



# MINIMUM STANDARDS TO PREVENT SEXUAL ABUSE AND HARASSMENT

SEMI ANNUAL PUBLIC UPDATE  
OCTOBER, 9 2018

# OCTOBER 2018 UPDATE

- I. PREA Reporting Dashboard
- II. BOC Oversight and Next Areas of Focus
- III. Audit of Closing Reports

# PUBLIC PREA REPORTING DASHBOARD

DOC PREA REPORTING STATUS FOR 2017 & 2018								
UPDATED 10/2/2018								
	2017				2018			
	Status	Due	Received	Comments	Status	Due	Received	Comments
<b>5-04 Supervision and Monitoring</b>								
(d) The Department shall provide a written report to the Board of the progress toward developing and implementing facility staffing plans by July 15, 2017.	Received	7/15/2017	10/16/2017		Received	2/1/2018	3/27/2018	DOC reviewed and identified gaps that will be discussed with DOC. DOC will report a variance at the 09/14/2018 meeting.
(e) The Department shall provide the Board with each facility's staffing plan by Feb. 1, 2018.	Received	7/15/2017	10/16/2017		Received	2/1/2018	3/27/2018	DOC reviewed and identified gaps that will be discussed with DOC. DOC will report a variance at the 09/14/2018 meeting.
(f) The Department shall institute a one-year pilot program to install video surveillance cameras in Department vehicles used to transport inmates by July 31, 2017. They will provide a written report evaluating the results by Sept. 1, 2018.	Received	7/15/2017	10/16/2017		Missing	9/1/2018		
<b>5-12 Employee Training</b>								
(g) The Department shall report in writing and on a quarterly basis, the number of their employees who have been trained during that quarter.	Received	7/15/2017	10/16/2017		Received	2/1/2018	3/27/2018	DOC began employee training in 03/2016. The Board has been receiving quarterly reports as required as of 05/01/2018.
--- Q1 Jan-March	Received	7/15/2017	10/16/2017		Received	2/1/2018	3/27/2018	1,007 DOC staff trained.
--- Q2 April - June	Received	7/15/2017	10/16/2017		Received	2/1/2018	8/1/2018	872 DOC staff trained.
--- Q3 July - Sept	Received	7/15/2017	10/16/2017		Upcoming	11/7/2018		
--- Q4 Oct - Dec	Received	7/15/2017	10/16/2017		Upcoming	2/1/2019		
(i) The Department shall provide on an annual basis the training schedules, training curriculum and credentials of the trainers for employees trained in the previous year.	Received	3/1/2017	4/3/2017		Received	3/1/2018	4/3/2018	The Board was notified by DOC that training curriculum and trainer credentials have remained the same.
--- Training schedule	Received	3/1/2017	4/3/2017		Received	3/1/2018	4/3/2018	
--- Training curriculum	Received	3/1/2017	4/3/2017		Received	3/1/2018	4/3/2018	
--- Trainer credentials	Received	3/1/2017	4/3/2017		Received	3/1/2018	4/3/2018	
<b>5-13 Volunteer and Contractor Training</b>								
(h) The Department shall provide on an annual basis the training schedules, training curriculum and credentials of the trainers for volunteers and contractors trained in the previous year.	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/7/2018	DOC reported that in 2017, one 2hr volunteer training was conducted by PCMA. DOC also reported that contractors are trained together with DOC staff and that training curriculum and trainer credentials have remained the same since 2016.
--- Training schedule	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/7/2018	
--- Training curriculum	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/7/2018	
--- Trainer credentials	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/7/2018	
<b>5-14 Inmate Education</b>								
(i) The Department shall provide on an annual basis the training schedules, education curriculum and the credentials of the persons providing such education to inmates for the previous year.	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/12/2018	2-3/week in new admission facilities. The Board has received an inmate video orientation script but not a copy of the PREA 4/DOCs Certified.
--- Education schedules	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/12/2018	
--- Education curriculum	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/12/2018	
--- Education provider credentials	Received	3/1/2017	4/3/2017		Received	3/1/2018	9/12/2018	
<b>5-15 Specialized Training: Investigations</b>								
(j) The Department shall provide on an annual basis the training schedules, training curriculum and credentials of the trainers of investigators for the previous year.	Received	3/1/2017	9/12/2018		Received	3/1/2018	9/12/2018	NIC Online Training - at will
--- Training schedule	Received	3/1/2017	9/12/2018		Received	3/1/2018	9/12/2018	NIC Online Training
--- Training curriculum	Received	3/1/2017	9/12/2018		Received	3/1/2018	9/12/2018	NIC - Moss Group & National PREA Resource Center
--- Trainer credentials	Received	3/1/2017	9/12/2018		Received	3/1/2018	9/12/2018	NIC - Moss Group & National PREA Resource Center
<b>5-18 Use of Screening Information</b>								
(k) The Department shall provide in writing, placement of each, training and/or interview inmates, all information considered in making the determination and the reasons for the housing determination. The Department shall provide such information within 21 days following the end of each two-week period.	Received	1/5/2017			Received	Biweekly	Biweekly	Following the Board's resolution issued in Oct. 2018, DOC implemented an electronic screening tool that enabled more accurate tracking of screening information. The Board began receiving biweekly reports as of 1/10/2017.
--- Jan-March	Missing	1/5/2017			Received	Biweekly	Biweekly	
--- April - June	Missing	Biweekly			Received	Biweekly	Biweekly	
--- July - Sept	Missing	Biweekly			Received	Biweekly	Biweekly	
--- Oct - Dec	Received	Biweekly	11/1/2017		Upcoming	Biweekly		

DOC PREA REPORTING STATUS FOR 2017 & 2018								
UPDATED 10/2/2018								
	2017				2018			
	Status	Due	Received	Comments	Status	Due	Received	Comments
<b>5-19 Protective Custody</b>								
(n) The Department shall provide on a quarterly basis to the Board the number of inmates at a high risk of sexual victimization placed in involuntary PC within 30 days of the end of that quarter. As per Standard 5-19 (g) the report should detail the basis for placement, the reason no alternative means was arranged, and the number of such inmates who remained for more than 30 days.	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q1 Jan-March	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q2 April - June	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q3 July - Sept	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q4 Oct - Dec	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
<b>5-29 Post-Allegation Protective Custody</b>								
(o) The Department shall provide on a quarterly basis the number of inmates who allegedly suffered sexual abuse and were placed in involuntary PC within 30 days of the end of that quarter.	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q1 Jan-March	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q2 April - June	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q3 July - Sept	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q4 Oct - Dec	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
<b>5-30 Criminal/Administrative Investigations</b>								
(f) At the conclusion of an investigation, the Department shall prepare a closing memorandum summarizing the findings. Within five (5) business days, the Department shall provide a copy of it to the Board.	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Jan-March	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- April - June	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- July - Sept	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Oct - Dec	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
<b>5-39 Sexual Abuse Incident Reviews</b>								
(l) The Department shall provide the Board with all sexual abuse incident review reports on a quarterly basis.	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q1 Jan-March	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q2 April - June	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q3 July - Sept	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
--- Q4 Oct - Dec	Received	11/7/2017	11/9/2017	1 placement (48 hrs) due to court order	Received	2/1/2018	2/2/2018	0 placements
<b>5-40 Data Collection and Review</b>								
(a) The Department shall provide a standardized instrument for review at least 30 days before first providing incident data.	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
--- Standardized instrument	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
(b) The Department shall provide incident level data semi-annually, within 45 days of the end of each six-month period thereafter. This data should cover the previous 6 months.	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
--- Jan - June	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
--- July - Dec	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
(c) The Department shall provide a standardized assessment report within 45 days of the end of each six-month period thereafter.	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
--- Jan - June	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	
--- July - Dec	Received	7/2/2017	7/14/2017		Received	2/1/2018	2/7/2018	

CHS PREA REPORTING STATUS FOR 2018				
UPDATED 10/02/2018				
	2018			
	Status	Due	Received	Comments
<b>5-10 Evident Protocol and Forensic Medical Examinations</b>				
(i) CHA Shall Provide the Board with quarterly reports of the steps taken toward implementation of their rape crisis intervention and counseling services program	Received	4/4/2018	8/30/2018	143 initial sessions; 49 follow up
--- Q1 Jan-March	Received	4/4/2018	8/30/2018	143 initial sessions; 49 follow up
--- Q2 April - June	Received	7/4/2018	8/30/2018	169 initial sessions; 226 follow up
--- Q3 July - Sept	Upcoming	10/3/2018		
<b>5-12 Employee Training</b>				
(g) CHA shall provide to the Board on a quarterly basis the number of employees who have been trained during that time period	Received	5/1/2018	8/30/2018	87 individuals trained including volunteers/contractors
--- Q1 Jan-March	Received	5/1/2018	8/30/2018	87 individuals trained including volunteers/contractors
--- Q2 April - June	Received	7/31/2018	8/30/2018	80 individuals trained including volunteers/contractors
(j) CHA shall provide to the Board on an annual basis the training schedules, training curriculum, and trainer credentials for the previous year	Received	3/1/2018	8/30/2018	Monthly training
--- Training schedule	Received	3/1/2018	8/30/2018	Monthly training
--- Training curriculum	Received	9/5/2018		
--- Trainer credentials	Received	3/1/2018	9/4/2018	DOI Certified PREA Auditor
<b>5-13 Volunteer and Contractor Training</b>				
(f) CHA shall provide to the Board on an annual basis the training schedules, training curriculum, and trainer credentials for the previous year	Received	3/1/2018	9/4/2018	Same as employee training
--- Trainings schedule	Received	3/1/2018	9/4/2018	Same as employee training
--- Training curriculum	Received	3/1/2018	9/4/2018	
--- Trainer credentials	Received	3/1/2018	9/4/2018	
<b>5-16 Specialized Training: Medical and Mental Health Care</b>				
(e) CHA shall provide to the Board on an annual basis the training schedules, training curriculum, and trainer credentials for the previous year	Received	3/1/2018	9/4/2018	One time training on demand
--- Training schedules	Received	3/1/2018	9/4/2018	One time training on demand
--- Training curriculum	Received	3/1/2018	9/4/2018	NIC Online Training
--- Trainer credentials	Received	3/1/2018	9/4/2018	NIC Online Training

# BOARD RESOLUTIONS & DOC CORRECTIVE ACTION

- 5-17 Implementation & 5-18 Use of Screening
- 5-30 Investigations
- 5-39 SAIRS

# NEXT AREAS OF FOCUS FOR BOC OVERSIGHT

- 512; 5-13; 5-14 Training
- 5-04 Supervision and Monitoring– Staffing Plans
- 5-40 DOC Public Self-Assessment and Data

# AUDIT OF CLOSING REPORTS

- **Purpose:** The Board sought to review the timeliness and quality of investigations into sexual abuse and sexual harassment in DOC facilities and compliance with 5-30 Standards on Investigations.
- **Impact:** DOC has agreed to implement most recommendations.
- **Audit Sample:** 42 closing memos that reflect the categories of allegations received by DOC

## TIMELINESS

- **Timely interviews were conducted with the majority 86% (n=36,) of alleged victims.**
- **Only one (2%) of the 42 Closing Reports audited was completed within 90 days.**

## INTERVIEWS

- **Alleged perpetrators were interviewed in 55% (n=23) of the investigations audited.**
- **Witnesses were interviewed in 45% (n=19) of the investigations audited.**



# CONFIDENTIALITY

- **It was impossible to conclude whether interviews were conducted in private and confidential locations.**

## POST-ALLEGATION SERVICES

- **In almost all cases 93% (n=39), alleged victims were reported as being offered some post-incident services after DOC received their allegation.**

## ESTABLISHING A CRIME SCENE & REVIEWING EVIDENCE

- **In 41% of sexual abuse allegations (n= 9), there was insufficient information recorded regarding the establishment of a crime scene.**
- **Just over half of the investigations 55% (n=23) included a review of physical evidence.**
- **In about a quarter of cases 26% (n=11), the investigations included a review of all available testimonial evidence.**

## REVIEW OF PRIOR COMPLAINTS & CREDIBILITY ASSESSMENTS

- **Investigators generally failed to review prior allegations against the alleged perpetrator and did so in only 4 cases.**
- **In half of the cases, the investigator adequately performed credibility assessments.**

## SUBSTANTIATION

- **In half of the cases 50% (n=21), the investigator adequately described their reasoning of what is substantiated, meaning there was a specific explanation of what elements of the allegation were verified or disproved.**

## DETERMINATIONS

- **One of the 42 investigations concluded that staff actions or failures contributed to the incident.**
- **95% (n=41) of the 42 allegations were unsubstantiated or unfounded.**
- **Victims were informed of the investigation results in a quarter 26% (n=11) of cases audited.**

# AUDIT OF CLOSING MEMOS – RECOMMENDATIONS

## **DOC:**

- Retrain Investigators & Supervisory Staff
- Revise and Improve Closing Report Format
- Audit Investigations to Identify and Address Reasons for Delays
- Ensure Interviews are Conducted in Private and Confidential Spaces
- Notify Alleged Victims of the Outcome of Investigations, Even if no Longer in DOC Custody.

## **BOC:**

- Complete an Annual Audit of Closing Reports

