



North Carolina Coalition Against Sexual Assault

NCCASA

EDUCATION ♦ ADVOCACY ♦ LEGISLATION

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THE NORTH CAROLINA APPROACH

April 2015

THE SITUATION

In 2003, the US Congress unanimously passed, which President George W. Bush, signed into law on September 4, 2003, the Prison Rape Elimination Act (PREA). Its purpose was to analyze the prevalence and effects of prison sexual assault, and to provide institutions with resources for the prevention and intervention of prison rape. The Act also created the National Prison Rape Elimination Commission, which developed PREA standards for enforcement of prison rape elimination. These standards were finalized in August 2012, and were immediately applicable to the Federal Bureau of Prisons.

The North Carolina Coalition Against Sexual Assault (NCCASA) received its first presentation on PREA, at its biennial conference, in 2007. In 2012, after the finalization of the PREA standards, NCCASA submitted a PREA proposal to the then North Carolina Department of Corrections. However, due to administrative consolidation of the department under the Department of Public Safety (DPS) that same year, these proposals failed to gain traction.

In 2013 North Carolina began the process of building a collaborative administrative and programmatic framework for PREA compliance in the state. Though the process has not always been seamless, below, in accordance with the National Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act (§115.53, 253, 353 c), is a chronological annotation to develop statewide outside confidential victim services for incarcerated victims between NCDPS and NCCASA:

October 2011 – First documented PREA correspondence from NCDPS

November 2011 – NC PREA Administrator attended NCCASA Member Meeting

March 2012 - Correspondence on updates w/forthcoming standards

September 2012 – Follow-up discussions

November 2012 – Draft proposal submitted to NCDPS for review & discussion

May 2013 – NC PREA Administrator attended Biennial conference member meeting-discussed requirements of standards

October 2013 – Meeting to establish joint proposal for regional PREA implementation

December 2013 – Meeting to discuss funding options, surveying RCCs & establish regular meetings.

February 2014 – Initial Monthly Meeting

March 2014 – Survey Rape Crisis Centers (RCCs) understanding of PREA, ascertaining of PREA implementation & compliance needs.

May 2014 – Established regular monthly meeting dates & webinars

June 2014 – Proposed plan presented @ membership meeting

RCC SURVEY RESULTS

All NC RCCs were asked to complete the survey. The response rate was 60%. Responses to the survey served as PREA programmatic guidance. The full survey is available upon request. However, the response below has been the major guiding factor.

Please tell us what would help make your agency better equipped to provide advocacy services to this population.

Education & Training

Funding (staff, travel, training)

MOUs

EDUCATION & TRAINING

PREA Monthly Webinar Series was introduced in June 2014

June 2014 – PREA 101 - Overview of PREA, Standards, Compliance & Governor's Certification Process

July 2014 – Understanding the Culture of Corrections in NC –Prisons

August 2014 - Understanding the Culture of Corrections in NC – Jails

September 2014 - Policy, Procedures, & Facility Guidelines & Maintaining Professional Boundaries w/Inmates

October 2014 -Recap of previous webinars & Q&A

November 2014 - Creating Culturally Competent Services – LGBTQI – Adults

December 2014 - Creating Culturally Competent Services – LGBTQI – Juveniles

In-Person Regional Trainings are planned based on the NCCASA 6-regions & NCDPS recently consolidated over lapping 4 regions with RCCs & Correction Officials.

An in-person retreat is also planned which would include NCDPS PREA Office staff, NCCASA staff, NCCASA PREA Advisory & Advocacy Board (PAAB), described below, and the NCDPS Regional Directors.

NCCASA is working with NCDPS PREA Office to develop on-line training curriculum for all NCDPS Correction employees.

Since, most of NC Rape Crisis Centers have jails in their jurisdictions, NCCASA is also planning regional networking, education, training specifically for the 96 jails/detention facilities run by elected sheriffs.

PREA ADVOCACY&ADVISORY BOARD

Recognizing the need for direct service expertise, streamline communication to membership, NCCASA formed the Prison Rape Elimination Act Advisory & Advocacy Board (PAAB) & created a webpage for PREA education & information. PAAB Membership formulated based on NCCASA's Training & Technical Assistance Regional Model.

Purpose: In Collaboration with NCCASA, Develop the Partnership, Process, and Preparation needed for PREA Implementation & Victim Advocacy Services

Members: Local Rape Crisis Centers, Correction Officials, Allied Professionals

Responsibilities: Program Development and Training Consultation

Partnerships: Mirror statewide approach within region

- Provide guidance to RCCs, Correction Officials, Allied Professionals and to Community Organizations.
- Assist in educational & training needs that include but not limited to, workshops, roundtables, seminars, trainings & presentations

- Create samples of standardize forms, letters, and other resource documents
- Distribute information to community at large regarding PREA.
- Collect and provide NCCASA with local and region information for the purposes of determining needs and work collaboratively with NCCASA to advocate for change.
- Engage in systems advocacy as needed for individuals and groups.
- Provide referrals to resources.
- Attend conferences, education seminars, webinar, and trainings.
- Remain current on local, regional, state, and federal resources.
- Serve on boards and task forces to further PREA goals.

Members

Robin Colbert, NCCASA, robin@nccasa.org
 Kristen Howe, NCCASA, kristen@nccasa.org
 Gina Katz, NCCASA, gina@nccasa.org

Region A (Western)

Angelica Wind, Our Voice, Inc., Buncombe, angelicaw@ourvoicenc.org
 Teesie Stanton, Safe, Inc., Transylvania, teesie@safetransylvania.org

Region B (Northwestern)

Deanna Stoker, Ashe County Partnership for Children /A Safe Home for Everyone (ASHE), dvdirector@ashechildren.org
 Angie Parker, Family Services of the Piedmont, Guilford, angela.parker@fspcares.org
 Bethany Wichman-Buescher, Orange County Rape Crisis Center, Bethany@ocrcc.org
 Liz Grossnickle, Crossroads, Alamance, Caswell, liz@crossroadscares.org
 Angie Boles, Help, Inc., Rockingham, aboles@co.rockingham.nc.us

Region C (Southwestern)

Cori Goldstein, Safe Alliance, Mecklenburg, Cori.Goldstein@safealliance.org
 Donna Miller, Esther's House, Stanly, executivedirector.estherhouse@windstream.net

Region D (Central)

Rebecca Gibson, DCRC, Durham, rgibson@durhamcrisisresponse.org
 Elizabeth Nieves, FVRC, Chatham, elizabeth@fvrc.org
 Jamie Reyno, Interact, Wake County, jamier@interactofwake.org

Region E (Southeastern)

Monica Kazan, Promise Place, Craven, monica.kazan.promise@gmail.com
 Gwen Roberts, Carteret County Rape Crisis, gwen.roberts@carteretcountygov.org

Region F (Northeastern)

Tracey Kennedy, REAL Crisis Intervention, Pitt, Martin, Washington, Beaufort, tskennedy@embarqmail.com

Jessica Green, Rape Crisis Center of Coastal Horizons Center, Inc., New Hanover & Brunswick Counties, jgreen@coastalhorizons.org

Charlotte Jordan-Williams, NC PREA Administrator, Charlotte.Williams@ncdps.gov

Lisa Cook, PREA Coordinator, Buncombe County, lisa.cook@buncombecounty.org

Bernetta Thigpen, Northern Piedmont Region Director, CFW,

bernetta.thigpen@doa.nc.gov

MOUs& MOAs

NCCASA members and DPS facilities are in the process of building the relationships necessary to make PREA compliance a reality. Memorandums of Understanding (MOUs) or Memorandum of Agreements (MOAs) , as stated in the Act, is the tool of choice for allowing PREA-based partnerships between DPS facilities and NCCASA member advocacy groups regarding confidential emotional support services related to sexual abuse. A MOU or MOA is an agreement between parties expressing a statement of intended actions.

At this time, NCCASA does not have an MOU with DPS in relation to PREA compliance. The draft of the NCCASA MOU with DPS includes provisions for a “unified process for emotional supportive services to incarcerated individuals related to sexual violence as required by (§115.53, 253, 353 c). The Florida Council Against Sexual Violence has a MOU how-to that includes a MOU draft. The MOU between the Kentucky Association of Sexual Assault Programs (KASAP) and Kentucky Department of Corrections (KDOC) are examples of MOU with a PREA compliance statewide approach. Both of these resources can be found on the organizations’ respective websites, as well as on NCCASA’s website. Several NC local rape crisis centers have embarked on the MOU process and some already have them in place with local jails & detention centers.

PREA AND YOUR FUNDING

PREA noncompliance decreases or reallocates Office of Justice programs – BJA’s Edward Byrne Memorial Assistance Grant (JAG) Formula Program & Office of Juvenile Justice & Delinquency Prevention’s (OJJDP) Juvenile Justice & Delinquency Prevention Act Formula Grant as well as the Office on Violence Against Women Services, Training, Officers, & Prosecutors (STOP) Violence Against Women Formula Grant Program.

This is because PREA noncompliance makes states liable to lose 5% of any Department of Justice funds that may be used for prison purposes. [42 U.S.C. § 15607\(e\)](#). The Violence Against Women Act added a clause to the STOP program statute for “developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings.” [42 U.S.C. § 3796gg\(b\)\(17\)](#). This is a prison purpose, making STOP funding eligible for decrease or reallocation through PREA noncompliance.

PREA AUDIT CYCLE

PREA §115.401 Frequency & Scope of Audits conveys the audit cycle as

August 2013

First audit cycle began August 20, 2013

August 2014

First year of the first cycle ends, second year commences

August 2015

Second year of the first cycle ends, third year begins

August 2016

Third year of the first cycle ends; second cycle starts

During each annual period, at least one-third of each facility type is to be audited.

NC has approximately 57 adult, 13 juvenile, & 2 community confinement facilities.

FUNDING PREA INFRASTRUCTURE

Prison sexual assault is now a more visible national problem than ever before, and PREA enforcement means that more inmates will be coming forward for assistance. At this point, North Carolina is not prepared to deal with the coming influx of reported sexual assaults in prison, or the provision of care to these particular populations. As the survey results state, training and more substantial infrastructure, which includes the hiring of a Statewide PREA Victim Service Specialist housed at the NCCASA, are crucial to responding to the needs of incarcerated survivors. Both require funding.

The initial STOP funding of \$168,160.03, which is distributed by the NC Governor's Crime Commission, is being used, for the development of PREA Victim Advocacy & Services infrastructure in North Carolina. This includes the hiring of PREA Victim Services Program Specialist, auditing costs, training for victim service personnel, correction employees, and law enforcement investigatory bodies, creation of victim service posters, brochures, development of policy, processes and protocols for PREA manual and infrastructure building. The Commission has committed base funding for 2-years. The Commission may decrease the amount of funding it allocates to PREA compliance each year for a period of 4 years, based on establishment of PREA compliance infrastructure.

At the conclusion of those initial four years, there are 3 possible framework possibilities to facilitate the funding of PREA infrastructure in North Carolina.

- *DPS/GCC earmarks reverted funds from STOP VAWA for PREA use* - Reverted money is always guaranteed, even if the amount is variable.
- *DPS/GCC specifically allocates funding for the specific purpose of PREA* - Funding is guaranteed. DPS PREA Office in consultation with NCCASA decides where & how the funds should be allocated.
- *NCCASA receives allocation for funding for administration of PREA* - Similar to the Sexual Assault Services Program (SASP) funding, NCCASA in collaboration with the DPS/GCC would administer PREA funding. Application for mini-grants would be given to programs to ensure Statewide PREA services.