



PREA Victim Support Services 101

Webinar

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Agenda

- Overview of PREA
- What PREA Says About Victim Services
- Establishing Relationship with Corrections
- How NCCASA Can Help
- Action Steps



Prevalence of Sexual Abuse in Confinement



Graphic: Just Detention International, 2012

Source: Bureau of Justice Statistics, Sexual Victimization Reported by Former State Prisoners, 2008, May 12, 2012



Prevalence

STUDY SHOWS NEARLY EQUAL RATES OF SEXUAL ABUSE BY STAFF AND OTHER INMATES*



© 2013 Bureau of Labor Statistics, Bureau of Prisoners, Prison and Jail Quarterly Census, 2011-12, May 2013. © 2013 Department of Justice, Office of the Inspector General, 2013. Source: Beck, Berzofsky, Casper, & Krebs (2013). Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-2012.

*In adult facilities

- NC Adult Facilities:
 - 1st or 2nd highest number of substantiated staff-inmate
 - 8th highest number of substantiated inmate-inmate
- NC Youth Facilities:
 - 4.2% report staff sexual misconduct



Prison Rape Elimination Act Timeline

- First federal law addressing sexual abuse in detention facilities
- Timeline
- 2003 –PREA Legislation passed unanimously
- 2009 –National Prison Rape Elimination Commission drafts standards & sends to DOJ
- 2012 – DOJ issues final standards, incl. basic rights for incarcerated survivors:
 - To be treated with respect and dignity
 - To choose through which channels or to whom they feel comfortable reporting
 - To receive appropriate medical or mental health care regardless of whether or not they disclose the name of their perpetrator
 - To have reasonable access to community advocates for support services
- 2013 – First 3-year audit cycle begins
- 2014 - First year for potential DOJ grant reductions



Governor's Certification

- On May 15, 2015, Governor McCrory submitted an assurance letter that not less than 5% (**appx \$168,000**) of NC USDOJ funding for prison purposes shall be used only for the purpose of enabling NC to adopt and achieve full compliance.
- All facilities in the State under the **Governor's operational control**, including facilities operated by private entities on behalf of NC.
- Does not include those under the control of **counties, cities, or other municipalities, or privately-operated facilities not operated on behalf of the Governor.**



What Does PREA Say About Victim Support Services

- Rape crisis centers are experts in victim advocacy
 - DOJ "believes that an advocacy organization that is specifically dedicated to providing assistance to victims of sexual abuse is best suited to address victims' needs"
- Rape crisis centers are experienced with hospital accompaniment
 - "The final standard also recognizes the unique role of rape crisis center advocates in supporting victims throughout the forensic examination and investigatory interviews."



What Does PREA Say About Victim Support Services (cont.)

- Rape crisis centers know how to coordinate response in sexual assault cases
 - "[The coordinated response standard] was modeled after coordinated sexual assault response teams (SARTs), which are widely accepted as a best practice for responding to rape and other incidents of sexual abuse."
- Confidential support yields increased reports
 - "[A]ffording victims the opportunity for confidential discussions with advocates will help them feel more supported and thus more likely to report abuse and cooperate with its investigation and prosecution."



If Not RCC, then Who?

- "A victim will most benefit from a trained, confidential support person, who can focus on the victim and to whom the victim will feel safe talking. However, the Department recognizes that a rape crisis center advocate will not always be available"
- PREA Order of Preference:
 - a) Victim advocate from rape crisis center
 - b) Qualified staff member from community-based organization
 - c) Qualified correctional agency staff member



What Does This Mean for my RCC?

- Obligation is on the correctional facilities

However...

- RCCs are the best at victim support services
- Prisons/jails are part of your community
- RCCs provide services to all survivors



Funding Impact of PREA Non-Compliance

- Office of Justice Programs at risk of reduction/reallocation–
 - BJA's Edward Byrne Memorial JAG Formula Program
 - Primary provider of federal criminal justice funding
 - OJJDP Juvenile Justice & Delinquency Prevention Act Formula Grant Program
 - Supports delinquency prevention & intervention efforts
 - STOP Violence Against Women Formula Grant Program
 - Strengthen law enforcement & prosecution strategies as well as victim services in cases of violent crimes against women
- **Non-compliance: 5% reduction in funds**



STOP Funding Allocation


- States can utilize STOP funds for activities that also support PREA compliance
 - Address sexual violence in prisons
 - Help bring NC into PREA compliance
 - Keep STOP funding from being cut

• **WIN, WIN, WIN!**




PREA Standards

1. Prevention Planning
2. **Responsive Planning**
3. Training and education
4. Screening for Risk of Sexual Victimization and Abusiveness
5. **Reporting**
6. Official Response Following an Inmate/Detainee/Resident Report
7. Investigations
8. Discipline
9. **Medical and Mental Care**
10. Data Collection and Review
11. Audits and State Compliance
12. a) Other Issues - LGBTI and Gender-Nonconforming Inmates
b) Other Issues - Culture Change




PREA Standards and Service Providers

- Evidence protocol and forensic examination (115.21, 115.121, 115.321)
- Access to outside confidential support services (115.53, 115.253, 115.353)
- Coordinated response (115.65, 115.165, 115.265, 115.365)
- Emergency medical services (115.82, 115.182, 115.282, 115.382) and on-going medical & mental health care for victims (115.83, 115.283, 115.383)



PREA Standards Quiz

- A) Evidence protocol and forensic examination (115.21, 115.121, 115.321)
- B) Access to outside confidential support services (115.53, 115.253, 115.353)
- C) Coordinated response (115.65, 115.165, 115.265, 115.365)
- D) Emergency medical services (115.82, 115.182, 115.282, 115.382) and on-going medical & mental health care for victims (115.83, 115.283, 115.383)



Evidence protocol and forensic examination

- Attempt to make available to the victim a victim advocate from a RCC
- Allow advocate to:
 - Accompany and support the victim through the forensic medical examination process and investigatory interviews
 - Provide emotional support, crisis intervention, information, and referrals



Emergency/on-going medical & mental health services for victims

- Provide inmates with access to emergency medical treatment and crisis intervention services
- Provide inmates with ongoing medical and mental health care
- Inmates shall receive:
 - Timely access to emergency contraception/pregnancy test
 - STI prophylaxis
 - Follow-up services
 - Treatment plan
 - Referrals for continued care
- Services shall be provided:
 - At no cost
 - Consistent with the community level of care
 - Regardless of whether the victim names the abuser



Coordinated Response

- Develop written institutional plan to coordinate actions taken in response to sexual abuse
- Include:
 - Staff first responders
 - Medical and mental health practitioners
 - Investigators
 - Facility Leadership
- Encouraged to work with existing community SARTs or create their own plan for a coordinated response



Access to Outside Support Services

- Provide inmates with access to outside victim advocates via mailing address and phone number
 - Toll-free hotlines for local, state, and national agencies
- Inform inmates of communications monitoring and mandatory reporting laws
- Maintain or attempt to enter into MOU with community service providers



Establishing a Relationship with Your Correctional Facility

- Develop an mutually agreed upon MOU
- Communication and transparency
 - Only take on what you have the capacity to handle
 - Tour each other's facilities
- Multi-phase model
 - Start with what you know you can provide
 - Ex: letter writing
 - Evaluate further options as relationship develops
 - Ex: hospital accompaniment then hotline calls
- Correctional facilities are the ones being audited



How NCCASA Can Help

- Memorandum of Understanding (MOU)
- Webinars/Trainings
- PREA Advocacy & Advisory Board
- Standard Letter
- Best Practices/Resources



Action Steps

- Join PAAB
- Connect with local correctional facility
- Review draft statewide MOU
- Educate yourself on PREA resources

What action step will you take?





Questions?



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Coming Up...

- Fall PREA Webinar Series
 - *PREA Victim Support Services 101*
 - REPEATED Tues, October 27, 2 - 3:30pm
 - *Steps to Providing Services Behind Bars*
 - Tues, November 3, 10 - 11:30am *OR*
 - Wed, November 18, 2 - 3:30pm
 - *Confidentiality and Mandatory Reporting in Corrections Settings*
 - Tues, December 8, 2 - 3:30pm *OR*
 - Thurs, December 17, 10 - 11:30am
 - Register at www.nccasa.org/training/nccasa-trainings

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