PRISON RAPE ELIMINATION ACT NATIONAL STANDARDS

PRISONS AND JAILS 2015-2016

PBSO ANNUAL COMPLIANCE REPORT

**115.5 General definitions**

**115.6 Definitions related to sexual abuse**

* Pertinent definitions added to policy

**Prevention Planning**

**115.11 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

* Added to policy
* Inmate education posters in three languages were created and hung in all inmate areas
* General public posters in three languages created and hung in all public entrances with brochures concerning help and reporting for victims
* Employee posters and brochures created and hung at all employee entrances
* PREA Acknowledgement and training packets were created for Security Orientation class for employees, contractors, volunteers, Pre-trial Release Program personnel, Facilities Management employees, Public Defender Interviewers, and School Board employees, as well as for their annual PREA training
* PREA training video obtained from NIC now played in all Security Orientation classes.
* PREA Coordinator information added to policy
* Zero tolerance information also contained in the Inmate Handbook, the classification info-sheet and in the Inmate Orientation video.

**115.12 Contracting with other entities for the confinement of inmates**

* N/A

**115.13 Supervision and monitoring**

* Annual Staffing Plan completed.
* Review of facilities done
* Policy and practice for unannounced supervisory rounds on all shifts in policy

*UPDATE:*

* Completed power point for staff education on Power DMS, FTO staff education

**115.14 Youthful inmates**

* Policy and practice already in compliance

**115.15 Limits to cross gender viewing and searches**

* Policy and practice in place for limitations of cross gender searches
* Policy and practice in place to provide as much privacy in showering, toileting and changing of clothing of inmates as possible while maintaining prudent security practices

Future Plan:

*Further training for staff concerning transgender/intersex searches.*

*UPDATE:*

* Transgender search training video on Power DMS
* Two power points on Power DMS “PREA LGBTI” and Facility Safety and “Transgender Inmates”
* Cooperative effort between medical/mental health, PREA Manager and Classification with email notification every time a TG, IS or GN inmate is booked. Notification then sent to MH for monitoring comfort in housing assigned on an individual basis.

**115.16 Inmates with disabilities and inmates who are limited English proficient**

* Already compliant with policy and practice

**115.17 Hiring and promotion decisions**

* Already a practice of our HR department
* Five year criminal background records check of all employees and contractors accomplished by CJIS for all contractors, auto-capture for employees

*UPDATE:*

* Confirmed --All non PBSO contractors, volunteers etc. have annual background rechecks for annual security updates. Their annual PREA training accompanies their security application at this time. They must return the PREA Acknowledgement with the application

**115.18 Upgrades to facilities and technologies**

* Policy and practice in Policy Statement

**Responsive Planning**

**115.21 Evidence protocol and forensic medical examinations**

* Policy and practice in place
* Updated the Supervisor’s *Emergency Response Resource Manual* with a *PREA Plan Checklist* thumbnail which was distributed to the Corrections Supervisors
* PBSO Corrections Investigators and Inspectors attended the FL Sheriff’s Office PREA Investigator’s Training
* Formed a relationship with Palm Beach County Victim’s Services to link our inmate telephone system which was released to accommodate a free, confidential phone linkage (7777) to their Crisis Hotline, available twenty four hours a day, seven days a week (information is available to inmates on signage posted in all inmate areas in 3 languages, and in the Inmate Rulebook
* As part of this arrangement, memos were generated with protocols drafted from Victim Services response protocol. Victim Services is also “home” to the Palm Beach County SART (Sexual Assault Response Team) which includes the Victim Advocates and the SANE (Sexual Assault Nurse Examiners) who respond to all PBC emergency rooms for reports of alleged sexual assaults, and also Butterfly House. Their sexual assault and forensic guidelines mirror the National Protocol for Sexual Assault Medical Forensic Examinations model as recommended by PREA standards. The Victim Advocate is then present to support the alleged victim through the forensic medical examination process and investigatory interview, providing emotional support
* We also became part of the SART, attending monthly meetings at Victim Services, and participating on a subcommittee. Victim Services offered us an educational tour of their buildings and services. We then reciprocated with a visit from them to the MDC
* An additional memo was forwarded to medical/mental health at both sites concerning follow-up emergency care for inmates alleging sexual assault. Aftercare treatment by medical and mental health is scheduled as well as a discharge plan put into place, with information and brochures furnished by the Victim Advocate at the emergency room/Butterfly House for ongoing medical care and counseling with their Victim Services Advocate and the services offered to all victims after release

**115.22 Policies to ensure referrals of allegations for investigations**

* Policy*,* as well as the *PREA Plan Checklist,* which is part of the *Emergency Response Resource Manual*, utilized by the duty supervisors with hyperlinks to the actual corresponding policy, contains a quick glance checklist in the event of an alleged sexual assault, which includes the notifications of VCD/investigations as part of the zero tolerance policy. Every report of alleged sexual assault, abuse, harassment generates an investigation (even if called to the 7777 hotline anonymously)

Future Plan:

Website

*UPDATE:*

* Completed 2015 and updated frequently

**Training and Education**

**115.31 Employee Training**

* Annual PREA training for employees has been taking place since soon after the 2003 Federal PREA mandate. This was accomplished in Security Orientation and in FTO Line-up training along with policy review. Attendance signature pages were completed and maintained. With the advent of Power DMS, a record of all policies read is now electronically maintained, and FTO line-up training continues
* A new employee PREA education video obtained from PRC has been shown in Security Orientation
* Employee education posters on zero tolerance, as well as corresponding brochures were created and hung at all employee entrances and line up rooms.

Future Plan:

*Further education for staff*

*UPDATE:*

* 6 DMS power points created and sent out at intervals to staff 2016
* PRC DVD played for all in Orientation
* Information stations for employees placed in central hallways at both sites with a variety of brochures and printed information
* PREA quick reference cards and PBSO PREA brochures distributed to staff
* PREA and Transgender policies reviewed and on DMS for staff review
* Knock and Announce training completed
* All training shared with contractors

**115.32 Volunteer and contractor training**

* Annual PREA training for contractors and volunteers was accomplished in Security Orientation and in Armor’s corporate trainingwere also updated by their corporate clinical education department, and shared withtheir employees. PBSO policies were distributed annually as well as to other contractors and volunteers. Attendance signature pages were completed and maintained
* In 2013, we expanded the annual PREA training to include all contractors, subcontractors, Pre-Trial Intervention Program, Facilities’ Management staff, Public Defender Office Interviewers, all Programs volunteers, facilitators, Health Department employees with jail assignments, and School Board Teachers assigned to the jail. They received the zero tolerance employee brochures and the PREA Acknowledgement Form which includes more zero tolerance information. Signature sheets were obtained and kept on file
* Since 2014, the updates with volunteers, teachers, Health Department assignments, and facilitators, we have been mailed the annual PREA training packet with the PREA Acknowledgement Form which they return with their annual security clearance application
* We are scheduled to have two booths for the Armor Skills Fair in August of 2014. We will complete their annual security clearance applications and their annual PREA training at that time
* All other groups will be updated as per the prior plan
* A new video obtained from the PREA Resource Center has been shown in Security Orientation weekly
* Employee education on zero tolerance, and well as corresponding brochures were created and hung at all employee entrances and line-up rooms

**115.33 Inmate education**

* Current policy, procedure and practice concerning inmate PREA education beginning in intake in practice. Zero tolerance information is contained in the Inmate Rulebook, the classification info-sheet and the inmate education posters placed throughout the inmate areas throughout both facilities
* The Inmate Orientation video also contains information concerning sexual abuse/assault/harassment. All these are done in the three most common languages, English, Spanish, and Creole. Language Line and translators are available for other language translations, as well as those who are hearing impaired. For the sight impaired and those unable to read, the information can be read to them
* Inmates now see a PRC PREA video daily

**115.34 Specialized training: Investigations**

* PBSO Corrections Investigators and Inspectors attended the FL Sheriff’s Office PREA Investigator’s Training

**115.35 Specialized training: Medical and mental health**

* Employee education on zero tolerance, and well as corresponding brochures were created and hung at all employee entrances and line-up rooms.
* Medical and mental health employees receive orientation and annual training through Armor’s PREA corporate education packets.
* We had two booths for the Armor Skills Fair in August of 2014. We completed their annual security clearance applications and their annual PREA training at that time.
* Received training on PREA policies. Information includes their role as it pertains to hospital transfers, while maintaining all possible evidence
* An additional memo was forwarded to medical/mental health at both sites concerning follow-up emergency care for inmates alleging sexual assault. Aftercare treatment by medical and mental health is scheduled as well as a discharge plan put into place, with information and brochures furnished by the Victim Advocate at the emergency room/Butterfly House for ongoing medical care and counseling with their Victim Services Advocate and the services offered to all victims after release

**Screening for Risk of Sexual Victimization and Abusiveness**

* 1. **Screening for risk of victimization and abusiveness**
* Policy and Practice is in place for classification along with medical’s mental health screening; they ask the pertinent interview questions concerning inmate vulnerabilities, self-perception, prior history of sexual abuse or perpetrations to decide the safest housing, program and work assignments
* Classification’s Pre-screening form was updated twice in the last year to make the questions more pertinent and concise
* The inmate’s risk level is reassessed every time a request, grievance or report is received as an ongoing process
* All inmates stating a “yes” response on the questionnaires are referred to mental health for evaluation

**115.42 Use of screening information**

* Use of above information gleaned for 115.41, is utilized to decide on housing, work, education, and program assignments with the goal of keeping any vulnerable inmate safe from those who are deemed highly abusive. Current policy/procedure and practice in place
* Individualized determinations are made to ensure this safety, as well as the decision for housing in LGBTI inmates, taking the inmates own views for their safety into consideration

UPDATE:

* Reassessment now occurs within 3 days of intake by mental health. They monitor at intervals via face to face interviews
* PREA Manager visits approximately every 90 days
* Classification monitors continually at weekly segregation meetings (if applicable) and through reports and verbal communication with the PREA Manager

**115.43 Protective custody**

* Current policy/procedure and practice in place
* Also based on information gleaned from compliance items from standard 115.41, inmates at high risk for sexual victimization are not routinely placed into segregation until all other alternatives are explored. This is accomplished through classification interviews, as well as ongoing communication by request, grievance, or through other reports received and are discussed weekly in the classification segregation team meetings

**Reporting**

**115.51 Inmate reporting**

* Policy speaks to the ways inmates may report any sexual abuse, assault or harassment, by telling any employee, volunteer, or contractor, by writing a request slip or grievance, calling their attorney, telling family or friends, or by utilizing the “7777” telephone link to Victim Services hotline (see 115.21 for information on SART and Victim Services)
* This information is communicated to the inmate via the inmate handbook (available in 3 languages), the classification information on infectious diseases form, on posters (written in 3 languages) displayed in all inmate areas and in the inmate orientation video
* Policy provides consular information for those held for civil immigration only

**115.52 Exhaustion of administrative remedies**

* Policy and procedure/practice allow for compliance with all bullets of this standard
  1. **inmate access to outside confidential support services**
* Policy as well as the Victim Services/SART memorandums and ongoing relationship allow for a Victim Advocate to meet the alleged victim at the emergency room, and make available follow up care as needed after release from jail. During incarceration our contract medical and mental health provider follow the alleged victim. The Discharge Planner makes available the emergency room information packet for follow-up at release

**115.54 Third Party reporting**

* Policy and procedure/practice provides for third party reporting of sexual abuse
* There are informational posters in all inmate areas in 3 languages, posters for the general public with brochures from Victim Services, information is contained in the Inmate Rulebook, in three languages, in the Inmate Orientation Video in three languages, and in printed material distributed by Classification

**Official Response Following an Inmate Report**

**115.61 Staff and agency reporting duties**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**115.62 Agency protection duties**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**115.63 Reporting to other confinement facilities**

* In the event of this report, an incident report is generated and sent to the PBSO VCD investigators to make contact

UPDATE:

* Update to policy

**115.64 Staff first responder duties**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**115.65 Coordinated Response**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**115.66 Preservation of ability to protect inmates from contact with abusers**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**115.67 Agency protection against retaliation**

* The alleged victim is currently questioned by mental health during their follow-up care after the initial emergency room visit

**115.68 Post –allegation protective custody**

* All reports of sexual abuse, assault, or harassment are reported using the algorithm outlined in policy

**Investigations**

**115.71 Criminal and administrative agency investigations**

* VCD criteria using PBSO Crime Scene evidence for criminal prosecution
* *Policy and Process* and the Inmate Rulebook outline the categories for infractions for administrative disciplinary reports and hearings

**115.72 Evidentiary standard for administrative investigations**

* VCD protocol utilized

**115.73 Reporting to inmates**

Future Plan:

*Standard needs to be explored further and develop a plan of action and education*

UPDATE:

* Detectives now include all notifications at the end of their investigation Offense Query

**Discipline**

**115.76 Disciplinary sanctions for staff**

* IA process

**115.77 Corrective action for contractors and volunteers**

* Case by case process (usually security clearance immediately terminated)

**115.78 Disciplinary sanctions for inmates**

* Policy and the Inmate Rulebook outline the categories for infractions for administrative disciplinary reports and hearing

**Medical and Mental Health Care**

**115.81 Medical and mental health screenings; history of sexual abuse**

* Policy/procedure, stating Intake and Classification questions done by PBSO and Armor staff concerning sexual assault victimization or perpetration with mental health referral for all positive answers

**115.82 Access to emergency medical and mental health services**

* Policy/procedures outline the role medical plays in inmate care prior and after emergent treatment offsite at no cost to the inmate
* We utilize SART (Sexual Assault Response Team) which includes the Victim Advocates and the SANE (Sexual Assault Nurse Examiners) who respond to all PBC emergency rooms for reports of alleged sexual assaults, and also Butterfly House. Their sexual assault and forensic guidelines mirror the National Protocol for Sexual Assault Medical Forensic Examinations model as recommended by PREA standards. The Victim Advocate is then present to support the alleged victim through the forensic medical examination process and investigatory interview, providing emotional support
* An additional memo was forwarded to medical/mental health at both sites concerning follow-up emergency care for inmates alleging sexual assault. Aftercare treatment by medical and mental health is scheduled as well as a discharge plan put into place, with information and brochures furnished by the Victim Advocate at the emergency room/Butterfly House for ongoing medical care and counseling with their Victim Services Advocate and the services offered to all victims after release

**115.83 Ongoing medical and mental health care for sexual abuse victims and abusers**

* An additional memo was forwarded to medical/mental health at both sites concerning follow-up emergency care for inmates alleging sexual assault. Aftercare treatment by medical and mental health is scheduled as well as a discharge plan put into place, with information and brochures furnished by the Victim Advocate at the emergency room/Butterfly House for ongoing medical care and counseling with their Victim Services Advocate and the services offered to all victims after release

Future Plan:

*We currently are not medically following the alleged perpetrator in a sexual abuse case. However, the standard states, “all prisons” N/A to jails.*

**Data Collection and Review**

**115.86 Sexual abuse incident reviews**

* When sexual assault investigations are complete and a finding of “substantiated” “unsubstantiated” is reached, an incident review meeting is held within 30 days of the final findings. Discussed are such considerations as a need for policy change, underlying factors such as sexual orientation, gang affiliation, physical barriers, adequate staffing, or perhaps the need for monitoring technology as outlined in policy

**115.87 Data collection**

* Policy and practice defines reporting
* The annual DOJ Survey On Sexual Violence is completed and submitted (copies have been retained since 2006)
* Data files are maintained on each report containing copies of incident reports, medical, mental health and ER records, investigation reports and final outcome along with the post incident review meeting information as appropriate
* The data files information is utilized to maintain a quick-reference log with status of each area noted. This log and files are used for informational purposes in order to complete the annual DOJ report and annual agency report/summary

Future Plan:

Website

UPDATE:

* Website 2015, updated as needed

**115.88 Data review for corrective action**

* When sexual assault investigations are complete and a finding of “substantiated” “unsubstantiated” is reached, an incident review meeting is held within 30 days of the final findings. Discussed are such considerations as a need for policy change, underlying factors such as sexual orientation, gang affiliation, physical barriers, adequate staffing, or perhaps the need for monitoring technology as supported by policy

Future Plan:

PBSO PREA Website

UPDATE:

* Website 2015, updated as needed

**115.89 Data storage, publication, and destruction**

* Per public records law or PREA standards whichever is longer

Future Plan:

PBSO PREA Website

UPDATE:

* Website 2015, updated as needed