

SUBJECT: PREA ~ PRISON RAPE ELIMINATION ACT	POLICY #: CJC-116
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I. PURPOSE

The purpose of this policy is to demonstrate the Harris County Sheriff's Office will make every effort to fully comply with the standards set forth by the Prison Rape Elimination Act (PREA). These standards are established for the prevention of sexual abuse of inmates in custody; to address the safety and treatment needs of inmates who have been a victim of a sexual act; and to discipline and prosecute those who perpetrate these acts upon inmates. The Harris County Sheriff's Office has a zero tolerance towards all forms of sexual abuse and sexual harassment in the facility.

II. POLICY

It is the policy of the Harris County Sheriff's Office to comply with all standards set forth by PREA to prevent, respond, educate, screen and report sexual misconduct in all of its facilities. The Harris County Sheriff's Office will demonstrate compliance not merely by words and written policy, but through a zero tolerance approach demonstrated through our actions to prevent, and the Department's response to outcries of sexual assault.

III. PRISON RAPE ELIMINATION ACT (PREA) PURPOSE & DEFINITIONS

A. Prison Rape Elimination Act (PREA) Purpose

1. The Prison Rape Elimination Act of 2003 was enacted by Congress to address the sexual abuse of persons in custody
2. Applies to all federal, state and private prisons, jails, detention facilities, police lock-ups, tribal correctional facilities, immigration correctional facilities and community correctional settings
3. Establishes a zero-tolerance standard in correctional facilities
4. Directs the Bureau of Justice Statistics to carry out a comprehensive annual statistical review and analysis

B. Definitions

1. Sexual Assault – Non-consensual oral, anal, or vaginal penetration by or union with, the sexual organ of another or by any other object; or the touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, buttocks, or mouth) for the purpose of sexual gratification
2. 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 harassment, sexual contact, obscenity, behavior of a sexual nature or implication of the same, inappropriate sexual comments, taking or soliciting photographs/pictures of a person's nude breasts, genitalia or buttocks, indecent exposure, invasion of privacy for sexual gratification, sexually harassing comments or language, inappropriate touching or incidents of intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks or other body parts with the intent of abuse, arouse, or gratify sexual desire or incidents of indecent exposure of breasts, genital areas, or other body parts, even with consent in a penal institution.
3. Inmate to Inmate Non Consensual Sexual Acts - Contact of any person without his or her consent, or of a person who is unable to consent or refuse such as contact between the penis and the vagina or the penis and the anus including penetration, however slight; Contact between the mouth and the penis, vagina, or anus; Penetration of the anal or genital opening of another person by hand, finger or other object.
4. Inmate on Inmate - One or more inmates engaging in, attempting to engage in, or having completed a sexual act with another inmate through the use of threats, intimidation, force or other actions and/or

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communications reasonably calculated to cause submission of another inmate to engage in a sexual act against that inmate's will.

5. Sexual Abuse - Abuse by another inmate or a staff member, contractor, or volunteer when the victim does not consent and is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse.
6. Sexual Abuse by another inmate includes:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetrations, however slight.
 - b. Contact between the mouth and penis, vulva, or anus.
 - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
 - d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
7. Sexual Abuse by a staff member, contractor, or volunteer includes:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetrations, however slight.
 - b. Contact between the mouth and penis, vulva, or anus.
 - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
 - d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
8. Sexual touching by a staff member, contractor, or volunteer which includes:
 - a. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with the intent to abuse, arouse, or gratify sexual desire.
 - b. Any attempted, threatened, or requested sexual touching by a staff member, contractor, or volunteer.
9. Indecent exposure by a staff member, contractor, or volunteer which includes displays by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of an inmate.
10. Voyeurism by a staff member, contractor, or volunteer that involves an invasion of an inmate's privacy by staff for reasons unrelated to official duties such as :
 - a. Peering at an inmate who is using a toilet in their cell to perform bodily functions.
 - b. Requiring an inmate to expose their buttocks, genitals or breast or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions, regardless of what the staff member does with the images afterwards.

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11. Sexual Assault - As defined by Texas Statute (Texas Statute Chapter 22, Section 22.011.)
12. Sexual Violence - Any instance of non-consensual sexual acts or abusive sexual contact.
13. Sexual Harassment - Repeated and unwelcomed sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or 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.
14. Voyeurism by staff, contractors, or volunteers - Invasion of privacy of an inmate by staff for reasons unrelated to official duties, such as peering at an inmate performing bodily functions, requiring an inmate to expose his or her buttocks, genitals or breasts, or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

IV. PREVENTION PLANNING

A. § 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator.

1. The Sheriff's Office has a zero tolerance policy toward all forms of sexual abuse.
2. The Sheriff's Office shall designate a PREA Manager and PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.
3. The Sheriff's Office shall not hire or promote anyone who has engaged in sexual abuse in an institutional setting or who has engaged in sexual activity in the community facilitated by force, the threat of force, or coercion.
4. All correctional facilities that the Sheriff's Office has contracts with for the confinement of inmates will be expected to abide by the standards of PREA. The PREA coordinator will track all facilities to ensure continued compliance.
5. Deputies/Detention Officers will provide proper supervision necessary to protect inmates from sexual assault and report threats and claims of abuse.
6. Except in exigent or emergency situations, strip searches of opposite gender inmates are expressly prohibited. (In cases where gender is not obviously known, only medical staff will conduct an examination to determine gender.) See **Criminal Justice Command Policy CJC-234 ~ Searches**
7. Accommodations are made for inmates that do not speak English, are deaf or hearing impaired, and/or disabled. The Department will make accommodations for sign language interpreters (SLI's).
8. Sexual Assault Information/Sexual Abuse are addressed in the **Inmate Handbook**, available in English and Spanish.
9. Video monitoring and other technology are used to supplement sexual abuse prevention, detection, and response efforts. The need for this technology is assessed quarterly.

B. § 115.12 Contracting with other entities for the confinement of inmates.

1. The Harris County Sheriff's Office when contracting for the confinement of inmates with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.
2. Any new contract or contract renewal shall provide for HCSO contract monitoring to ensure that the contractor is complying with the PREA standards.

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C. § 115.13 Supervision and monitoring.

1. The HCSO shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, the HCSO shall consider:
 - a. Generally accepted detention and correctional practices;
 - b. Any judicial findings of inadequacy;
 - c. Any findings of inadequacy from Federal investigative agencies;
 - d. Any findings of inadequacy from internal or external oversight bodies;
 - e. All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);
 - f. The composition of the inmate population;
 - g. The number and placement of supervisory staff;
 - h. Institution programs occurring on a particular shift;
 - i. Any applicable State or local laws, regulations, or standards;
 - j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
 - k. Any other relevant factors.
2. In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan. This shall be accomplished documenting the deficiency on the Daily Watch Schedule (DWS) and forwarding a copy to the PREA office.
3. Whenever necessary, but no less frequently than once each year, the Division Commander for each facility the agency operates, in consultation with the PREA coordinator required by § 115.11, shall assess, determine, and document whether adjustments are needed to¹:
 - a. The staffing plan established pursuant to paragraph (1) of this section;
 - b. The facility's deployment of video monitoring systems and other monitoring technologies; and,
 - c. The resources the facility has available to commit to ensure adherence to the staffing plan.
4. The HCSO requires intermediate-level or higher-level supervisors, on all shifts, conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Moreover, in accordance with **Criminal Justice Command Policy "CJC-220 ~ Inmate Observation,"** HCSO

¹ Coordinated via PREA Compliance Committee Meeting

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staff are prohibited from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

D. § 115.14 Youthful inmates.

See current HCSO Classification Policy -

E. § 115.15 Limits to cross-gender viewing and searches.

1. The HCSO shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. **See Criminal Justice Command Policy “CJC-234 ~ Search Policy”**
2. The HCSO does not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. In addition, the HCSO shall not restrict female inmates’ access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.
3. The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.
4. The HCSO will make every attempt to ensure inmates are allowed 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 cell checks. This shall be accomplished through staffing assignments, construction of privacy shields, and requiring staff of the opposite gender to announce their presence when entering an inmate housing unit. **See Criminal Justice Command Policy “CJC-220 ~ Inmate Observation”**
5. The HCSO shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. If the inmate’s genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. **See Departmental Policy “413 - Lesbian, Gay, Bisexual, Transgender...”** for additional information.
6. The HCSO shall train security staff 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. **See Criminal Justice Command Policy “CJC-234 ~ Search Policy” & Departmental Policy “413 - Lesbian, Gay, Bisexual, Transgender...”**

F. § 115.16 Inmates with disabilities and inmates who are limited English proficient.

1. The ADA compliance coordinator shall ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include:
 - a. When necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
 - b. Ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision.

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2. The HCSO shall take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
3. The HCSO shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.

G. § 115.17 Hiring and promotion decisions.

1. The HCSO shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who—
 - a. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
 - b. 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
 - c. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a) of this section.
2. The HCSO 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 inmates.
3. Before hiring new employees who may have contact with inmates, the HCSO shall:
 - a. Perform a criminal background records check; and
 - b. Consistent with Federal, State, and local law, makes 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.
4. The HCSO shall perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.
5. The HCSO shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees. The PREA office will coordinate with internal stakeholders (Human Resources, OIG, Criminal Justice Command, etc.) to ensure compliance.
6. The HCSO shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (1) of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The HCSO also imposes upon employees a continuing affirmative duty to disclose any such misconduct.
7. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

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8. Unless prohibited by law, the agency 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 whom such employee has applied to work.

H. § 115.18 Upgrades to facilities and technologies.

1. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the HCSO shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse.
2. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the HCSO shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.

I. § 115.21 Evidence protocol and forensic medical examinations.

1. The HCSO shall investigate all allegations of sexual abuse; in addition the HCSO shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.
2. The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.
3. The HCSO shall offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiary or medically appropriate. Medical staff shall validate alleged penetration involving sexual abuse has occurred before transporting inmates to county hospitals to receive sexual assault forensic exams (SAFEs or SANEs). 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. The HCSO shall document its efforts to provide SAFEs or SANEs.
4. The HCSO shall attempt to make available to the victim a victim advocate from a rape crisis center.
 - a. The HCSO shall document efforts to secure services from rape crisis centers. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages.
 - b. The HCSO may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.
5. As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

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6. For the purposes of this section, a qualified HCSO 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.

V. HCSO STAFF IMMEDIATE RESPONSE TO ALLEGATIONS OF SEXUAL ABUSE

A. § 115.22 Policies to ensure referrals of allegations for investigations.

1. The HCSO shall conduct an administrative or criminal investigation for all allegations of sexual abuse and sexual harassment.
 - a. Investigators assigned to the PREA Office shall conduct investigation for allegations of sexual abuse and sexual harassment².
 - b. Allegations regarding employee wrongdoing shall be forwarded to OIG for investigation. However, the PREA office shall ensure all reporting, follow-up, and PREA guidelines and standards are followed.
2. The HCSO shall publish such policy on its website or, if it does not have one, make the policy available through other means. The PREA Office shall document all such referrals.

VI. TRAINING AND EDUCATION

A. § 115.31 Employee training.

1. The HCSO shall train all employees who may have contact with inmates on:
 - a. Its zero-tolerance policy for sexual abuse and sexual harassment;
 - b. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
 - c. Inmates' right to be free from sexual abuse and sexual harassment;
 - d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
 - e. The dynamics of sexual abuse and sexual harassment in confinement;
 - f. The common reactions of sexual abuse and sexual harassment victims;
 - g. How to detect and respond to signs of threatened and actual sexual abuse;
 - h. How to avoid inappropriate relationships with inmates;
 - i. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and

² OIG bears the responsibility for investigating allegations of misconduct involving staff.

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- j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
2. The HCSO shall provide refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.³
3. The agency shall document, through employee signature or electronic verification that employees understand the training they have received.

B. § 115.32 Volunteer and contractor training.

1. The HCSO shall ensure that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.
2. The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.
3. The HCSO shall maintain documentation confirming that volunteers and contractors understand the training they have received.

C. § 115.33 Inmate education.

1. During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.
2. Within 30 days of intake, the agency shall provide comprehensive education to inmates 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.
3. The HCSO shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.
4. The HCSO shall maintain documentation of inmate participation in these education sessions.
5. In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.

D. § 115.34 Specialized training: Investigations.

1. In addition to the general training provided to all employees pursuant to § 115.31, the HCSO shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.

³ This training shall be completed by August 31st of each calendar year.

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2. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
3. The HCSO shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

E. § 115.35 Specialized training: Medical and mental health care.

1. The agency shall ensure that all full and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:
 - a. How to detect and assess signs of sexual abuse and sexual harassment;
 - b. How to preserve physical evidence of sexual abuse;
 - c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
 - d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
2. If medical staff employed by the HCSO conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.
 - a. The agency shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.
 - b. Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency.

VII. SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

A. § 115.41 Screening for risk of victimization and abusiveness.

1. All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.
2. Intake screening shall ordinarily take place within 72 hours of arrival at the facility.
3. Such assessments shall be conducted using an objective screening instrument.
4. The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:
 - a. Whether the inmate has a mental, physical, or developmental disability;
 - b. The age of the inmate;
 - c. The physical build of the inmate;
 - d. Whether the inmate has previously been incarcerated;

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- e. Whether the inmate's criminal history is exclusively nonviolent;
 - f. Whether the inmate has prior convictions for sex offenses against an adult or child;
 - g. Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
 - h. Whether the inmate has previously experienced sexual victimization;
 - i. The inmate's own perception of vulnerability; and
 - j. Whether the inmate is detained solely for civil immigration purposes.
5. 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 HCSO, in assessing inmates for risk of being sexually abusive.
 6. Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the HCSO will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.
 7. An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.
 8. Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (4)(a), (4)(G), (4)(H), or (4)(I) of this section.
 9. The HCSO shall treat all screening information as sensitive and will not share or make available screening information to any inmate. Moreover, the Justice management Bureau shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

B. § 115.42 Use of screening information.

1. The HCSO shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.
2. The HCSO shall make individualized determinations about how to ensure the safety of each inmate.
3. In deciding whether to assign a transgender or intersex inmate to a housing area for male or female inmates, and in making other programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.
4. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.
5. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration.

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6. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.
7. The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates 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 inmates.

C. § 115.43 Protective custody.

1. Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.
2. Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:
 - a. The opportunities that have been limited;
 - b. The duration of the limitation; and
 - c. The reasons for such limitations.
3. The facility shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.
4. If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document:
 - a. The basis for the facility's concern for the inmate's safety; and
 - b. The reason why no alternative means of separation can be arranged.
5. Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

VIII. REPORTING

A. § 115.51 Inmate reporting.

1. The HCSO shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. These shall include:
 - a. Notification to any staff member;
 - b. Inmate Grievance System
 - c. Toll free telephone calls to the PREA Office.

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2. The HCSO shall also provide at least one way for inmates 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 inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.
3. HCSO staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.
4. HCSO staff may privately report sexual abuse and sexual harassment of inmates by contacting the PREA office in writing, or by contacting the PREA announcement line (713.755.7991).

B. § 115.52 Exhaustion of administrative remedies.

1. The HCSO shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
2. The HCSO shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
3. It is the policy of the HCSO that—
 - a. An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
 - b. Such grievance is not referred to a staff member who is the subject of the complaint.
4. The HCSO 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.
 - a. Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal.
 - b. The HCSO 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. The HCSO shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
 - c. At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.
5. Third Party Assistance in Filing Grievances
 - a. Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.
 - b. If a third party files such a request on behalf of an inmate, the HCSO requires 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.

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c. If the inmate declines to have the request processed on his or her behalf, the HCSO shall document the inmate's decision.

6. Emergency Grievances

a. The HCSO shall follow the below procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

b. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the Disciplinary & Grievance section shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the PREA Office who will coordinate immediate corrective action.

c. The PREA Office 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 inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

7. The agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.

C. § 115.53 Inmate access to outside confidential support services.

1. The HCSO shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

2. The HCSO shall inform inmates, 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.

3. The agency shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates 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.

D. § 115.54 Third-party reporting.

The HCSO will 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 an inmate. This shall be accomplished by making 3rd party reporting available on the Departments website.

IX. OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

A. § 115.61 Staff and agency reporting duties.

1. The HCSO requires all staff to report immediately 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 HCSO; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

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2. 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.
3. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (1) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.
4. All allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, shall be forwarded to the HCSO PREA Office for investigation.

B. § 115.62 Agency protection duties.

1. It is the policy of the HCSO upon learning learns that an inmate is subject to a substantial risk of imminent sexual abuse, to take immediate action to protect the inmate.

C. § 115.63 Reporting to other confinement facilities.

1. Any staff member receiving allegation that an inmate was sexually abused while confined at another facility shall immediately forward that information to the PREA Office.
2. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the PREA Office shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
3. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
 - a. The agency shall document that it has provided such notification.
 - b. The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

D. § 115.64 Staff first responder duties.

1. Upon discovery/notification of a potential sexual assault incident, the staff member will:
 - a. Provide first aid / life saving measures
 - b. Remove the victim from further danger
 - c. Call for assistance if needed
 - d. Immediately notify the floor/area supervisor
 - e. Secure the area and preserve the scene until responding Criminal Investigations Bureau Investigator(s) arrive
 - f. Instruct the victim not to take any actions that could destroy physical evidence, including washing, brushing his or her teeth, changing his or her clothes, urinating, defecating, smoking, drinking, or eating
2. The floor/area supervisor will:

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- a. Respond to the scene.
 - b. Ensure appropriate medical care is or has been provided.
 - c. Notify the Watch Commander.
 - d. If appropriate, assign a staff member to begin recording significant events as the situation evolves (e.g., record the arrival and departure times of Crime Scene Unit, investigative personnel, HAWC⁴, ambulance personnel, etc.).
 - e. Prohibit unnecessary staff members from entering the affected area.
 - f. Isolate any suspects and/or witnesses. Whenever possible, those scheduled for transport to locations outside the facility (except medical emergencies) will be held until the investigator assigned to investigate the case authorizes their release.
 - g. Notify the PREA Office.
3. If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

E. § 115.65 Coordinated response.

1. Refer to HCSO Department Manual
2. CJC Standard Operating Procedures
3. Health Services Standard Operating Procedures

F. § 115.66 Preservation of ability to protect inmates from contact with abusers.

1. The HCSO shall not enter into or renew any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.
2. Nothing in this policy shall restrict the entering into or renewal of agreements that govern:
 - a. The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.72 and 115.76; or
 - b. 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 substantiated.

G. § 115.67 Agency protection against retaliation.

⁴ Houston Area Women's Center

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1. The HCSO shall make all necessary precautions to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. To that end, the PREA Office shall ensure:
 - a. The HCSO employs multiple protective measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
 - b. For at least 90 days following a report of sexual abuse, the PREA Office shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. The PREA Office will monitor inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Office shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
2. If any other individual who cooperates with an investigation expresses a fear of retaliation, the HCSO shall take appropriate measures to protect that individual against retaliation.
3. The HCSO's obligation to monitor shall terminate if the agency determines that the allegation is unfounded.

H. § 115.68 Post-allegation protective custody.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.43.

X. INVESTIGATIONS

A. § 115.71 Criminal and administrative agency investigations.

1. The HCSO PREA Office shall investigate or cause to be investigated all allegations of sexual abuse and sexual harassment, and it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
2. The HCSO shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34.
3. 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.
4. 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.
5. 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. The HCSO shall not 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.
6. Administrative investigations:

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- a. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
 - b. 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.
7. 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.
 8. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.
 9. The agency shall retain all written reports referenced in paragraphs (6) and (7) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.
 10. 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.

XI. § 115.72 EVIDENTIARY STANDARD FOR ADMINISTRATIVE INVESTIGATIONS.

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.

XII. § 115.73 REPORTING TO INMATES.

1. Following an investigation into an inmate's allegation that he or she suffered sexual abuse, the HCSO shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
2. If the HCSO did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.
3. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the HCSO shall subsequently inform the inmate (unless the it has determined that the allegation is unfounded) whenever:
 - a. The staff member is no longer posted within the inmate's unit;
 - b. The staff member is no longer employed at the facility;
 - c. The staff member has been indicted on a charge related to sexual abuse within the facility; or,
 - d. The HCSO learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
4. Following an inmate's allegation that he or she has been sexually abused by another inmate, the HCSO shall subsequently inform the alleged victim whenever:
 - a. The alleged abuser has been indicted on a charge related to sexual abuse within the facility; or,

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- b. The alleged abuser has been convicted on a charge related to sexual abuse within the facility.
5. All such notifications or attempted notifications shall be documented.
6. An agency's obligation to report under this standard shall terminate if the inmate is released from the agency's custody.

XIII. DISCIPLINE

A. § 115.76 Disciplinary sanctions for staff.

1. Staff shall be subject to disciplinary sanctions up to and including termination for violating HCSO sexual abuse or sexual harassment policies.
2. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.
3. Disciplinary sanctions for violations of agency 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.
4. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to any relevant licensing bodies.

B. § 115.77 Corrective action for contractors and volunteers.

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to the law enforcement agencies⁵, unless the activity was clearly not criminal, and to relevant licensing bodies.
2. The HCSO shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

C. § 115.78 Disciplinary sanctions for inmates.

1. Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.
2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.
3. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

⁵ Contact HCSO PREA Office for direction

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4. If the HCSO is offering therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.⁶
5. The HCSO may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.
6. 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.
7. The HCSO prohibits all sexual activity between inmates and shall discipline inmates for such activity. The HCSO will not deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

XIV. MEDICAL AND MENTAL CARE

A. § 115.81 Medical and mental health screenings; history of sexual abuse.

1. If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.
2. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.
3. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

B. § 115.82 Access to emergency medical and mental health services.

1. Inmate 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 medical and mental health practitioners according to their professional judgment.
2. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.
3. Inmate 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.

⁶ The programs may be part of grant funded projects or re-entry initiatives.

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4. 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.

C. § 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers.

1. The HCSO shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse.
2. 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.
3. The HCSO shall provide such victims with medical and mental health services consistent with the community level of care.
4. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
5. If pregnancy results from the conduct described in paragraph (4) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
6. Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
7. 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.
8. Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
9. 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.

XV. DATA COLLECTION AND REVIEW

A. § 115.86 Sexual abuse incident reviews.

1. The HCSO PREA Office shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
 - a. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
 - b. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.
2. The review team shall:
 - a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;

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- b. 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;
 - c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
 - d. Assess the adequacy of staffing levels in that area during different shifts;
 - e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
 - f. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (2)(a)-(2)(e) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.
3. The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

B. § 115.87 Data collection.

1. The HCSO (PREA Office) shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. (Refer to Survey of Sexual Violence conducted by the Department of Justice.
2. The agency shall aggregate the incident-based sexual abuse data at least annually.
3. 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.
4. The HCSO (PREA Office) shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
5. The agency (HCSO PREA Office) also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

C. § 115.88 Data review for corrective action.

1. The HCSO PREA Office shall review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
 - a. Identifying problem areas;
 - b. Taking corrective action on an ongoing basis; and
 - c. Preparing an annual report of its findings and corrective actions for each facility, as well as the agency 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 agency's progress in addressing sexual abuse.

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3. The report shall be approved by the Sheriff and made readily available to the public through its website.
4. The agency 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.

D. § 115.89 Data storage, publication, and destruction.

1. The HCSO PREA Office shall ensure that data collected pursuant to § 115.87 are securely retained.
2. The HCSO shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means.
3. Before making aggregated sexual abuse data publicly available, the HCSO shall remove all personal identifiers.
4. The HCSO PREA Office shall maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

XVI. AUDITS

§ 115.93 Audits of standards.

The HCSO shall conduct audits pursuant to §§ 115.401–.405.

XVII. AUDITING AND CORRECTIVE ACTION

§ 115.401 Frequency and scope of audits.

The HCSO shall ensure that each jail facility is audited in accordance with current PREA Standards.

XVIII. REVISION:

This policy has been revised on the below listed dates:

February 13, 2012

October 24, 2014

July 22, 2015

November 03, 2015