



PREA Tools:
Inmate Brochure & Audit Reports
October 2016 Webinar
Tricia Smar



811 Spring Forest Road, Suite 900
Raleigh, NC 27609
919-871-1015



Agenda

- Inmate Brochure
 - Audience
 - Purpose
 - Components of brochure
- PREA Audit Report
 - Where to find it
 - What to look for

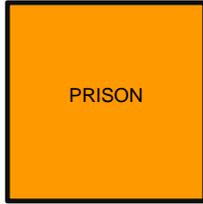


INMATE BROCHURE



Inmate Brochure

Audience: People who are incarcerated



Inmate Brochure

Purpose

- Inform inmates of what advocacy is and what services to expect from an advocate
- Meant to work with or enhance facility's PREA policies/education, NOT replace it



Inmate Brochure

- Components of brochure
 - What is Victim Advocacy?
 - What Can an Advocate Help You With?
 - Are There Things an Advocate Cannot Do?
 - Specific Services
 - Keep in Mind
 - Local Contact Information



What is Victim Advocacy?

A victim of sexual abuse can seek services from a rape crisis center. These community-based agencies offer advocacy services to support victims of sexual abuse. Victim advocacy is rooted in helping victims heal from sexual abuse, knowing what rights victims have, and being familiar with resources that can help victims.

Advocates are professionals who must meet certain training requirements and other criteria to work with sexual abuse victims.



What Can An Advocate Help You With?

An advocate can:

- Listen to your story and support you.
- Give you information to make choices and help you look at next steps.
- Inform you of your rights as a victim. Some rights include:
 - The right to be treated with dignity and respect.
 - The right to report privately, safely, and in different ways.
 - The right to have an advocate or support person available for a forensic medical exam.
 - The right to get help from trained medical and mental health care professionals at no cost to you.
 - The right to have an advocate or support person available to support you through the investigation process.
 - The right to submit a victim impact statement or report to the court.
- Inform you of other resources and services that are available to you.



Are There Things An Advocate Cannot Do?

Examples of what an advocate **CANNOT** do include:

- Provide legal advice
- Make decisions for you
- Tell you whether to report the sexual abuse or not
- Investigate a crime
- Demand the facility change their rules or your housing assignment
- Be your friend
- Contact your family or friends for you
- Provide therapy/mental health treatment services



Specific Services

- Talk with you over the phone or by mail, if you have been sexual abused while confined.
- Help you with ways to deal with past or present sexual abuse.
- Discuss your safety and help you plan to stay safe while confined.
- Support you at a forensic medical exam at a community hospital.
- Talk with the facility about medical and mental health services you can use if you want.
- Explain your PREA reporting options.
- Advocate that the facility work with you to get services for your ongoing medical and mental health needs related to the abuse.
- Give you information about services the facility or others in the community can provide for follow-up.
- Go over the facility's PREA investigation process with you.
- Give you support during the investigation.



Keep In Mind

- Advocates are here to help you. Their role is not to file a report for you, but they can give you information and can support you if you decide to file a report.
- Advocates will not start a report for you unless you sign a consent form.
- Facility staff may monitor, record, or overhear your conversations with advocates. You may check with the facility staff to find the most private way to speak with an advocate.
- The facility should give you information about how they monitor communication with advocates.
- Facility staff must report any known cases of sexual abuse.
- A court could require an advocate or other person listening to testify about what you and the advocate tell each other.
- If you plan to hurt yourself or someone else, the advocate may be required to report it.
- By law, an advocate has to report the abuse of a minor.



Local Contact Information

During your time at this facility, you can find your local contacts for PREA and victim advocacy services listed below. If you move to another facility, these contacts **may not** be the same. Please find the list of local contacts at each new facility.

Suggested info:

- RCC name, phone number, and mailing address
- Reporting options (in-facility, outside, & 3rd party)
- Specific services between RCC and facility
- Prison/jail PREA title (ie- PSP)



Using the Brochure

- How do you see this brochure being provided to people who are incarcerated?
- How do you see your agency utilizing this brochure?



Distributing the Brochure

From Corrections

- At intake/orientation
- In common space, like library/resource room
- From key staff
 - PSP
 - Mental health staff

From Advocates

- During hospital accompaniment
- Via mail with written correspondence
- Any in-person trainings, support groups, tabling



Inmate Brochure Next Steps

- Focus groups
- Finalize brochure
- Disseminate to corrections and RCCs
- Begin work on Spanish-language edition
- Possible brochure for corrections staff



PREA AUDIT REPORTS



PREA Audit Report

- Where to find it
- Standard 115.403: Audit contents and findings
 - (f) The agency shall ensure that the auditor's final report is published on the agency's Web site if it has one, or is otherwise made readily available to the public.



Standard 115.21 Evidence protocol and forensic medical examinations

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy 1300, Policy CP18, Form OPA-A18, Form OPA-120, OPA-421, Form OPA-430, PREA Support Person (PSP) Training Lesson Plan, Chain of Custody Form, Incident Scene Tracking Log, PREA Support Person Roles and Responsibilities, MOU with Esther House of North Carolina, and NCCASA were reviewed. Interviews also provided information in the determination of compliance. The agency conducts administrative investigations. Badin Police Department completes all criminal investigations. Antrorff Evidence Protocols are in policy and are appropriate. The Agency has five PREA Support Persons (PSP) who are trained for victim advocacy services, and acts as the link to assist victims with the investigative process, professional resources, community based advocates, and mental health professionals. There is an Incident Scene Tracking Log for documenting persons who may enter a possible crime scene before investigators are onsite, as well as a Chain of Custody form for documenting any evidence. The agency is currently working with the North Carolina Coalition Against Sexual Assault (NCCASA) to create a state-wide system for community based services and documents were provided. The agency does have an MOU with Esther House, a local rape crisis agency in the meantime, which was signed on November 5, 2015. The facility PSP (PREA Support Person) will assist the inmate in contacting Esther House. Forensic examinations are conducted at the Sandy Regional Medical Center. The facility had yet not reached out to Badin Police Department to request their compliance with PREA standard 115.21 (a) through (c) subsections. The agency is in the process of constructing a general letter to all law enforcement regarding the requirements of PREA and standard 115.21 for investigators. However, during the audit, the PREA Manager contacted by phone Investigator Taylor at Badin Police Department. Investigator Taylor spoke to the auditor and confirmed that they are aware of PREA requirements and that they currently follow the required sections of the standard. Additionally, on March 16, 2016 the agency sent out a letter to all law enforcement requesting their compliance with meeting PREA standards.

Your RCC should be referenced in this standard



Standard 115.51 Inmate reporting

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Policy F3400, Policy DG300, Form OPA-T10, Fraud, Waste, Abuse & Misconduct reporting website page, PREA Internal & External webpage for reporting, Staff Brochure, Offender acknowledgement Form (English/Spanish), Inmate Rule Book, were reviewed and a copy of the facility was provided. Interviews were also conducted. The agency has numerous ways for an inmate to internally report sexual abuse or sexual harassment. Methods of reporting include telling a staff, writing a grievance or letter to the PREA Coordinator and third-party reporting. Externally, the agency provides the address of the North Carolina Prisoner Legal Services (PLS). It was confirmed through conversation with the administration that mail sent to the PLS, or the PREA Coordinator is treated as legal correspondence and is not opened at the facility level. The posters in the facility provided the address for PLS, and inmate brochures detailed this as a method of reporting sexual abuse or sexual harassment. Interviews confirmed that staff at the program are aware that they may report privately through the Fraud/Waste/Abuse Hotline or through email with the PREA Coordinator if they do not wish to report through the Chain of Command.

Your RCC should be NOT referenced in this standard



Standard 115.53 Inmate access to outside confidential support services

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

MOU with Esther House (dated 11/5/15), SOP 4.54A, and PREA – The North Carolina Approach were reviewed. Inmate interviews confirmed findings. The facility has a MOU for the provision of outside support services for inmates. This contract provides for telephonic victim support services. The PREA Support Persons are aware of the services through this MOU. Inmates are provided notification of the PREA Support Services through Form 130, which documents the PREA Support Persons role during the investigation and thereafter to assist in providing support services to the victim. The name of the local rape crisis agency and the address were noted posted on the PREA boards in each housing building.

Your RCC should be referenced in this standard



Other Audit Report Elements

- 115.31- Employee training
 - RCCs could offer support or training
- 115.33- Inmate education
 - RCCs could offer support or training
- 115.65- Coordinated response
 - Are they part of your SART?
- 115.82 & 83- Emergency & on-going medical/MH
 - Get familiar with in-house resources





Questions



Tricia Smar
 PREA Victim Service
 Program Specialist
Tricia@nccasa.org

NCCASA
www.nccasa.org
 919-871-1015