

PIKE COUNTY CORRECTIONAL FACILITY		1517
STANDARD OPERATING PROCEDURES	Series:	Health Care
	Subject	Sexual Misconduct/Assault
	Reference(s):	ACA 4-ALDF 4D- 22, 26; N.C.C.H.C. P-55-J-55; Prison Rape Elimination Act of 2003

I. POLICY

The Pike County Correctional Facility has a “zero tolerance” policy pertaining to sexual assault/abuse and sexual harassment of inmates/detainees. All inmates/detainees and staff have the right to be free from sexual abuse and the right to be free from retaliation for reporting sexual abuse. Consensual sexual activity is prohibited and does not constitute sexual abuse. All allegations of sexual assault/abuse of inmates/detainees, visitors, contractors, volunteers or employees (verbally, in writing, anonymously, and from third parties) will be immediately investigated by the facilities designated investigators. This procedure will be implemented as soon as a staff member is notified of a sexual assault. Staff is prohibited from revealing information about sexual abuse to anyone other than to the extent necessary. Inmates/detainees can report sexual abuse and harassment or retaliation for reporting by notifying the unit officer, or any other staff member if the housing unit officer is the subject of the complaint, or by notifying a counselor or PrimeCare Medical staff. PREA reporting information is available in tablets on all housing units advising inmates/detainees who wish to write a letter to the US Marshal or Office of Inspector General along with the ability to file an emergency inmate/detainee grievance. Third party reporting information is also provided in the inmate/detainee handbook for family and friends of inmates/detainees incarcerated in the Pike County Correctional Facility. Contact information is also provided in all unit tablets to contact The Victims Intervention Program Advocate Group (VIP) for inmate/detainees who have been victims of sexual assault. This procedure will ensure prompt action is taken to care for and protect the individual alleging to be the victim.

II. DEFINITIONS

- A. Inmate/detainee on inmate/detainee sexual assault will be separated into two categories.
 - 1. Nonconsensual Sexual Acts are defined as:
 - a. Contact of any person without his or her consent, is coerced into such act by overt or implied threats of violence or of a person who is unable to consent or refuse, and contact between the penis and the vulva or the penis and the anus including penetration, however slight.
 - b. Contact of any person without his or her consent, is coerced into such act by overt or implied threats of violence or of a person who is unable to consent or refuse, and contact between the mouth and the penis, vulva, or anus.
 - c. Contact of any person without his or her consent, is coerced into such act by overt or implied threats of violence or of a person who is unable to consent

or refuse, and penetration of the anal or genital opening of another person, however so slight, by hand, finger, object or other instruments.

2. Abusive Sexual Contacts are defined as:

- a. Contact of any person without his or her consent, is coerced into such act by overt or implied threats of violence or of a person who is unable to consent or refuse and intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, excluding contact incidental to a physical altercation.
- b. Exclude incidents in which the intent of the assault is to harm or debilitate rather than to sexually exploit.

B. Staff on inmate/detainee sexual misconduct includes behavior or an act of a sexual nature directed toward an inmate/detainee by an employee, volunteer, contractor, official visitor or agency representative. Sexual relationships of a romantic nature between staff and inmates/detainees are prohibited. This includes conversations or correspondence of a romantic or sexual nature. Staff found to have engaged in this conduct will be subject to disciplinary action or criminal charges including removal from their official positions for allegations of sexual abuse or for violation of Facility Sexual Abuse Policy. Removal from one's official position is the presumptive disciplinary sanction for staff who have engaged in, attempted, or threatened to engage in sexual abuse as defined under the definition for sexual abuse of a detainee by a staff member, contractor, or volunteer.

1. Consensual or nonconsensual sexual acts include:

- a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
- b. Contact between the mouth and the penis, vulva, or anus.
- c. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- d. Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- e. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, (except in the context of proper searches and medical examinations), groin, breast, inner thigh, or the buttocks that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- f. Any attempt, threat or request by a staff member, contractor, or volunteer to engage in the activities described in A-E of this section.
- g. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of any inmate/detainee.
- h. Voyeurism by a staff member, contractor, or volunteer.

C. Staff on inmates/detainees sexual harassment includes repeated and unwelcome sexual advances, requests for sexual favors, or gestures, or actions of a derogatory or offensive sexual nature by one inmate/detainee to another, verbal comments, and repeated verbal comments or gestures of a sexual nature to an inmate/detainee by an employee, volunteer, contractor, official visitor, or other agency representative including.

1. Demeaning references to gender, sexually suggestive or derogatory comments about body or clothing or.
2. Repeated profane or obscene language or gestures.

D. Institutional Sexual Assault:

1. Institutional Sexual Assault is a criminal offense as stipulated in the Pennsylvania Consolidated Statutes under crimes and offenses, Title 18, chapter 31, subchapter 3124.2 which states the following:

A person who is an employee or agent of the Department of Corrections or a County Corrections authority, State or County Correctional authority, youth development center, youth forestry camp, State or County juvenile detention facility, other licensed residential facility serving children and youth, or mental health or mental retardation facility or institution commits a felony of the third degree when that person engaged in sexual intercourse, deviate sexual intercourse, or indecent contact with an inmate/detainee, patient or resident.

NOTE: THE PENALTY FOR A FELONY OF THE THIRD DEGREE SHALL BE IMPRISONMENT FOR A TERM UP TO SEVEN (7) YEARS.

III. PROCEDURE

Security Staff notified of or suspecting an alleged sexual assault, abuse or harassment, will privately:

1. Separate the alleged victim and abuser if known.
2. Immediately notify the Shift Commander and medical health care personnel.
3. Secure the scene. Photograph/videotape the alleged crime scene.
4. Make sure that the inmate/detainee victim and abuser does not shower, wash, brush teeth, urinate, defecate, drink, eat, or change clothing.
5. Write a report and forward it to the Shift Commander.

All other staff members notified of an allegation of sexual abuse will ensure that the alleged victim does not take any actions that could destroy physical evidence and notify the Shift Commander and their Department Head immediately.

Medical Staff will:

1. Ensure that information is provided to offenders during their initial examination about sexual assault/abuse and harassment. This information will include methods of prevention and intervention, self-protection, reporting sexual assault/abuse, treatment, access to outside victim advocates or rape crisis organizations (addresses and telephone

numbers) and counseling. Any inmate/detainee that is identified during their initial examination or in the community as a past sexual abuse victim in an institutional setting is referred to a mental health practitioner within 14 days of their screening. The mental health practitioner will obtain informed consent from inmate/detainee before reporting information about prior sexual victimization that did not occur in an institutional setting. All medical practitioners are required to inform inmates/detainees at the initiation of services of their duty to report, and the limitations of confidentiality, unless otherwise precluded by federal, state, or local law. Offenders will sign a copy of this informational document which will then be placed in their medical file.

2. Coordinate with the Shift Commander to arrange for transport to Wayne Memorial Hospital for forensic medical examinations without cost to the inmate/detainee. Treatment services will be provided regardless of whether or not the victim names the abuser or cooperates with any investigation arising out of the incident. Exams should be performed by sexual assault forensic examiners (SAFE's) or sexual assault nurse examiners (SANE's). In the event that a SAFE or SANE is not available, a qualified medical practitioner will conduct the exam and staff will document on an incident report.
3. Take a history to document extent of injury.
4. Notify the Facility HSA.
5. Stay with the inmate/detainee to offer first aid and emotional support. The inmate/detainee cannot be left unattended at any time. All findings and behaviors must be documented in the inmate/detainee medical record. Medical will provide information about and access to emergency contraception and sexually transmitted infectious prophylaxis, where medically appropriate.
6. Clothing must not be removed. The inmate/detainee will be transported with all clothing which was worn when the assault occurred. A victim advocate from (VIP) is to be made available to accompany the victim through examinations and interviews.
7. Schedule inmate/detainee to see psychiatrist as soon as possible for mental health evaluation and treatment where appropriate.
8. Follow any instructions from the attending physician at Wayne Memorial Hospital for treatment plans.
9. Make arrangements with Psychologist for crisis intervention counseling and long-term follow-up as well as necessary referrals for continued care following a transfer or release.
10. Enable reasonable communication between inmates/detainees and these organizations as well as informing inmates/detainees (prior to giving them access) of the extent to which agency policy governs monitoring of their communications and when reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.
11. Pike County Correctional Facility will maintain or attempt to enter into agreements with community service providers (VIP) to provide inmates/detainees with confidential emotional support services related to the inmates/detainees sexual abuse while in custody.
12. All services provided will be in a manner that is consistent with the level of care the victims would receive in the community and include pregnancy test and all lawful pregnancy related medical services where applicable.

Shift Commander will:

1. Ensure separation of the victim and alleged assailant at the time of notification. Ensure victim receives timely unimpeded access to emergency medical treatment and crisis intervention services.

Note: Staff suspected of perpetrating sexual abuse, assault, or harassment on an inmate/detainee will be removed from all duties requiring detainee contact pending the outcome of an investigation and may be suspended from duty if deemed necessary. An internal administrative investigation will be immediately initiated. If the investigation reveals evidence of staff misconduct, the staff member will be scheduled for an investigatory interview and the Pennsylvania State Police will be notified if there is evidence of a crime. If the incident is deemed unfounded, the staff member can resume contact with inmates/detainees. However, if the accuser has filed a complaint with the Pennsylvania State Police, the Staff member will not be permitted to have contact with the accuser pending the outcome of the Pennsylvania State Police investigation. Once the Pennsylvania State Police concludes their investigation, the staff member can resume contact with the specific accuser(s) if the Pennsylvania State Police provides an outcome that indicates that the accusation is unfounded.

2. Arrange for a transport team to transport inmate/detainee to Wayne Memorial Hospital.
3. Make sure that the scene is secured, photographed/videotaped.
4. Notify the on call Warden and ICE S.D.D.O. (PSA) Prevention of Sexual Compliance Manager immediately upon allegation of sexual misconduct/assault.
5. Collect and forward all reports to the Assistant Warden.
6. Complete "Supervisor PREA checklist for sexual assault/harassment investigation".

The Warden, PREA Coordinator / (PSA) Prevention of Sexual Assault Compliance Manager or designee will:

1. Notify the Pennsylvania State Police to conduct an official investigation. The PREA Coordinator in the roll of the Facility Investigator will keep in contact with the Pennsylvania State Police Investigator regarding the progress of all sexual abuse investigations. The Facility Inspector will contact the Pennsylvania State Police Investigator bi-weekly to attain updates on the status of sexual abuse investigations.
2. Will notify the I.C.E. S.D.D.O. (PSA) of alleged sexual assault, abuse or harassment involving a detainee. The I.C.E. S.D.D.O (PSA) will coordinate with the Office of Professional Responsibility (OPR) to ensure that there is non-interference with any criminal investigations.
3. For each incident of sexual assault, complete and submit form SSV-1A, which is a survey on Sexual Violence to the United States Department of Justice, Bureau of Justice Statistics, and United States Census Bureau.
4. Each year, complete and submit form SSV-3, which is an annual survey of Sexual Violence – Local Jail Jurisdictions to the United States Department of Justice, Bureau of Justice Statistics, United States Census Bureau.
5. Develop, implement and oversee facility efforts to comply with PREA standards.
6. Require that all outside agencies that hold Pike County Correctional Facility inmates/detainees complies with PREA standards.

Pike County Correctional Facility

Supervisor PREA Checklist for Sexual Assault/Harassment Investigation

YES

1. Did you separate the individual initiating claim (victim) and alleged assailant?
2. Did you have the individual initiating claim see mental health personal immediately and receive unimpeded access to emergency medical treatment and crisis intervention services if necessary?
3. Did you conduct an initial fact-finding investigation into the legitimacy of the claim?
4. Did you ensure that the scene of the incident is secured, photographed and videotaped?
5. Did you arrange for transport to Wayne Memorial Hospital if deemed necessary?
6. Did you notify the Warden, Assistant Warden and PREA Coordinator?
7. Did you complete a SAPPI Assessment Worksheet for ICE Detainees and forward via email to Warden, Assistant Warden, PREA Coordinator, Immigration SDDO and ERO.sexualAssault@ice.dhs.gov
8. Did you complete a PCCF Serious Incident Notification form and forward via email as normal if a Detainee is involved?
9. Did you complete a comprehensive investigation and forward all memorandums and reports to the Assistant Warden, including finding of substantiated, unsubstantiated or unfounded?
10. Did you ensure that all staff suspected of violating The Pike County Correctional Facility Sexual Assault Policy are removed from all duties requiring Detainee Contact pending the outcome of this investigation?

Supervisor signature: _____ Date/Time: _____

7. Ensure that any individual who needs to know certain information relating to a sexual abuse report should receive only the information necessary to make treatment, investigation, and other security and management decisions.
8. Notify the Pike County Prison Board in writing during the monthly Prison Board meeting.
9. Classification Coordinator will reclassify any inmate/detainee after a PREA claim or follow an incident of sexual abuse or victimization.

IV. GENERAL INFORMATION

A. General Information

1. It is extremely important that the victim of a sexual assault does not wash shower or change clothes.
2. It is also extremely important that the crime scene is not disturbed. If the assault took place in a cell, lock the cell door. If it happened in any other area, secure the area in the best possible manner.
3. Employees and volunteers will receive awareness training concerning the prohibition of sexual contact with inmates/detainees; inmate/detainee on inmate/detainee sexual contact awareness; and procedures for preventing, detecting, identifying, responding to, resolving, and reporting sexual contact.
4. Sexual contact will not be tolerated and will be prevented through inmate/detainee supervision and the practice of professional ethics by employees.
5. Statistical information on inmate/detainee sexual contacts will be maintained in the Assistant Warden's office.
6. Inmates/detainees will receive information concerning the prohibition of sexual contact and steps to take to prevent the likelihood of being victimized by a sexual predator during their initial medical examination and the orientation process. During the initial intake screening, and upon transfer to another facility, all inmate/detainees are assessed for their risk of being sexually abused by other inmate/detainees or sexually abusive towards other inmates/detainees. Inmates/Detainees will not be disciplined for refusing to answer these risk assessment questions. If the facility receives information on the inmate/detainee that during previous confinement they were sexually abused the Warden will be notified as soon as possible, but no later than 72 hours. An incident report will be completed in this matter.
7. Inmates/detainees who are suspected or confirmed to have been victimized by a sexual predator within the facility will be separated from the suspected or confirmed predator by reassignment of housing pending the outcome of an investigation. The victim will be classified to Protective Custody and segregated from the General Population.
8. Inmates/detainees identified as sexual predators will be placed on an appropriate segregation status through disciplinary action, classification, or reclassification. Therapy and counseling by medical staff will address and correct underlying reasons or motivation for the abuse. Classification is a preventative tool to lower sexual misconduct and assault claims.
9. Male and female inmates/detainees will not be housed together, placed into holding cells together, nor will they be permitted to participate in co-educational programs. They will be separated by sight and sound whenever practical. Female Inmates/detainees will not

- be restricted from programing or out of cell activities due to lack of female staff available.
10. Officers will not search inmates/detainees of the opposite sex except under exigent circumstances unless approved by the Shift Commander. If this situation arises staff will document this incident thoroughly.
 11. Allegations of employee or volunteer sexual contact with an inmate/detainee will be investigated immediately. Inmate/detainee complaints alleging sexual contact by an employee or volunteer will be forwarded to the Assistant Warden who will arrange for the incident to be investigated. Employees may be immediately relieved of duty by the Warden or Assistant Warden if such is deemed necessary. An employee may be suspended pending the outcome on an investigation into an allegation of sexual contact and subjected to internal disciplinary procedures and criminal prosecution. Termination will be the presumed sanction for a staff person found guilty of sexual abuse.
 12. Sexual assaults or allegations will be reported to the Pennsylvania Department of Corrections on the monthly extraordinary report.
 13. The Pike County Correctional Facility will not hire, promote or contract with anyone (that will have direct contact with inmates/detainees) who has engaged in, been convicted of, or been civilly or administratively adjudicated for engaging in sexual abuse in a prison, jail, lock up, community confinement facility, juvenile facility, or other institution or 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. The Pike County Correctional Facility will conduct criminal background checks, conduct a check of the state's child abuse registry, and make its best efforts to contact prior institutional employers to obtain this information on substantiated allegations of sexual abuse, or any resignations during a pending investigation of an allegation or sexual abuse.
 14. The Pike County Correctional Facility will consider the effect any design, acquisition, expansion or modification of physical plant or monitoring technology might have on the agency's ability to protect inmates/detainees from sexual abuse. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates/detainees and shall be reported to law enforcement and relevant licensing bodies, where applicable. Other violations of Pike County Correctional Facility sexual abuse or harassment policies could result in remedial measures and prohibition of further contact with inmates/detainees when appropriate. All employee terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated will be reported to law enforcement agencies and to any relevant licensing bodies unless the activity was clearly not criminal.
 15. Sexual abuse and harassment information (prevention, detection and responding) will be provided to inmates/detainees who are not fluent in English or are disabled or needing general assistance after completing a request to their housing unit counselor.
 16. Pike County Correctional Facility shall not rely on inmate/detainee interpreters, inmate readers, or other types of inmate/detainee assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmates/detainees safety or the investigation of the inmates/detainees allegations.
 17. Staff (medical and mental health staff members) and contractors are required to immediately report to their direct supervisor any of the following:
 - a) Knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility.
 - b) Retaliation against inmates/detainees or staff who reported such an incident; and

- c) Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
18. Allegations of sexual abuse in which the alleged victim is under the age of 18 or considered a vulnerable adult will be reported to designated state or local service agencies. (PDA Mandatory Abuse Reporting (717-265-7887)/Pennsylvania Department of Public Welfare “Childline” (900-932-0313) If a juvenile inmate is committed to the facility they will be placed on a Constant Watch and housed alone. The County of Pike may request an emergency 5B transfer to the state to house this inmate.
 19. All staff may report an incident of sexual abuse outside of the chain of command to (VIP) Victims’ Intervention Program (800) 648-4VIP
 20. The Pike County Correctional Facility prohibits any retaliatory action against any inmate/detainee that is a victim of harassment, sexual harassment, or sexual misconduct, anyone who reports such misconducts, or anyone who participates or provides information or testimony in an investigation of alleged harassment, sexual harassment, or sexual misconduct by other inmates/detainees or staff. Inmates/detainees and staff who fear retaliation for reporting or cooperating with sexual abuse are protected by emotional support services, housing unit changes for inmate/detainee victims or abusers and removal of alleged staff or inmate/detainee abusers from contact with victims. The Assistant Warden and Shift Commanders/Department Heads will monitor retaliation and act promptly if deemed retaliatory acts are committed. The Pike County Correctional Facility will monitor the conduct and treatment of inmates/detainees or staff who have reported sexual abuse and of inmates/detainees who were reported to have suffered from sexual abuse to see if there are any changes that may suggest possible retaliation by inmates/detainees or staff. These issues will be addressed during the weekly classification meeting reviewing disciplinary reports, housing unit changes and program changes. Staff is monitored by the Assistant Wardens in their staff performance appraisal and staff reassignments if necessary. Any inmate/detainee that expresses a fear of retaliation will be offered and placed in protective custody, staff members are protected through policy and procedure and the code of ethics. All Inmate/Detainee retaliation claims will be monitored by the PREA Coordinator.
 21. The Pike County Correctional Facility will ensure that inmates/detainees with special needs (deaf, hard of hearing, limited reading skills, blind or low vision) will be provided with a counselor to assist with reading and assistance with communication. An Ultratec Communication System is available.
 22. Unit counselors are responsible to ensure that all inmates/detainees in their assigned housing units are educated on PREA standards and will document the inmate/detainee participation in these programs.
 23. All information pertaining to alleged sexual misconduct/assault is strictly confidential and is on a need to know basis. Staff members will forward an incident report to the Shift Commander in private.
 24. If a victim of Sexual Abuse is transferred between a DHS immigration detention facility or a non-DHS facility, the Pike County Correctional Facility, as permitted by law, will notify the receiving facility of the incident and the victim’s potential need for medical or social services, unless the victim request otherwise.

B. Investigation

1. The Pike County Correctional Facility is responsible for investigating allegations of sexual abuse and sexual harassment. All allegations will be investigated promptly,

thoroughly and objectively by facility investigators who received special training in sexual abuse investigations in confinement settings. The specialized training will include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collections in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The facility investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They will interview alleged victims, suspected perpetrators and witnesses and review prior complaints and reports of sexual abuse involving the suspected perpetrator. If criminal activity is determined by the facility investigator, the Pennsylvania State Police will be contacted. If a sexual abuse claim is made against medical and mental health practitioners, investigators, or a facility administrator, the highest-ranking specially trained investigator will conduct the interview. All information will be forwarded to the Pennsylvania State Police for possible criminal charges. The investigators memorandum will include their referral to the State Police for possible criminal charges. The Facility investigator will inform the inmate/detainee if their allegations of sexual abuse are determined to be Substantiated, Unsubstantiated or Unfounded. In addition, the Facility (PSA) along with the Special Needs Committee will monitor the inmate/detainee for a period of not less than ninety (90) days to ensure that no form of retaliation by inmates/detainees or staff take place. Disciplinary reports, housing unit assignments, changes in programs participation, as well as negative performance reviews for reassignments of staff will be reviewed and documented on a weekly basis. The Facility (PSA) and Special Needs Committee will continue this monitoring process beyond ninety (90) days if the need is identified. Upon completion of this process a report will be completed by the Facility (PSA) and be secured in the inmate/detainee file.

2. If a sexual abuse claim is determined to be Substantiated (The claim has been proven) the Pike County Correctional Facility will inform the inmate/detainee when:
 - a. The staff member is no longer posted within the inmates/detainees housing unit.
 - b. The staff member is no longer employed at Pike County Correctional Facility.
 - c. Pike County Correctional Facility learns that the staff member has been indicted on a charge related to sexual abuse within the facility.
 - d. Pike County Correctional Facility learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Note: The Pike County Correctional Facility is not obligated to report this information if the inmate/detainee is released from our custody.

3. If an inmate/detainee alleges they have been sexually abused by another inmate/detainee, the Pike County Correctional Facility will inform the inmate/detainee when:
 - a. The Pike County Correctional Facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility.

b. The Pike County Correctional Facility learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

Note: The Pike County Correctional Facility is not obligated to report this information if the inmate/detainee is released from our custody .

4. When the quality of evidence appears to support criminal prosecution, The Pike County Correctional Facility will consult with prosecutors before conducting compelled interviews.

5. The credibility of an alleged victim, suspect or witness is assessed on an individual basis and not determined by the person's status as an inmate/detainee or staff.

6. The Pike County Correctional Facility prohibits requiring an inmate/detainee who alleges sexual abuse to submit to a Polygraph examination or other truth-telling device as a condition for proceeding with an investigation into the allegation. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred will not result in lying charges, even if the allegations are found unsubstantiated. Inmates/Detainees shall not be disciplined for sexual contact with staff unless there is a finding that the staff member did not consent to such contact.

7. The Pike County Correctional Facility will continue to complete an investigation into allegations, even if the alleged abuser or victim has resigned or departed the facility.

8. The Pike County Correctional Facility will impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

9. If after a comprehensive investigation a sexual abuse claim is determined to be Unsubstantiated (The claim is unproven) or Unfounded (The claim did not occur) The Pike County Correctional Facility investigator will notify the inmate/detainee in writing and secure a copy of this notification in the inmate/detainee hard file.

10. Administrative follow up:

a. Administrative investigations will include an effort to determine whether staff actions or failures to act contributed to the abuse. They will be documented in written reports and include a description of the physical and testimonial evidence, the reasoning behind credibility assessments and investigative findings. Inmates/detainees and staff who have reported and have been victims of sexual abuse will be monitored for at least (90) ninety days following a report of the sexual abuse for possible retaliation from staff or inmates/detainees.

b. Criminal investigations will be documented in a written report and will contain a thorough description of physical, testimonial, and documentary evidence and attached copies of such where feasible. Substantiated allegations of criminal conduct will be referred for prosecution.

c. All written reports pertaining to administrative and criminal investigations for sexual abuse/harassment claims will be retained as long as the alleged abuser is incarcerated or employed by the agency plus five years.

C. Incident Review Team

1. A sexual abuse incident review will be conducted 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 with thirty (30) days.
2. The review team will include the Warden, Assistant Wardens, (PSA) Compliance Managers and allows input from the Shift Commanders, facility investigators, and medical staff.
3. The review team will: consider whether the allegation or investigation indicates a need to change policy to better prevent, detect, or respond to sexual abuse. Whether the incident or allegation was motivated by the perpetrator or victims' race, ethnicity, gender identity, LGBTI identification, status or perceived status, gang affiliation or motivated by other group dynamics. Examine the location where the incident allegedly occurred to assess whether physical barriers in the area enable abuse. Assess the adequacy of staffing levels in the location during different shifts. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. Prepare a report of its findings and any recommendations for improvement and submit to the Warden. The Warden will implement recommendations for improvement from the review teams report or document his reason for not doing so.

D. PREA Training/Cross Agency Training

1. Specialized Investigator Training: The Pike County Correctional Facility will ensure that in addition to general training provided to all employees, the facility has certified PREA investigators that receive specialized training in conducting sexual abuse investigations.
2. All Pike County Correctional Facility staff is trained in searches, the Professional Image, Professionalism, and Ethics and Interpersonal Communication Skills during basic training. PREA, sexual abuse and harassment are covered at least twice a year during shift briefings.
3. PrimeCare Medical staff are trained in: how to detect and assess signs of sexual abuse/harassment, how to preserve physical evidence, how to respond effectively and professionally to victims, how and to whom to report allegations or suspicions of sexual abuse, zero tolerance policy, prevention, response, inmate/detainee right to be free from sexual abuse/harassment, free from retaliation for reporting, dynamics of abuse/harassment in confinement, common reactions., avoiding inappropriate relations with inmates/detainees, communicating with all inmates/detainees regardless of race, gender, sexual preference, complying with

mandatory reporting laws. PrimeCare Medical staff does not use volunteer medical or mental health care practitioners.

4. The local ICE office trained investigators will receive Cross Agency training through a powerpoint presentation. The Cross Agency training will include what is expected of the ICE trained investigators and the facility trained investigators regarding all incidents of PREA involving a detainee.

E. Visitors/Contractor/Volunteer Training:

1. All contractors and volunteers that have contact with inmate/detainees will be notified of the zero-tolerance policy regarding sexual abuse/harassment and directed on how to report sexual abuse. Training will include the prevention, detection, and any response to sexual abuse/harassment. If an allegation of sexual abuse arises involving a contractor or volunteer, said individual will be removed from detainee contact pending the outcome of this investigation.

F. Data Collection

1. The Pike County Correctional Facility will utilize form SSV-3 (4-2-2010) Survey of Sexual Violence, 2009 local jail jurisdictions summary form annually.
2. Pike County Correctional Facility will obtain incident based and aggregated data from contracted facilities which are housing Pike County inmates at least annually.
3. All data from the previous year can be provided to the department of justice by June 30.
4. An annual report will be prepared documenting the findings from the data review and any corrective actions taken by the incident review team. The report will include a comparison of the current year's data and corrective actions with those from previous years and an assessment of the progress in addressing sexual abuse. The Warden will approve this report and make available to the public through request. Specific material may be redacted from the reports when publication presents a clear and specific threat to the safety and security of the facility and indicates the nature of the material redacted. This annual report will be forwarded to the PSA Coordinator and the FOD.
5. This data will be retained for at least ten (10) years after the date of initial collection.