual abuse or harassment allegations on behalf of a resident directly to the PREA coordinator by either phone or email. The PREA coordinator contact information will be posted on the VOAMID.org website.

G. OFFICIAL RESPONSE FOLLOWING A RESIDENT REPORT

1. Staff And Agency Reporting Duties

- a. All staff will report immediately to the facility director knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- b. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.
- c. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.
- d. If the alleged victim is considered a vulnerable adult under a State or local vulnerable person's statute, the agency shall report the allegation to the Kentucky Adult Protective Agency under applicable mandatory reporting laws.
- e. The facility director shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the PREA coordinator.

2. Agency Protection Duties

- a. When any staff learns that a resident is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the resident.

3. Reporting To Other Confinement Facilities

- a. Upon receiving an allegation that a resident was sexually abused while confined at another facility, the facility director that received the allegation shall notify the facility director of the facility where the alleged abuse occurred.

4. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. The facility director who makes the report shall document that it has provided such notification. The facility director that receives such notification shall ensure that the allegation is investigated in accordance with these standards. Staff First Responder Duties:

- a. Upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to:
 - i. Separate the alleged victim and abuser;
 - ii. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
 - iii. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
 - iv. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
 - v. (b) If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff.

5. Coordinated response

- a. The PREA coordinator shall develop a written institutional plan to coordinate actions taken in response to every incident of sexual abuse, among staff first responders, mental health practitioners, investigators, and facility leadership. The sexual assault checklist will be used for this. Reference E.

6. Agency Protection Against Retaliation

- a. In effort to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff, the facility directors will:
 - i. Employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
 - ii. For at least 90 days following a report of sexual abuse, the facility director shall monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation. Items the facility director should monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. Monitoring for retaliation is done using the “Protection Against Retaliation—Staff” form and/or the “Protection Against Retaliation—Client” forms. See Reference B and C
 - iii. Implement periodic status checks on residents.
 - iv. Implement the same measure of protect for individuals who cooperates with an investigation who expresses a fear of retaliation.
- b. The facility director’s obligation to monitor shall terminate if the agency determines that the allegation is unfounded.

H. INVESTIGATIONS

1. Internal investigations

- a. Internal VOAMID investigations into allegations of sexual abuse and sexual harassment shall be done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. VOAMID does not have the authority to conduct criminal investigations. Any allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior.
- b. VOAMID staff whenever possible and allowable per the community confinement contracts shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.
- c. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as resident or staff. VOAMID shall not require a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
- d. Administrative investigations:
 - i. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
 - ii. Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
 - iii. A Sexual Incident Review form shall be completed within 30 days of the conclusion of the investigation.
- e. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

- f. VOAMID shall retain all written reports pertinent to sexual misconduct for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.
- g. The departure of the alleged abuser or victim from the employment or control of VOAMID shall not provide a basis for terminating an investigation.
- h. When outside agencies investigate sexual abuse, the facility shall cooperate with outside specialized and shall endeavor to remain informed about the progress of the investigation.

2. Evidentiary Standard For Administrative Investigations

- a. VOAMID shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

3. **Reporting to residents.**

- a. Following an investigation into a resident's allegation of sexual abuse suffered in a VOAMID facility, the PREA Coordinator is responsible for informing the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This should be done using the Offender Notification form within 30 days of the conclusion of the investigation.
- b. If VOAMID did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the resident.
- c. Following a resident's allegation that a staff member has committed sexual abuse against the resident, VOAMID shall subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever:
 - i. The staff member is no longer posted within the resident's unit;
 - ii. The staff member is no longer employed at the facility;
 - iii. VOAMID learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or

- iv. VOAMID learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- d. Following a resident's allegation that he or she has been sexually abused by another resident, the agency shall subsequently inform the alleged victim whenever:
 - i. VOAMID learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - ii. VOAMID learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
- e. All such notifications or attempted notifications shall be documented.
- f. VOAMID's obligation to report shall terminate if the resident is released from VOAMID's custody.

I. DISCIPLINE

1. Disciplinary Sanctions For Staff

- a. Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.
- b. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.
- c. Disciplinary sanctions for violations of VOAMID policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
- d. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

2. Corrective Action For Contractors And Volunteers

- a. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.
- b. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with residents, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

3. Disciplinary Sanctions For Residents

- a. Residents shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident sexual abuse.
- b. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.
- c. The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.
- d. The agency may discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact.
- e. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
- f. VOAMID prohibits sexual activity between residents and residents may be disciplined for such action, however, VOAMID does not deem such activity to constitute sexual abuse if it is determined that the activity is not coerced.

J. MEDICAL AND MENTAL HEALTH CARE

1. Access To Emergency Medical And Mental Health Services

- a. Resident victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services provided by the local hospital emergency room or rape crisis center, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
- b. Resident victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.
- c. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

2. Ongoing Medical And Mental Health Care For Sexual Abuse Victims And Abusers

- a. VOAMID shall ensure access to community-based medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
- b. Each facility will have a list of what community-based entities offer the following services/ resources without charge along with instructions of how to refer residents to these services. Residents' case managers will document in the residents files of all referrals made:
- c. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
- d. The facility shall provide such victims with medical and mental health services consistent with the community level of care.
- e. Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate; free pregnancy tests and receive timely,

comprehensive information about, and timely access to, all lawful pregnancy related medical services .

- f. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- g. VOAMID will make a referral for the mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

K. DATA COLLECTION AND REVIEW

1. Sexual Abuse Incident Reviews

- a. VOAMID shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Reference form D
- b. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
- c. The review team shall include upper-level management officials, with input from line supervisors, case managers, and mental health practitioners. See Reference A.
- d. The review team shall:
 - i. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - ii. 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 facility;
 - iii. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;

- iv. Assess the adequacy of staffing levels in that area during different shifts;
 - v. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
 - vi. Prepare a report of its findings, including any recommendations for improvement, and submit such report to the VOAMID CEO.
- e. VOAMID shall implement the recommendations for improvement, or shall document its reasons for not doing so.

2. Data Collection

- a. VOAMID shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- b. The VOAMID PREA coordinator shall aggregate the incident-based sexual abuse data at least annually.
- c. The incident-based data collected will include the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- d. The VOAMID PREA coordinator will maintain, review, and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews.

3. Data Review For Corrective Action

- a. The VOAMID Quality Improvement Committee will review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:
 - i. Identifying problem areas;
 - ii. Taking corrective action on an ongoing basis;
 - iii. Preparing an annual report of its findings and corrective actions for each facility.

- b. The incident-based data collected shall include the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- c. The VOAMID PREA coordinator will maintain, review, and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews; prepare an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- d. The report shall be approved by the VOAMID CEO and made readily available to the public through the VOAMID website.
- e. Specific material from the reports will be redacted when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

4. Data Storage, Publication, And Destruction

- a. VOAMID shall ensure that data collected pursuant to PREA standards will be kept in locked offices.
- b. All aggregated sexual abuse data will be readily available to the public at least annually through its website.
- c. Before making aggregated sexual abuse data publicly available, all personal identifiers will be removed.
- d. Sexual abuse data collected pursuant to PREA standards will be maintained at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

L. AUDITS

- 1. During the three-year period starting on August 20, 2013, and during each three-year period thereafter all VOAMID correctional facilities will be audited at least once.

2. Audits will be conducted by:
 - a. A member of a correctional monitoring body that is not part of, or under the authority of VOAMID (but may be part of, or authorized by, the relevant State or local government);
 - b. A member of an auditing entity such as an inspector general's or ombudsperson's office that is external to the agency; or
 - c. Other outside individuals with relevant experience.
3. All auditors shall be certified by the Department of Justice.
4. No audit may be conducted by an auditor who has received financial compensation from VOAMID (except for compensation received for conducting prior PREA audits) within the three years prior to the agency's retention of the auditor.
5. VOAMID shall not employ, contract with, or otherwise financially compensate the auditor for three years subsequent to the agency's retention of the auditor, with the exception of contracting for subsequent PREA audits.

Reference A
Sexual Abuse Incident Review Report

Facility: _____ Date of Allegation: _____

Alleged Victim Name/Number: _____ Alleged Perpetrator: _____

CHECK ONE: Substantiated Unsubstantiated

1. The review team has considered whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.

CHECK ONE: No changes to policy or practice indicated
 Yes, change(s) to policy or practice indicated as described below

Description/Recommendation:

2. The review team has considered whether the incident or allegation was motivated by race; ethnicity; gender or identity; LGBTI identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

CHECK ONE: No indication of any of the listed motivating factors
 Yes, a motivating factor(s) was indicated as described below

Description/Recommendation:

3. The review team has examined the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may have enabled abuse.

CHECK ONE: No physical barriers present that may have enabled abuse
 Yes, physical barriers may have enabled abuse as described below

Description/Recommendation:

4. The review team has assessed the adequacy of staffing levels in that area during different shifts.

CHECK ONE: No indication of inadequate staffing levels
 Yes, there may be inadequate staffing levels as described below

Description/Recommendation:

5. The review team has assessed whether monitoring technology should be deployed or augmented to supplement supervision by staff.

CHECK ONE: No supplemental technology necessary
 Yes, supplemental technology may be necessary as described below

Description/Recommendation:

Review Team members (Name and Title) _____

_____ Date: _____

Facility Head/Designee: _____ Date: _____

Recommendations approved: Yes No - reasons: _____

Completed forms will be submitted to the Facility Director and PREA Coordinator

Reference B

PROTECTION AGAINST RETALIATION – STAFF

Designated facility staff shall monitor staff who have reported an allegation of sexual abuse or who cooperated with a sexual abuse investigation for 90 days following said report. If the allegation is determined to be unfounded the monitoring shall cease. The designated person shall monitor the staff member’s performance reviews and check for any reassignments and document such on the “Protection Against Retaliation – Staff” form. The form will be maintained with the completed investigation file following the 90-day monitoring period. The 90 day monitoring requirement only applies to sexual abuse however all claims of retaliation regarding an incident of sexual harassment shall be addressed and documented on this form.

Staff Name:		Rank/Title:	
Incident Date:			
Monitoring Begin Date:		Monitoring End Date:	

Allegation: **Substantiated** **Unsubstantiated** **Unfounded**

- The staff member reported sexual abuse
- The staff member reported sexual harassment
- The staff member cooperated with a sexual abuse investigation
- The staff member cooperated with a sexual harassment investigation

Facility Check List	Date:			Date:			Date:			Date:		
Protection Measures Employed:	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Post reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Facility transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removal of alleged staff abuser from contact with victim	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emotional support requested and provided to staff member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff reported concerns related to:	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Performance Reviews(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reassignment of staff member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Staff Monitor / Title

Date

Reference C

PROTECTION AGAINST RETALIATION – INMATES

Designated staff shall monitor inmates who have suffered, reported or cooperated with an investigation of an allegation of sexual abuse for 90 days following said report. If the allegation is determined to be unfounded the monitoring shall cease. Designated staff shall interview the inmate on a monthly basis to review their perception of retaliation for reporting /suffering or cooperating in the investigation and document same on the “Protection Against Retaliation – Inmates” form. The form will be maintained with the completed investigation file following the 90-day monitoring period. The 90 day monitoring requirement only applies to sexual abuse however all claims of retaliation regarding an incident of sexual harassment shall be addressed and documented on this form.

Inmate Name:		Inmate Number:	
Incident Date:			
Monitoring Begin Date:		Monitoring End Date:	

Allegation: **Substantiated** **Unsubstantiated** **Unfounded**

- The inmate reported sexual abuse/sexual harassment
- The inmate suffered sexual abuse/sexual harassment
- The inmate cooperated with a sexual abuse investigation
- The inmate cooperated with a sexual harassment investigation

Facility Check List	Date:			Date:			Date:			Date:			Date:			Date:		
Protection Measures Employed:	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Housing Unit Changed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Facility transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removal of alleged staff abuser from contact with victim	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removal of alleged inmate Abuser from contact with victim	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emotional support services offered to inmate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inmate reported concerns related to:	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Disciplinary Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing Unit Change(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Program Change(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work Reports/Assignments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Staff Signature / Title

Date

Reference Form D

DATE	TIME	ENTRY	Initials

Sexual Abuse Incident Review Report

Facility: _____ Date of Allegation: _____

Alleged Victim Name/Number: _____ Alleged Perpetrator: _____

CHECK ONE: Substantiated Unsubstantiated

6. The review team has considered whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.

CHECK ONE: No changes to policy or practice indicated
 Yes, change(s) to policy or practice indicated as described below

Description/Recommendation: _____

7. The review team has considered whether the incident or allegation was motivated by race; ethnicity; gender identity; LGBTI identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

CHECK ONE: No indication of any of the listed motivating factors
 Yes, a motivating factor(s) was indicated as described below

Description/Recommendation: _____

8. The review team has examined the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may have enabled abuse.

CHECK ONE: No physical barriers present that may have enabled abuse
 Yes, physical barriers may have enabled abuse as described below

Description/Recommendation: _____

9. The review team has assessed the adequacy of staffing levels in that area during different shifts.

CHECK ONE: No indication of inadequate staffing levels
 Yes, there may be inadequate staffing levels as described below

Description/Recommendation: _____

10. The review team has assessed whether monitoring technology should be deployed or augmented to supplement supervision by staff.

CHECK ONE: No supplemental technology necessary
 Yes, supplemental technology may be necessary as described below

Description/Recommendation: _____

Review Team members (Name and Title) _____

Date: _____

Facility Head/Designee: _____ Date: _____

Recommendations approved: Yes No - reasons: _____

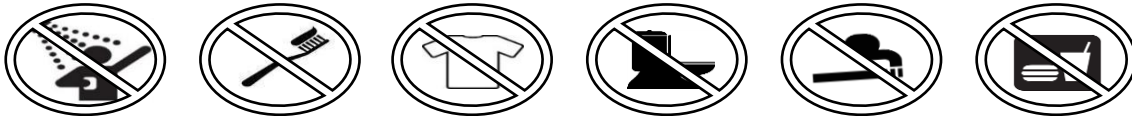
Completed forms will be submitted to the Facility Director and PREA Coordinator

Reference E

VOA Mid-States, Inc.

First Response Plan

- Place the Victim in the closest staff office to the incident to provide a safe environment, assure them they are safe, and police are on the way. Request they do not shower, brush their teeth, change clothes, use the restroom, drink, or eat
- The Perpetrator should be placed in a room where there is no opportunity to wash or throw any evidence away. Prevent them from showering, brushing their teeth, changing clothes, using the restroom, drinking, or eating



- Call 911, address law enforcement and request medical care.
- Ensure transport to U of L Hospital for SAFE/SANE exam if determined necessary
- Inform the client about Center for Women and Families Victim Advocate Services
- Preserve the crime scene, do not touch any evidence.

Closing or blocking off the area as much as possible.
Prohibiting unauthorized persons from entering. Do not touch or remove anything from the scene. Collection of evidence will be completed by investigators.



- Complete the Community Confinement Sexual Offense Allegation Report form and submit to Program Manager/RST Supervisor. This form will gather all important details regarding the allegation.
- Call the Program Manager for Women and Men to inform what happened.
- Complete the DOC/PREA Incident Reporting Form and submit to Program Manager/RST Supervisor
- Complete an Incident Report in PHS.

