

Volunteers of America Northern Rockies – Booth Hall

Category:	Program
Policy:	Staff Sexual Misconduct Against Offenders (PREA)
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POLICY

Volunteers of America (VOA) will ensure a fundamental commitment to treating residents with dignity and respect. VOA has a “zero-tolerance policy” relative to sexual abuse, sexual harassment, sexual assault, and sexual misconduct. VOA shall comply with federal and respective state laws as they pertain to PREA, sexual violence and sexual misconduct. If there is a variation in laws, the stricter regulation will apply.

It is the policy of VOA to provide training to staff and residents to prevent sexual misconduct and to fully investigate and prosecute those involved in such conduct. This policy shall be available to all staff, contractors, volunteers, interns, visitors and residents.

VOA will designate at least one upper level corporate staff member to become the PREA Coordinator to ensure compliance with all standards across agency programs/facilities (PREANS 115.211).

All new contracts and contract renewals for the confinement of residents will include the contract agency’s obligation to adopt and comply with PREA standards. Any new contract or contract renewal will provide for monitoring to ensure the contractor is complying with PREA standards.

A. DEFINITIONS:

Gender Expression: The physical manifestation of one's gender identity, usually expressed through clothing, mannerisms, and chosen names.

Gender Identification: The conviction of belonging to a particular sex, regardless of whether this corresponds to his or her anatomical sex.

Gender Non-Conforming: Gender characteristics and/or behaviors that do not conform to those typically associated with a person’s biological sex.

Institutional Sexual Conduct: The act of any employee, contract employee, internal, volunteer, or individual who performs work or volunteer functions for VOA facilities that involves sexual assault/rape or sexual misconduct with a resident under the supervision of VOA and its contracted agency.

Intersex: An individual born with external genitalia, internal reproductive organs, chromosomes patterns and/or endocrine systems that do not seem to fit typical definitions of male or female.

Mental Health Care Practitioner: (For this policy only): Mental health care practitioners shall be considered those who are licensed to provide mental health services to the population.

Resident: In this policy, resident shall be used to describe the clientele at the facility/program, to include inmates, detainees, parolees, juvenile offenders, supervised offenders, etc...

Sexual Abuse: A resident commits this offense when he/she has active or passive contact or fondling between his genitals, hand(s), mouth, buttocks, anus, or breast and the genitals, hand(s), mouth, buttocks, anus, or breast of another person. Contact can be with or without clothing being worn by one or both parties.

Sexual Assault/Rape: The act of unwanted sexual intrusion, sexual contact, or sexual penetration by any person on another by force, threat, coercion, or intimidation.

Sexual Assault/Rape Victim: A person who reports having been subjected to sexual assault/rape.

Sexual Harassment:

- 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
- 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.

Sexual Misconduct: Any behavior or act of a sexual nature directed toward anyone by another person. Sexual misconduct includes, but is not limited to: acts, threats, requests for sexual acts, or attempts to commit acts such as sexual contact, obscenity, behavior of a sexual nature or implication of the same, taking or soliciting photographs/pictures of a person's nude breasts, genitalia or buttocks, indecent exposure, invasion of privacy for sexual gratification, inappropriate touching or incidents of intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks or other body parts with the intent to abuse, arouse, or gratify sexual desire or incidents of indecent exposure of breasts, genital areas, or other body parts, even with consent in an institution. Any procedure such as, but not limited to: taking pictures/photographs, pat searches, or medical exams that are required by department policy, procedure, or process are not defined as sexual misconduct.

Transgender: Persons whose gender identity differs from their gender assigned at birth.

Zero Tolerance Policy: In no case will the notion of "consensual sex" in a custodial or supervisory relationship be allowed. Any sexual assault/rape or sexual misconduct between employees or agents of VOA and residents violates professional and ethical principles, and VOA policies. All allegations of sexual assault/rape or sexual misconduct will be investigated. If applicable, criminal charges will be filed and/or a professional standard investigation will be conducted which may result in corrective and/or disciplinary action, including termination. Failure of staff members to report incidents of sexual assault/rape or sexual misconduct may result in corrective and/or disciplinary action, including termination.

Types of Sexual Assault/Rape or Sexual Misconduct:

1. Resident-on-Resident:
 - a. One or more residents engaging in, attempting to engage in, or the completion of a sexual act with another resident.

- b. Use of threats, intimidation, force, or other actions and/or communications reasonably calculated to cause submission of another resident to engage in a sexual act against that resident's will.
- c. Any sexual touching attempt or "consensual" act is prohibited by VOA under a zero-tolerance policy.
- 2. Resident -on-Staff:
All cases involving sexual assault/rape or sexual misconduct will be referred to the PREA Coordinator, Program Director, Division Director or Chief Operating Officer and if appropriate local law enforcement pursuant to State Statute.
- 3. Staff-on-Resident:
Acts of sexual assault/rape or sexual misconduct against residents, retaliation against residents who refuse to submit to sexual activity, or intimidation of a witness may be a crime.

B. PROCEDURES:

Staff Training

Staff members shall receive comprehensive training upon hire in the prohibition, identification, reporting and prevention of sexual assault/rape or sexual misconduct. The training shall meet all areas of PREANS 115.231.a).

1. Annual in-service training on sexual assault/rape or sexual misconduct will be conducted.
2. PREA training shall be tailored to the gender of the residents at Booth Hall. (PREANS 115.231.b).
3. All volunteers, interns and contractors who have repeated contact with residents must be trained in their responsibilities under this policy and procedure. The level and type of training shall be based on the services they provide and the level of contact they have with residents, but all will be notified of the agency's zero-tolerance policy regarding sexual abuse, sexual assault/rape, sexual misconduct and sexual harassment and informed how to report such incidents. The facility shall maintain documentation confirming the volunteer/intern/contractor understands the training (PREANS 115.232.a.b.c). Volunteers and contractors who do not have repeated contact with residents shall sign the Visitor's Log which shall have a statement such as "This facility has zero-tolerance for all forms of sexual abuse and harassment. If you are involved or witness an incident of sexual abuse or harassment of our residents, you must report such immediately to the PREA Coordinator, Facility Director or designee".
4. All training shall be documented. Through staff/ volunteer/ intern/ contractor signature or electronic verification, employees will document that they understand the training they received. (PREANS 115.231.d) Refresher training shall be documented through a signature of understanding as well.
5. Agency clinical practitioners who will work with facility residents will receive specialized training on:
 - a. How to detect and assess signs of sexual abuse and harassment
 - b. How to preserve physical evidence of sexual abuse
 - c. How to respond effectively and professionally to victims of sexual abuse and harassment
 - d. How and to whom to report allegations of sexual abuse/harassment. (PREANS 115.235.a).
 - i. The agency shall maintain documentation that clinical practitioners have received the trainings referenced in this standard either by the agency or elsewhere. (PREANS 115.235.c).

- ii. Clinical practitioners shall also receive the training mandated for employees under PREA standard 115.231 for employees. (PREANS 115.235.d).

Resident Orientation Training

1. Upon admission, all residents will receive an orientation that includes VOA's zero-tolerance policy relating to sexual assault/rape or sexual misconduct and how to report it. This will also include information about sexual misconduct, including background information on PREA, prevention, intervention, self-protection, reporting, treatment and counseling and confidentiality. Training will occur via video presentation or through training curriculum approved by the Chief Operating Officer. This is in addition to the Resident handbook, brochures, orientation training, and posters located throughout the facility. (PREANS 115.233.a)
2. VOA will take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agencies PREA efforts, to include multi-language posters and various orientations. VOA will provide translation services upon request. (PREANS 115.216.a).
3. The information will be communicated orally and in written form in a manner that is clearly understood by the resident, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as residents who have limited reading skills (PREANS 115.216.a.b; 115.233.c).
4. Residents will be required to sign an acknowledgment of having received this information. A copy of the acknowledgment will be maintained in the residents' file. (PREANS 115.233.d)
5. Within 30 days of intake, VOA shall provide a more comprehensive education to residents either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. This will be delivered in the form of staff lectures, video presentation, brochures, and posters throughout the various programs. (PREANS 115.233.b).
6. In addition to providing such education, the facility will ensure that information is continuously and readily available or visible to residents through posters, handbooks or other written formats (PREANS 115.233.e).

Resident Assessment

1. Residents shall be assessed using the objective assessment instrument entitled the PREA Screener. VOA will use the Wyoming Department of Corrections screening form. VOA case managers or Clinical staff will complete the PREA Screener with the resident within 72 hours of arrival to the facility (whether new intake or a transfer) for potential vulnerabilities or tendencies with regards to sexually aggressive behavior. Housing assignments shall be made accordingly for any separation needs (PREANS 115.241.a.b.c).
2. Residents identified as "high risk" shall be monitored, segregated, to the extent possible, if necessary, and counseled accordingly. For the purposes of this policy, "high risk" shall be defined as those residents with a history of sexually assaultive behavior.
3. Residents identified as "at risk" for sexual victimization shall be monitored, segregated, to the extent possible, if necessary, and counseled.
4. The intake screening shall consider, at a minimum, the following criteria to assess resident's for risk of sexual victimization: (PREANS 115.241.d.e)
 - Whether the resident has a mental, physical, or developmental disability;
 - The age of the resident;
 - The physical build of the resident;

- Whether the resident has been previously incarcerated;
 - Prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse;
 - Whether the resident's criminal history is exclusively nonviolent;
 - Whether the resident has prior convictions for sex offenses against an adult or child;
 - Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
 - Whether the resident has previously experienced sexual victimization;
 - The resident's own perception of vulnerability;
 - Whether the resident is detained solely for civil immigration purpose.
5. Residents may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions. (PREANS 115.241.h)
 6. The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this section in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents (PREANS 115.241.i).
 7. The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing residents for risk of being sexually abusive. (PREANS 115.241.e)
 - If a resident is identified as vulnerable to sexual victimization or as having predatory tendencies, this information will be relayed to mental health staff.
 - Residents with a history of sexually assaultive behavior shall be identified, monitored, and counseled. Residents identified as high risk with a history of sexually assaultive behavior shall be assessed by a mental health or other qualified professional.
 - The VOA staff shall attempt to conduct a mental health evaluation of all known resident-on-resident abusers within sixty (60) days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners (PREANS 115.283h).
 - Residents at risk for sexual victimization shall be identified, monitored, and counseled. Residents identified as at risk for sexual victimization shall be assessed by a mental health or other qualified professional.
 8. All information regarding a resident's risk for sexual victimization or predatory behaviors shall be forwarded to the resident's case manager to be included in the resident's case plan. This case plan will travel with the resident throughout his/her term of supervision and serve as a method for information sharing between facilities and field services staff.
 9. Within a set period of time, not to exceed thirty (30) days from the resident's arrival at the facility, the facility will reassess the resident's risk of sexual victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening (PREANS 115.241.f). This shall be accomplished using a chart review, however if information is discovered that reveals the resident may be likely as a victim or abuser, a full re-assessment will be completed using the PREA Screener or the Wyoming Department of Corrections Risk Assessment form.
 10. A resident's risk level shall also be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness (PREANS 115.241.g)

11. If during the re-evaluation the resident's initial screening results need to be modified, the case manager will complete the necessary section of the appropriate screening form.
The agency shall use information from the risk screening conducted pursuant to this section to inform housing, bed, work, education, and program assignments with the goal of keeping separate, or under direct supervision of staff, those residents at high risk of being sexually victimized from those at high risk of being sexually abusive (PREANS 115.242.a).
12. The agency shall make individualized determinations about how to ensure the safety of each resident (PREANS 115.242.b).
13. When the facility/program learns that a resident is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the resident. (PREANS 115.262)
 - i. Facility leadership will immediately assess and report the situation to determine action steps to ensure resident safety.

Searches

1. VOA shall not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. If the circumstance requires a cross-gender search, the staff member shall document and justify the reason in the Resident Log within SecurManage. (PREANS 115.215.a.c)
2. The facility shall not permit pat searches of females by male staff except in exigent circumstances. If the circumstance requires this type of search, the staff member shall document and justify the reason. (PREANS 115.215.b.c)
3. Operations/security staff shall be trained in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.
4. The facility will enable residents to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks. (PREANS 115.215.d)

Transgender and Intersex Residents.

1. In the case of transgender searches, the resident should be asked which gender staff member they prefer to perform the search. If the resident does not have a preference, the search should be performed by a staff member of the same sex as the resident's gender expression.
2. The facility shall not search or physically examine a transgender or intersex residents 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, by reviewing medical records, or if necessary, by learning that information as a part of a broader medical examination conducted in private by a medical practitioner. (PREANS 115.215.e)
3. In deciding where to assign a transgender or intersex resident, the facility shall consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether placement would present management or security problems. (PREANS 115.242.c)
4. A transgender or intersex resident's own views with respect to his or her own safety shall be given serious consideration. (PREANS 115.242.d)
5. Transgender and intersex residents shall be given the opportunity to shower separately from other residents. Furthermore, a resident may approach a Lead Mentor or designee and request staff to clear the showers to ensure privacy. Staff will clear the showers of other residents, then monitor the shower entrance to ensure privacy until the shower is complete. Individual room showers are available in all other rooms. (PREANS 115.242.e)
6. VOA will not place lesbian, gay, bisexual, transgender, or intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such

placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such residents. (PREANS 115.242.f)

Prevention

1. The Program Director or designee will take all necessary steps to prevent rapes, assaults and other violent behaviors in the program/facility. Preventative measures may include, but are not limited to:
 - a. Physical plant strategies
 - Sight and sound separation in co-ed facilities
 - Educational posters
 - Mirrors
 - Cameras/Video Monitoring
 - Emergency call buttons
 - Staff supervision
 - Staff of the opposite gender must announce their presence when entering a resident housing area and bathrooms. Staff are prohibited from observing residents of the opposite gender while they are showering, performing bodily functions and/or changing clothing, including through video surveillance. (PREANS 115.215.d)
 - b. Staff Training
 - Staff shall be educated with regards to inmate rape, sexual assault, employee-resident behaviors, as well as the method of reporting these violations during orientation to the facility.
 - Emphasis should be given on the recognition and prevention of these behaviors.
 - Other training (Response and reporting; investigative training, etc.)
 - c. Constant communication
 - d. Staffing
 - VOA Division Director will develop and document a staffing plan that provides for adequate levels of staffing which helps to protect residents against sexual abuse. In calculating adequate staffing levels, the facilities/programs shall take into consideration: the physical layout of each facility, the compositions of the resident population, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors. (PREANS 115.213.a) In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan and advise the PREA Coordinator as well as the Division Director. (PREANS 115.213.b)
 - VOA, whenever necessary but no less frequently than once each year, shall conduct a staffing analysis in consultation with the PREA Coordinator. Determination shall be based on:
 1. The staffing plan established in this section;
 2. The facility's deployment of video monitoring and other monitoring technologies;
 3. The resources the facility has available to commit to ensure adequate staffing levels;
 4. Prevailing staffing patterns.

- VOA shall 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: (PREANS 115.217.a)
 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
 2. 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; or
 3. Has been civilly or administratively adjudicated to have engaged in the activity described in this section.
- VOA 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. (PREANS 115.217.b)
- Before hiring new employees, who may have contact with residents, the facility/program shall: (PREANS 115.217.c)
 1. Perform a criminal background records check; and
 2. 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.
- The facility/program shall also perform a criminal background records check before enlisting the services of any contractor or volunteer who may have contact with residents. (PREANS 115.217.d)
- All VOA employees who may have contact with residents will be subject to a criminal background record check at least once every five years. Background forms will be submitted to Wyoming Department of Corrections and verified through NCIC. Current employees found to have committed previous acts of sexual misconduct will be ineligible for promotions and may be subject to termination. Additionally, every employee will be required as part of the annual performance review process to disclose any *previously undisclosed* incidences of misconduct. As a reminder, every VOA employee has an on-going obligation to disclose any such misconduct and may be terminated for material omissions or providing materially false information regarding such conduct. (PREANS 115.217.e)
- VOA staff shall ask all applicants and employees, contractors and volunteers who may have contact with residents directly about previous misconduct described in this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews or current employees. Employees shall have a continuing affirmative duty to disclose any such misconduct. (PREANS 115.217.f)
- Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. (PREANS 115.217.g)
- Unless otherwise prohibited by law, the facility/program shall provide information on substantiated allegations of sexual abuse or sexual

harassment involving a former employee upon receiving a request from an institutional employer for who such employee has applied to work. (PREANS 115.217.h)

Reporting Procedures

A resident may report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member, either verbally or in writing. (PREANS 115.251.a) A resident may correspond directly with the Division Director or Chief Operating Officer if desired.

The facility/program shall also provide at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward resident reports of sexual abuse or sexual harassment to agency officials, allowing the resident to remain anonymous on request. The residents are encouraged to utilize the Hotline number of 1-877-9-NOHARM. Or 307-737-6781. (PREANS 115.251b)

1. Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports. (PREANS 115.251.c)
2. Staff shall be able to privately report sexual abuse and sexual harassment of residents in writing to the PREA Coordinator, Division Director or Chief Operating Officer. Staff also have access to the Whistleblower Hotline, an anonymous hotline established to provide a vehicle for all employees to report alleged or perceived abuses, or suspected capricious or illegal acts committed by any VOA staff member. (PREANS 115.251.e)

The Facility Director or designee must report any sexual misconduct to all regulatory and/or law enforcement agencies pursuant to contract, licensure, or statute. This shall be treated as a Priority I incident and shall follow the internal reporting procedures.

3. All reports must be documented on a VOA PREA Incident Report form. The report will be submitted to the PREA Coordinator or designee and will be logged for the purpose of Collection and Analysis in this policy and the PREA incident Reporting Instructions attachment for further details.
4. All case records associated with claims of sexual abuse, including incidents reports, investigative reports, offender information, case disposition, medical counseling evaluation findings, and recommendations for post-release treatment and/or counseling, shall be retained for a minimum of 7 years.
5. The first staff responder shall be required to ensure that the alleged victims not take any actions that could destroy physical evidence; and/ or notify security staff.

Grievances (PREANS 115.252)

1. VOA shall not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse. The agency may apply otherwise-applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.
2. VOA shall not require a resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
3. 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.
4. VOA shall ensure that
 - 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

- Such grievance is not referred to a staff member who is the subject of the complaint.
5. VOA 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. Computation of the 90-day time period shall not include time consumed by residents in preparing any administrative appeal.
 6. VOA 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. VOA shall notify the resident in writing of any such extension and provide a date by which a decision will be made.
 7. 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.
 8. 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. If a third party, other than a parent or legal guardian, 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. If the resident declines to have the request processed on his or her behalf, the agency shall document the resident's decision.
 9. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, VOA shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which 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.
 10. VOA may discipline a resident for filing a grievance related to alleged sexual abuse only where VOA demonstrates that the resident filed the grievance in bad faith.

Staff First Responder Duties.

1. Upon learning of an allegation that a resident was sexually abused, the first staff member to respond to the report shall request that the alleged victim not take any actions that could destroy physical evidence, and then notify appropriate leadership. (PREANS 115.264.b)
2. The first operations staff to respond to the report shall be required to: (PREANS 115.264.a)
 - Separate the alleged victim and abuser, if they have not already been separated;
 - Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
 - 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, drinking, or eating; and

- 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, drinking, or eating.
- 3. VOA shall not rely on resident interpreters, resident readers or other types of resident assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could comprise the resident's safety, the performance of first-response duties under PREANS 115.264 or the investigation of the resident's allegations. (PREANS 115.216c)
- 4. The agency shall develop a written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. VOA shall review this plan and revise it to ensure it is specific to the facility, noting outside agencies for investigative bodies and support. (PREANS 115.265)
 - a. Please see written plan and facility flow chart to illustrate coordination plan.

Staff Reporting

1. All staff shall report immediately and according to agency policy any 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 incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. (PREANS 115.261a)
2. Any information regarding sexual misconduct that is received by any staff member, medical, mental health or treatment provider, chaplain, contractor, or volunteer shall be immediately reported to the Director or the Chief Operating Officer to initiate the appropriate follow-up actions. Staff members, contract employees, volunteers, or employees of VOA who receive any information, regardless of its source, concerning sexual assault/rape or sexual misconduct, or who observe an incident of sexual assault/rape or sexual misconduct, are required to immediately report the information or incident directly to the Director or designee for subsequent investigation.
3. Reports by staff shall be made in writing utilizing the chain-of-command or by sending information directly to the appropriate Executive Leadership or designee.
4. Staff may report directly to the appropriate Executive Leadership whenever they feel that following the chain of command would jeopardize the investigation. However, staff may be asked to justify why the chain of command was superseded for the particular incident.
5. 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. (PREANS 115.261.b)
6. At VOA, unless otherwise precluded by federal, state or local law, medical and mental health practitioners shall be required to report sexual abuse and to inform the resident of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. (PREANS 115.26.1c)
7. Regardless of any non-statutory confidentiality obligation (*e.g.* privileged communication such as therapist-client, doctor-patient, clergyman-penitent; etc.), all

staff have an affirmative obligation to report any resident who has reported to them a sexual assault allegation. The staff member must report the relevant information, including who, what, when and where, of the allegation.

8. VOA staff shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility director. (PREANS 115.261.e)

Protection Against Retaliation

1. VOA will 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. VOA PREA Coordinator/Training Officer has been designated as the staff responsible for monitoring possible retaliation. (PREANS 115.267.a)
2. Multiple protection measures shall be employed, 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 who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. (PREANS 115.267.b) Any use of segregated housing to protect a resident who is alleged to have suffered sexual abuse shall be subject to the requirements of PREANS 115.242. (PREANS 115.268)
3. Within 72 hours of a report, the PREA Coordinator shall meet directly with the resident and document such. This will occur every 15 days after the initial meeting; for at least 90 days. The PREA Coordinator will monitor the conduct of all residents and staff who report sexual abuse or sexual harassment, have suffered the alleged sexual abuse reported, and/or have cooperated with sexual abuse or sexual harassment investigations to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation.
4. This monitoring is only necessary if the individual involved is still in the facility.
5. Each time monitoring for retaliation occurs, the PREA Coordinator shall meet with the individual being monitored and discuss whether or not they fear being retaliated against for reporting the incident, being the alleged victim, or for cooperating with the investigation.
6. In the event that the individual being monitored leaves the facility and then returns within 90 days of the incident being reported, monitoring for retaliation must be conducted as if the individual never left the facility.
7. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. (PREANS 115.267.c)
8. If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation. (PREANS 115.267.e)
9. The obligation to monitor shall terminate if the Division Director or designee determines that the allegation is unfounded. (PREANS 115.267.f)

Resident Access to Support Services/Legal Representation

1. The VOA shall provide residents with access to outside victim advocates for emotional support services related to sexual abuse, by providing, posting, or otherwise making accessible mailing addresses and telephone numbers, including toll free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. VOA makes these contacts available through brochures and, through information provided in the

- Resident Handbook. (PREANS 115.253.a)
2. VOA shall inform residents, 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. (PREANS 115.253.b)
 3. VOA shall 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. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements. (PREANS 115.253.c)

Third Party Reporting

1. VOA shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident. (PREANS 115.254)
 - Posters indicating the procedures are to be posted in all institutions where residents and visitors can see them.

Reporting to Other Confinement Facilities.

1. Upon receiving an allegation that a resident was sexually abused while confined at another facility/program, the Director shall notify the head of the facility or appropriate official of the agency where the alleged abuse occurred. (PREANS 115.263.a)
2. Such notification shall be provided as soon as possible, but no later than seventy-two (72) hours after receiving the allegation. (PREANS 115.263.b)
3. VOA shall document that it has provided such notification. (PREANS 115.263.c)
4. The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with this policy. (PREANS 15.263.d)

Investigations

1. VOA is not responsible for investigating allegations of sexual abuse. The VOA report all investigations to Department of Corrections, Bureau of Prisons, and/or the Sheriff's Department, and will rely on these agencies to conduct these investigations but shall request that the investigating agency follow the requirements as outlined in §115.221 (a) through (e) of the standards (PREANS 115.221.f):
2. VOA shall offer all victims of sexual abuse access to forensic medical examinations whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. VOA shall document its efforts to provide SAFEs or SANEs.
3. For the purposes of this standard, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.
4. As noted in this policy under "Specialized Training: Investigations", the Director shall ensure proper training is provided to those who are permitted to perform investigations at the facility/program. The PREA Coordinator shall maintain documentation that the

- investigators have completed the required specialized training in conducting sexual abuse investigations. (PREANS 115.234.c)
5. Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations. (PREANS 115.234.d)
 6. Appropriate security procedures will be followed, to include at a minimum:
 - Separating perpetrator and victim.
 - Isolating witnesses.
 - Securing the crime scene.
 7. VOA shall ensure that allegations of sexual abuse or sexual harassment are referred to The Wyoming Department of Corrections Investigative Unit, or the Campbell County sheriff's Office to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior, and to document all such referrals. Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in the facility/program shall have in place a policy governing the conduct of such investigations. (PREANS 115.222 b.c.d.e) If an external agency conducts the investigation, the facility/program shall be responsible to follow up with the agency and document requests to gain access to final reports.
 - External Investigators 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. (PREANS 115.271.c)
 - When the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. (PREANS 115.271.d)

The agency shall not terminate an investigation solely because the source of the allegation recants the allegation. 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 inmate or staff. No agency shall require an inmate 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. (PREANS 115.271.e)
 8. Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse 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. All referrals for investigation shall be forwarded to the PREA coordinator for investigation. (PREANS 115.271.f)
 9. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible (PREANS 115.271.g)
 10. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution. (PREANS 115.271.h)
 11. The facility/program shall retain all written reports regarding the investigation for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. (PREANS 115.271.i)
 12. The departure of the alleged abuser or victim from the employment or control of the facility

- or agency shall not provide a basis for terminating an investigation. (PREANS 115.271.j)
13. Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements. (PREANS 115.271.k)
 14. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. (PREANS 15.271.l)
 15. Upon completion of the investigation and final report, the resident shall be informed, via written communication, whether the allegations/incident were substantiated.
 16. Within five (5) days of receipt of the final written report, the Director, in conjunction with the Chief Operating Officer or designee, shall initiate appropriate disciplinary action and/or legal action against the staff member accused of the sexual misconduct.
 17. Upon completion of an investigation where a staff member is accused of sexual abuse:

- The Wyoming Department of Corrections, Federal Bureau of Prisons or the Campbell County Sheriff's Office shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. (PREANS 115.273.a)
- Following a resident's allegation that a staff member has committed sexual abuse against the resident, VOA shall subsequently inform the inmate (unless it is determined that the allegation is unfounded) whenever (PREANS 115.273.c):
 - The staff member is no longer posted within the resident's unit;
 - The staff member is no longer employed at the facility;
 - The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
 - The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- Following a resident's allegation that he or she has been sexually abused by another resident, VOA shall subsequently inform the alleged victim whenever (PREANS 115.273.d):
 - The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

All such notifications or attempted notifications shall be documented. (PREANS 115.273.e)

VOA's obligation to report under this standard shall terminate if the inmate is released from the agency's custody. (PREANS 115.273.f)

18. The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. (PREANS 115.272)

Administrative Investigation:

VOA will do administrative investigation when Wyoming Department of Corrections, Bureau of

Prison, and/or Sheriff's Department declines to investigate the allegations. VOA will follow these steps: (PREANS 115.268)

1. Administrative investigations will be appointed by the Director to staff that have been approved to do investigations.
2. VOA will include an effort to determine whether staff actions or failures to act contributed to the abuse; and
3. VOA will document in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Interim Procedures During an Investigation

1. As approved by the Director of Human Resources, Chief Operating Officer or designee, the Facility Director may place an accused staff member on administrative leave with or without pay pending the outcome of an investigation.
2. A staff member placed on administrative leave shall be prohibited from having contact with any residents.
3. When appropriate or necessary, the Facility Director may arrange for the transfer of the resident to another facility. However, it is strictly prohibited to transfer a resident involuntarily in retaliation for reporting sexual misconduct.
4. Every effort shall be made to minimize any disturbance of the resident's program activities.

Incident Reviews

1. VOA shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation (whether conducted by an external agency or trained internal staff), including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. (PREANS 115.286.a)
2. Such review shall normally occur within thirty (30) days of the conclusion of the investigation. (PREANS 115.286.b)
3. The review team shall include Chief Operating Officer, Facility Director, Program Manager, and PREA Coordinator, with input from line supervisors, investigators, and medical or mental health practitioners. (PREANS 115.286.c)
4. The review team shall: (PREANS 115.286.d)
 - Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - 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;
 - Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
 - Assess the adequacy of staffing levels in that area during different shifts;
 - Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
 - Prepare a report of its findings, including but not necessarily limited to determinations made above in this section, and any recommendations for

- improvement and submit such report to the Facility Director, facility PREA Coordinator and the Chief Operating Officer.
5. VOA shall implement the recommendations for improvement or shall document its reasons for not doing so. (PREANS 115.286.e)

Sanctions

1. **Sexual Misconduct is Prohibited and Will Be Sanctioned.** Sexual misconduct, either resident-on-resident or staff-on-resident, is prohibited regardless of whether either or both of the participants believed the act was consensual.
 - Violators are subject to administrative discipline, criminal sanctions, or both.
 - All allegations of staff sexual misconduct with residents will be investigated and all substantiated cases shall be turned over to the local Campbell County Attorney's Office for possible criminal prosecution.
 - VOA prohibits all sexual activity between residents and may discipline residents for such activity. However, sexual activity between residents may not be deemed to constitute sexual abuse for the purposes of this policy and reporting of sustained PREA sexual abuse incidents if it is determined that the activity was not coerced. (PREANS 115.278.g)
2. Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. (PREANS 115.276.a) Additionally, staff may be subject to criminal sanctions.
3. VOA shall not enter into any agreement that limits the ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. (PREANS 115.266.a)
 - Nothing in this standard shall restrict the entering into or renewal of agreements that govern the conduct of the disciplinary process or whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not sustained. (PREANS 115.266.b)
4. Disciplinary sanctions for violations of VOA 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. (PREANS 115.276.c)
5. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. (PREANS 115.276.b) All terminations for violations of VOA's 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. (PREANS 115.276.d)

Corrective Action for Contractors and Volunteers

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies and to relevant licensing bodies, unless the activity was clearly not criminal. (PREANS 115.277.a)

2. The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with residents in the case of any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. (PREANS 115.277.b)

Disciplinary Sanctions for Residents

1. Residents are subject to sanctions under the administrative Prohibited Acts for the Federal Bureau of Prisons or the Code of Conduct for the Wyoming Department of Corrections. Additionally, residents may be subject to criminal sanctions.
2. 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. (PREANS 115.278.a)
3. 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. (PREANS 115.278.b)
4. 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. (PREANS 115.278.c)
5. VOA offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, VOA shall consider whether to require the offending resident to participate in such interventions as a condition of access to programming or other benefits. (PREANS 115.278.d)
6. VOA may discipline a resident for contact with staff only upon a finding that the staff member did not consent to such contact. (PREANS 115.278.e)
7. 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. (PREANS 115.278.f)

F. CONFIDENTIALITY:

1. All staff sexual misconduct complaints shall be handled in a confidential manner.
2. All information and documentation pertinent to the complaint shall be made available to only those individuals on a need to know basis, to include the Division Director, Assistant Director, Program Manager, PREA Coordinator, Director of Human Resources and Chief Operating Officer.
3. Any resident who reports an act of staff sexual misconduct may request and be treated as an anonymous informant. Pending resolution of the allegations, the resident shall only be provided sufficient information to explain any immediate administrative action that is taken or as necessary for investigative purposes.
4. Any staff member or resident contacted during the investigation of the allegation shall be advised that any intimidation, retaliation or breach of confidentiality will result in a separate investigation being initiated.

A. TREATMENT FOR VICTIMS:

1. Resident victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are

- determined by the medical and mental health practitioners according to their professional judgment. (PREANS 115.282.a)
2. Where available, if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, operations staff first responders shall take the preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. (PREANS 115.282.b)
 3. Staff member victims will be immediately transported to a local medical facility for necessary medical care and the collection of evidence.
 4. 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. (PREANS 115.282.c)
 5. 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. (PREANS 115.282.d)
 6. A resident who has been the victim of sexual misconduct shall be informed that psychological counseling by a mental health professional is available and shall be given access to that individual. Depending on the circumstances, this may be community providers (Self Help Counselors) or VOA Clinical staff.
 7. VOA shall offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail or lockup. (PREANS 115.283.a)
 8. 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. (PREANS 115.283.b)
 9. The facility shall provide such victims with medical and mental health services consistent with the community level of care. (PREANS 115.283.c)
 10. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from sexual abuse, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. (PREANS 115.283.d.e)
 11. Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. (PREANS 115.283.f)
 12. 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. (PREANS 115.283.g)

B. NEW FACILITIES/UPGRADES

1. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, VOA will consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse. (PREANS 115.218.a)
2. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, VOA will consider how such technology may enhance the facility/program's ability to protect residents from sexual abuse. (PREANS 115.218.b)

C. AUDITS

1. During each three-year period starting in FY 2016, VOA PREA Coordinator shall ensure that VOA is audited by an external certified auditor at least once. The PREA Coordinator or designee shall work with the facility/program to prepare for and schedule this audit (PREANS 115.401.a)
2. During each one-year period starting in FY 2016, VOA shall ensure that the facility is audited. (PREANS 115.401.b)
3. The VOA Division Director shall choose an auditor that is Department of Justice PREA Certified to conduct audits of such nature. The auditor shall adhere to the DOJ guidelines for audits and auditors.
4. The facility/program shall bear the burden of demonstrating compliance with the standards. (PREANS 115.401.e) The Division Director will assist the facility in determine the documents needed based on the Certified PREA Auditor's request. The facility/program will post required documents prior to the audit in a timeframe approved by the DOJ and/or requested by the auditor.
5. If corrective action is needed, the Facility Director or designee will work with the facility PREA Coordinator to initiate/revise practices and policies and prepare documents for review by the auditor. The facility/program may appeal a decision by the auditor, in concert with Division Director and the Chief Operating Officer by contacting the DOJ within 90 days of the auditor's final determination. (PREANS 115.404, 115.405)
6. The PREA Coordinator will ensure the final report is published on the VOA website. (PREANS 105.403.f)
7. To avoid conflicts of interests, those working for VOA who wish to become a Department of Justice certified PREA auditor must receive Executive Leadership's approval.

D. DATA COLLECTION, REVIEW, STORAGE, PUBLICATION AND DESTRUCTION

Data Collection

1. There shall be a system in place to collect data on incidents of a sexual nature. Such data will be analyzed to determine possible corrective action or improved operations.
2. Upon the report of a PREA incident, the designated facility PREA Coordinator will initiate a PREA Incident Report. The facility PREA Coordinator shall submit this form to the VOA Division Director or designee as soon as possible after an incident occurs and again once the investigation is finalized. A final report will be created and forwarded to the Chief Operating Officer.
3. The PREA Coordinator shall maintain logs and records of all allegations and investigations of sexual misconduct to include information on the outcome of any criminal or disciplinary charges.
4. All case records associated with claims of sexual abuse, including incident reports, investigative reports, resident information, case disposition, medical and counseling evaluation findings and recommendations for post-release treatment and/or counseling shall be retained in accordance with the contract agency requirements.
5. The PREA Coordinator shall aggregate the incident-based sexual abuse data at least annually. (PREANS 115.287.b)
6. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. (PREANS 115.287.c)

7. The PREA Coordinator shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. (PREANS 115.287.d)
8. It will be the duty of the PREA Coordinator to collect all necessary reports and information from completed investigations on sexual assaults and misconduct required by the U.S. Department of Justice, Bureau of Justice Statistics (BJS).
9. The PREA Coordinator will report to the BJS on a yearly basis. The report shall include the specifications of the Survey on Sexual Violence required under PREA for BJS. Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30. (PREANS 115.287.f)

Data Review

1. The PREA Coordinator shall review data collected and aggregated pursuant to, in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: (PREANS 115.288.a)
 - Identifying problem areas;
 - Taking corrective action on an ongoing basis; and
 - Preparing an annual report of its findings and corrective actions for each facility/program, as well as the company as a whole.
2. 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 facility's progress in addressing sexual abuse. (PREANS 115.288.b)
3. The report shall be approved by Executive Leadership and make readily available to the public through its Web site. (PREANS 115.288.c)
4. VOA may redact specific material from the reports 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. (PREANS 115.288.d)

Data Storage, Publication, and Destruction

1. VOA shall ensure that data collected is securely retained. (PREANS 115.289.a)
2. VOA shall make all aggregated sexual abuse data readily available to the public at least annually through its Web site. (PREANS 115.289.b)
3. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed. (PREANS 115.289.c)
4. VOA shall maintain sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise. (PREANS 115.289.d)

Organizational Reporting

Division Director will provide written review of all incidents substantiated or unsubstantiated to the Chief Operating Officer monthly. Quarterly, a review of all PREAN reporting will be forwarded to the President/CEO. The Executive team will review these policies, the annual PREAN report and provide recommendations to address any gaps identified.

