

**Policy Title:            Prevention Planning**

**Effective Date:        06-09-16**

**PREA Standard: 115.211 Zero tolerance of sexual abuse and sexual harassment: PREA coordinator.**

**FGC Policy:**

- A.** Family Guidance Re-Entry Center, Springfield, IL has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlining the agency's approach to preventing, detecting and responding to such conduct. The intent of this policy is to ensure that:
- a.** the Re-Entry's staff and inmates are informed that this policy implements the BOP 's "zero tolerance" of sexually abusive behavior and sexual harassment as defined in the policy;
  - b.** standard procedures are in place to detect and prevent sexually abusive behavior and sexual harassment at Family Guidance Re-Entry Center;
  - c.** victims of sexually abusive behavior and sexual harassment receive timely and effective responses to their physical, psychological and security needs;
  - d.** allegations of sexually abusive behavior and sexual harassment receive timely intervention upon report; and
  - e.** the perpetrators of sexually abusive behavior and sexual harassment will be disciplined and, when appropriate, prosecuted in accordance with the BOP policy and Federal law.

Family Guidance Re-entry Center has a zero-tolerance policy for sexual abuse and sexual harassment. What does this really mean? It means that YOU have the right to be free from sexual abuse and sexual harassment by anyone at the facility, including an Inmate, resident and or detainee staff member, volunteer, or contractor. No one has the right to sexually abuse or sexually harass you. No one.

**What Is Sexual Harassment?**

- Repeated and unwelcome comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- Repeated and unwelcome sexual advances; requests for sexual favors; or verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

### **What Is Sexual Abuse?**

- Forced or coerced sexual intercourse or sexual contact when the victim does not consent or is unable to consent or refuse. This may include the use of fear or threat of physical violence, psychological intimidation, bullying, and physical force.
- Sexual abuse also can include incidents of penetration by a foreign object.

### **What is staff voyeurism?**

An invasion of privacy of an Inmate, resident and or detainee by a staff member, contractor, or volunteer for reasons unrelated to official duties.

#### **Examples of Staff Voyeurism**

- Watching an Inmate, resident and or detainee use the toilet, shower, or change clothes.
- Requiring an Inmate, resident and or detainee to show his /her buttocks, genitals, or breasts.
- Taking pictures of an Inmate, resident and or detainee naked body or toilet use.

### **Discipline:**

Sexual assault of any person, involving consensual, non-consensual, touching, or by force, use of fear or threat of physical violence, psychological intimidation, bullying, and penetration by penis or foreign object. Staff will complete an incident report. Sexual assault is a greatest severity offense and must be referred to the Discipline Hearing Officer (DHO) for final disposition for inmates. Inmate perpetrator will be placed in protective custody by the RRM Office pending disciplinary hearing and sanction by the DHO. Staff member who are have allegation of sexual assault will be in jeopardy of criminal prosecution and/or termination

### **B. PREA Coordinator**

- Janice Hughes is FGC designated as the upper-level PREA Coordinator.
- Maria Crawford is FGC designated as Compliance Manager.
- Lisa Watson is FGC Retaliation Officer

**PREA Standard: 115.211 Zero tolerance of sexual abuse and sexual harassment: PREA coordinator.**

According to the National Standards to Prevent, Detect, and Respond to Prison Rape (also known as the “PREA standards”), FGC must develop, document, and comply with a staffing plan to ensure adequate levels of staffing (and video monitoring, if applicable) to protect inmates from sexual abuse (§115.13 Supervision and monitoring. FGC staffing plan consist of:

**Prevention:**

**Annual Review of Staffing Plan**

Family Guidance Centers Inc. revised their staffing plan in March of 2020 and it satisfactorily met PREA standards. Ron Vlasaty, COO, Janice Hughes, PREA Coordinator, Robert Thompson LCSW, Vice-President and Maria Crawford, BOP/MINT Program Manager again reviewed this staffing plan in March of 2021.

This staffing plan reviewed a number of deviations that was identified following a PREA audit. The prevailing review of staffing patterns continued to meet the contractual requirements under the SOW; however, the review team recommended strengthening of this plan with the hiring of two part-time Residential Coordinator positions for the second and third shifts on the RRC unit. This provided increased accountability and enhanced patient safety in preparation for potential staff call-ins, emergencies, etc..

A review of the 24/7 surveillance video cameras placement at the facility along with a recent PREA audit in December of 2020 indicated several blind spots in the facility. Several of them were on the second floor that identified a blind spot in the hallway of patient’s rooms and another in the hallway entrance adjacent to window near the doorway of the unit. Another was in a common area, the courtyard where inmates smoked and socialized during treatment breaks. Upon this review, recommendations were made to our IT department to address this issue i.e. deployment of additional cameras, reconfiguration of current camera placement, etc. This also may help in calculating additional staffing levels for monitoring/accountability. The composition and physical layout of the building as a whole and on the BOP unit remained consistent and not needing of any significant changes.

The PREA audit also revealed a number of non-compliance issues with PREA standards with the majority of them resulting from insufficient reporting procedures (internal and external), investigative entities not identified (administrative and criminal) and pre-employment and promotional questions not currently utilized. A corrective action will be submitted within a 180-day period to the auditor. This audit strengthen and justified the case for the FGC Board and COO to approve the decision to promote Ms. Janice Hughes to be the full-time PREA Coordinator for the agency in place of Robert Thompson, Vice-President whom had been the acting Interim PREA Coordinator the past year.

The composition of the resident population remained consistent with adult males and females aged between 20 and 84 years of age. Resident capacity remained the same, however, home confinement capacity increased as a direct result of COVID-19. There were no confirmed

residents that possess any physical disabilities i.e. wheelchair, amputee, deafness, blindness, non-English speaking or identified as LGBTQI within the past 12 months. This annual review also revealed no reported substantiated or unsubstantiated incidents of sexual abuse, occurrences or investigations within the past 12 months.

Family Guidance Re-Entry Center will not conduct any pat down searches on any inmate that enters the facility.

1. Family Guidance Re-Entry Center process regarding inmates bringing items into the facility:
  - a) the inmate is asked to empty all pockets and display all items.
  - b) the inmate is asked to empty all containers and bags to display all items.
  - b) all items brought into the Family Guidance Center facility by an inmate must be approved by their primary counselor.
2. In extenuating circumstance only properly, trained BOP staff will conducting pat-down searches, including cross-gender pat-down searches and searches of transgender and intersex in exigent circumstances. The retaliation Officer and Compliance Manager are train in cross-gender pat down search.
3. Resident have the right to shower and, perform bodily function, change clothes without nonmedical staff of the opposite gender viewing. FGC staff will knock and announce themselves and their gender before entering resident's room.

## **Resident Education**

1. During Family Guidance Re-Entry Center's intake process. Residents will receive information explaining our agency's zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicious of sexual abuse or sexual harassment, their rights to be free from sexual abuse and sexual harassment and the right from retaliation for reporting such incidents and regarding our agency's policies and procedures for responding to such incidents.
2. Family Guidance Re-Entry Center will provide some refresher information when a resident is transferred to another facility.
3. Family Guidance Re-Entry Center will provide resident education in the appropriate formats to all residents referred by the DOJ/BOP/RCC that meet program criteria for admission. This could include those with limited English proficiency, deaf visually impaired or otherwise disable as well as residents who have limited reading skills.
4. Family Guidance Re-Entry Center will have written documentation as well as resident verification of their participation in education sessions.
5. Family Guidance Re-Entry Center will ensure this information is continuously and readily available through written and visual mechanisms, i.e. RRC inmate handbook, information sheets, etc.

## **Staff Training**

1. Family Guidance Re-Entry Center will train all employees who may have contact with residents on:
  - a. Our zero tolerance policy for sexual abuse and sexual harassment;
  - b. How to fulfill their responsibilities under agency sexual abuse sexual harassment prevention, detection, reporting and response policies and procedures;
  - c. Residents right to be free from sexual abuse and sexual harassment;
  - d. The right of residents 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 residents;
  - i. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents; and
  - j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

This training at Family Guidance Re-Entry Center shall be tailored to the gender of the residents At our facility, which h are all adult men and women.

2. All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.
3. All employees at Family Guidance Re-Entry Center will verify their understanding of the training they received through their written signature and date it was completed. Participation documentation will note that employees understood the training they have received. At the conclusion of the all trainings, employees are asked to seek additional supervisory direction, if necessary to ensure understanding of the training. All employees will call 911 if staff witnessed an assault.

## **Resident Education**

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3. Family Guidance Re-Entry Center will provide resident education in the appropriate formats to all residents referred by the DOJ/BOP/RCC that meet program criteria for admission. This could include those with limited English proficiency, deaf visually impaired or otherwise disable as well as residents who have limited reading skills.
4. Family Guidance Re-Entry Center will have written documentation as well as resident verification of their participation in education sessions.
5. Family Guidance Re-Entry Center will ensure this information is continuously and readily available through written and visual mechanisms, i.e. RRC inmate handbook, information sheets, etc.

### **Hiring and promotion decisions**

Family Guidance Re-Entry Center will not hire or promote anyone who have contact with residents, and will not enlist the services of any contractor who may have contact with residents, 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 (1) (b) of this section.
1. Family Guidance Re-Entry Center will consider any incident of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.
  2. Before hiring new employees who may have contact with residents, Family Guidance Re-Entry Centers will:
    - a. Perform a criminal background records check; and
    - b. Consistent with Federal, State and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of allegation of sexual abuse.
  3. Family Guidance Re-Entry Center will perform a criminal background records check

before enlisting the services of any contractor who have contact with residents.

4. Family Guidance Re-Entry Center will conduct criminal background records checks at least every 5 years of current employees who have contact with residents.
5. Family Guidance Re-Entry Center will ask all applicants and employees who have contact with residents directly about previous misconduct described in paragraph (a) of this section in written application or interviews for hiring or promotions and in interviews or written self-evaluations conducted as part of reviews of current employees. This agency will also impose upon employees a continuing affirmative duty to disclose any such misconduct.
6. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
7. Unless prohibited by law, Family Guidance Re-Entry Center will 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.

### **Volunteer and Contractor Training**

1. Family Guidance Re-Entry Center will train all volunteer and contractors who may have contact with residents on:
  - k. Our zero tolerance policy for sexual abuse and sexual harassment;
  - l. How to fulfill their responsibilities under agency sexual abuse sexual harassment prevention, detection, reporting and response policies and procedures;
  - m. Residents right to be free from sexual abuse and sexual harassment;
  - n. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - o. The dynamics of sexual abuse and sexual harassment in confinement;
  - p. The common reactions of sexual abuse and sexual harassment victims;
  - q. How to detect and respond to signs of threatened and actual sexual abuse;
  - r. How to avoid inappropriate relationships with residents;
  - s. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents; and
  - t. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
2. This training at Family Guidance Re-Entry Center shall be tailored to the gender of the residents at FGC, which are all adult men and women.

3. The agency shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.

All volunteers and contractors at Family Guidance Re-Entry Center will verify their understanding of the training they received through their written signature and date it was completed. Participation documentation will note that volunteers and contractors understood the training they have received.

### **Specialized training: Medical and mental health**

1. Family Guidance Re-Entry Center will ensure that all full and part-time medical and mental health care staff who work regularly in this facility 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 suspicious of sexual abuse and sexual harassment.
  - e. If staff witness and assault in progress they must call 911.
2. No medical staff employed by Family Guidance Re-Entry Center will conduct forensic examinations.
3. Family Guidance Re-Entry Center will maintain documentation that medical and mental health staffs have received the above training in (1) written verification of their signature and date.

### **Investigation**

Provide an investigator who has been trained in techniques for interviewing sexual assault victims, proper use of applicable rights (Miranda vs. Garrity warnings), sexual assault evidence collection in confinement settings, and the criteria required to substantiate a case for administrative action or prosecution referral.

- Investigators are responsible for conducting thorough criminal/administrative investigations.
- Ensure the credibility of an alleged victim, suspect/subject and witnesses shall be assessed on an individual basis, not on a person's status as client or staff. Polygraphs are prohibited.



- Document, in a written report, thorough descriptions of physical, testimonial and documentary evidence.
- Determine a finding in each investigation (substantiated, unsubstantiated or unfounded) using preponderance of the evidence as the burden of proof.
- Attend initial and annual PREA training.

### **Family Guidance Center Responsibilities:**

- Immediately notify Springfield Police of any allegations of sexual assault, sexual or sexual abuse. Notify administrative investigator of all incident of sexual abuse and retaliation and of any criminal investigation that 1) the State's Attorney declined to prosecute, 2) results of any court action resulting from a PREA investigation.
- Promulgate facility policies in compliance with PREA
- Facilitate office space, staff and client availability for investigative interviews.
- Notify PCASA of any investigative interviews with clients (victim).
- Provide initial and annual facility specific PREA training.
- Upon notification of any sexual assault, immediately secure the alleged crime scene and institute all measures to preserve evidence in accordance with FGC policy and PREA.
- Verify alleged victim or staff has received medical and mental health care as needed.
- Protect the victim or staff against retaliations.
- Report the results of any PREA investigation to the victim verbally or in writing of the outcome of the investigation and whether any legal action will be taken following the investigation. within 90 days in accordance with PREA
- Inform the resident who has made an allegation of staff sexual assault (unless unfounded) of the occurrence of the following events:
  - If the staff member is no longer posted within the client's unit
  - If the staff member is no longer employed by the agency
  - If the agency learns that the staff member has been indicted on a charged related to sexual abuse within the facility
  - If the agency learns that the staff member has been convicted on a charge related to sexual abuse within the agency.
- Conduct a post incident review
- Securely stored all investigative documents and retain for 5 years or as mandated by PREA.

### **Screening for risk of victimization and abusiveness.**

1. All residents will be assessed at time of intake screening and upon transfer to another facility for the risk of being sexually abused by other residents or sexually abusive towards other residents.
2. This resident intake screening will be done within 72 hours of arrival to Family Guidance Re-Entry Center.
3. This assessment will be conducted using an objective screening instrument.
4. This intake screening instrument contains at a minimum, the following criteria to assess residents for the risk of sexual victimization:
  - a. Whether resident has a mental, physical or developmental disability;
  - b. The age of the resident;
  - c. The physical build of the resident;
  - d. Whether the resident has previously been incarcerated;
  - e. Whether the resident's criminal history is exclusively nonviolent;
  - f. Whether the resident has prior convictions for sex offenses against an adult or child;
  - g. Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
  - h. Whether the resident has previously experienced sexual victimization; and
  - i. The resident's own perception of vulnerability.
5. This intake screening will also consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as know by Family Guidance Re-Entry Center in assessing residents for risk of being sexually abusive.
6. Within 30 calendar days of resident's arrival to Family Guidance Re-Entry Center will reassess the resident's risk for victimization of abusiveness based upon any additional, relevant information received at this facility since their initial intake assessment.
7. A resident's risk level will be assessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness.
8. Residents will not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to numeral (4)(a), (4)(g), (4)(h), or (4)(i) of this section.

The dissemination of these responses to questions asked pursuant to this standard at Family Guidance Re-Entry Center will begin first with the PREA Coordinator, then the designated Mental Healthcare staff and finally a designated BOP staff to ensure that this sensitive information is not exploited to the resident's detriment by staff or other

### **Exhaustion of administrative remedies.**

1. Family Guidance Re-Entry Center is not exempt and does have administrative procedures

- to address **resident grievances** regarding sexual abuse. The procedure is that a resident can share their written and or verbal concerns with their BOP counselor or PREA Coordinator who will immediately contact within 24 hours the COS who then follow-up the resident administratively.
2. Family Guidance Re-Entry Center will not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse.
    - a. Family Guidance Re-Entry Center will not apply time limits on any portion of a grievance that does not allege an incident of sexual abuse.
    - b. Family Guidance Re-Entry Center will not require a resident to use any informal grievance process or to attempt to resolve with staff, an alleged incident of sexual abuse.
    - c. Nothing in this section will restrict Family Guidance Re-Entry Center's ability to defend against a lawsuit filed by a resident on the ground that the applicable statute of limitations has expired.
  3. Family Guidance Re-Entry Center will ensure that
    - a. Any resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
    - b. That such grievance is will not be referred to a staff member who is the subject of the complaint.
  4. Family Guidance Re-Entry Center, Inc. will 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 to the Bureau of Prisons COS.
    - a. Computation of the 90-day time period shall not include time consumed by residents in the preparing any administrative appeal.
    - b. Family Guidance Re-Entry Center can claim an extension of time to respond of up to 70 days, if the normal time for response is insufficient to make an appropriate decision. This agency will notify the resident in writing of any such extension and provide a date by which a decision will made.
    - c. At any level of the administrative process with BOP, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, the resident may consider the absence to be a denial at that level.
  5. Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse, and will be permitted to file such requests on behalf of residents.
    - a. If the third party files such a request of behalf of a resident, the Springfield facility can require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may will require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.

- b. If the resident declines to have this request processed on his or her behalf, Family Guidance Re-Entry Center will document the resident decision.
  - c. Family Guidance Re-Entry Center will allow residents to file an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse by contacting the PREA Coordinator or PREA Retaliation Officer in a verbal or written format. If resident prefers it to be verbal, PREA Coordinator will document interaction and request.
  - d. After receiving an emergency grievance, alleging a resident is subject to a substantial risk of imminent sexual abuse. The Springfield facility can immediately forward the grievance to a level of review at which immediate corrective action plan may be taken. FGC (Springfield) determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. Both the initial response and final decision shall be document.
  - e. The PREA Coordinator, Compliance Manger and the Retaliation Officers will provide an initial response within 48 hours and shall issue a final decision within five calendar days. The initial response and final decision shall be document.
  - f. The Retaliation Officers will take action on the final decision and begin monitoring of the resident that is in substantial risk of imminent sexual abuse. If deemed necessary within 48 hours the victim will be relocated in the facility for safety.
6. Family Guidance Re-Entry Center, can discipline a resident for filing a grievance related to an alleged sexual abuse only where the agency demonstrates that the resident filed the grievance in bad faith.

## **Detecting: Staff Training**

1. Family Guidance Re-Entry Center will train all employees who may have contact with residents on:
  - u. Our zero tolerance policy for sexual abuse and sexual harassment;
  - v. How to fulfill their responsibilities under agency sexual abuse sexual harassment prevention, detection, reporting and response policies and procedures;
  - w. Residents right to be free from sexual abuse and sexual harassment;
  - x. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - y. The dynamics of sexual abuse and sexual harassment in confinement;
  - z. The common reactions of sexual abuse and sexual harassment victims;
  - aa. How to detect and respond to signs of threatened and actual sexual abuse;
  - bb. How to avoid inappropriate relationships with residents;

- cc. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents; and
- dd. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

This training at Family Guidance Re-Entry Center shall be tailored to the gender of the residents At our facility, which h are all adult men and women.

2. All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.
3. All employees at Family Guidance Re-Entry Center will verify their understanding of the training they received through their written signature and date it was completed. Participation documentation will note that employees understood the training they have received. At the conclusion of the all trainings, employees are asked to seek additional supervisory direction, if necessary to ensure understanding of the training. All employees will call 911 if staff witnessed an assault.

### **Third party reporting.**

A Third party reporter is someone who reports sexual abuse and/or sexual harassment that is or has happened to a resident staying in the facility under the Federal bureau of Prisons Program but is neither the victim nor the abuser. This person may have been told by the victim about the abuse or harassment, or witnessed it first-hand. "Third party" includes other inmates, staff, family members, friends, lawyers, among others.

1. Family Guidance Center Re-Entry Center policy for Third Party Reporting states that. Another inmate(s), staff member, friend, legal counsel, or anyone else outside the facility that knows of a resident that is or has been a victim of sexual abuse and/or sexual harassment can report the incident by calling Family Guidance Center at 217-544-9858 Ext. 3104
2. Anonymous reporting to Family Guidance Re-Entry Center will investigate with the information that is given. The more information that is given, the better the investigator(s) can thoroughly and by investigative standards do a proper and complete investigation.

3. A Third Party reporter can submit a written report, in person, over the phone on someone's behalf to Family Guidance Center, PREA Coordinator 120 N. 11<sup>th</sup>. St., Springfield, IL 62703 and/or Family Guidance Center, Salvation Army RRC- Chicago 825 North Christiana Ave. Chicago, IL. 60651 Phone number 312-391-6926. This resource is located outside of Family Guidance Re-entry Center and you can remain anonymous upon request.

## **Grievance**

1. Family Guidance Re-Entry Center will allow residents to file an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse by contacting the PREA Coordinator or PREA Retaliation Officer in a verbal or written format. If resident prefers it to be verbal, PREA Coordinator will document interaction and request. Action Plan response will be decided by the REA Coordinator, Compliance Manager and the Retaliation Officer.
2. After receiving an emergency grievance, alleging a resident is subject to a substantial risk of imminent sexual abuse. The Springfield facility can immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action plan may be taken.
3. FGC will provide an initial response within 48 hours and shall issue a final Springfield facility decision within 5 calendar days.
4. The initial response and final decision shall document this facility determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The PREA Retaliation Officers will immediately be notified of the substantial risk of imminent sexual abuse. If deemed necessary the victim will be relocated in the facility for safety within 48 hours corrective action will be taken.
5. The final agency decision will be issued in 5-calendar day. Both the initial response and final decision shall document the FGC determination if the resident is in substantial risk of imminent sexual abuse. FGC shall document the action taken in response to the emergency grievance.

## **Reporting to other confinement facilities.**

1. Upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the Springfield facility once notified of this allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuses occurred. In addition, the head of the Springfield office shall inform BOP COS.

2. Notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation.
3. This Springfield facility will document that it has provided this notification.
4. The Springfield facility head upon receiving notification will ensure that all allegations shall be investigated in accordance with PREA guideline.

## **Responding:**

### **Evidentiary standard for administrative investigations.**

1. Family Guidance Center does not impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

### **Staff first responder duties.**

Upon learning of an allegation that a resident was sexually abused, the first BOP staff or non-BOP member to respond to the report shall be required to:

- 1) 1<sup>st</sup> responder will secure and separate, alleged victim and suspect perpetrator. Alleged victim goes to a private room. 1<sup>st</sup> responder stays with the alleged victim always. Suspected Perpetrator goes to second floor lounge where he/she can be monitored by camera.
- 2) If alleged incident took place in a room, lock and secure all keys. (if there are any)
- 3) If it is an allegation of rape with any form of penetration, ask the alleged victim and suspected perpetrator not to do **washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.**
- 4) Immediately notify PREA Coordinator and PREA Compliance Manager who will respond to facility immediately. Call 911.
- 5) Springfield Police Department will be called with the 911 emergency number. The Compliance Manager will notify the head of the Springfield Facility. The head of the Springfield facility will notify the Administrative investigator. The investigator will be given access to the area where the alleged incident happened, to the alleged victim and the suspected perpetrator.

## **Investigation**

Provide an investigator who has been trained in techniques for interviewing sexual assault victims, proper use of applicable rights (Miranda vs. Garrity warnings), sexual assault evidence collection in confinement settings, and the criteria required to substantiate a case for administrative action or prosecution referral.

- Investigators are responsible for conducting thorough criminal/administrative investigations.
- Ensure the credibility of an alleged victim, suspect/subject and witnesses shall be assessed on an individual basis, not on a person's status as client or staff. Polygraphs are prohibited.
- Document, in a written report, thorough descriptions of physical, testimonial and documentary evidence.
- Determine a finding in each investigation (substantiated, unsubstantiated or unfounded) using preponderance of the evidence as the burden of proof.
- Attend initial and annual PREA training

## **Ongoing medical and mental health care for sexual abuse victims and abusers.**

1. Family Guidance Re-Entry Center will offer medical and mental health evaluation and as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
2. The evaluation and treatment of such victims will 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. Family Guidance Re-Entry Center will provide such victims with medical and mental health services consistent with community level of care.
4. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
5. If pregnancy results from conduct specified in paragraph (4) of this section, such victims will receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services in the community and referral will be made available upon request.
6. Resident 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 he victim names the abuser or cooperates with any investigation arising out of the incident.
8. Family Guidance Re-Entry Center will attempt to conduct a mental health evaluation of all know resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

### **Resident access to outside confidential support services.**

Family Guidance Re-Entry Center will provider residents access to outside victim advocates for emotional support services related to sexual abuse. FGC will provide residents with mailing addresses and telephone numbers, including toll-free hotline numbers for Prairie Center Against Sexual Assault (PCASA) for victim advocacy or rape crisis intervention. FGC will enabling reasonable communication between residents and PCASA, in as confidential a manner as possible. Resident are allow to have their own cell phone in order to make confidential calls to PCASA. In the event that residents do not.

### **Coordinated response.**

1. Family Guidance Re- Entry Center will develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among BOP staff and non-BOP staff first responders, medical and mental health practitioners, investigators, and facility leadership.
2. This written institutional response plan will be monitored by the PREA Coordinator and involves the following components
  - a. BOP staff will safeguard the victim at the Springfield facility from abuser; engage in evidence collection and preservation that could include obtainment of resident clothing, etc., immediate contact Springfield Police, FGC's PREA Coordinator and Compliance Manager who will contact FGC head who will contact the Administrative investigative.
  - b. FGC medical staff will attend to only immediate emergency medical care until the victim can be transported to trained medical personnel. Arrange for outside medical trip if necessary for forensic medical examination by .
  - c. Trained medical personnel will be responsible for the assessment, examination, documentation and treatment of victim injuries arising from the sexual abuse including testing for pregnancy, HIV and STI's. Trained medical staff in the collection of sexual assault evidence will forward this information as physical evidence to use later in the formal investigative process by the investigator in the determination of administrative/criminal findings.
  - d. Upon completion of this initial incident, staff have additional responsibilities for

follow-up with the victim covered in standards 115.66-68, 115.76-78 and 115.81-83

### **Agency protection against retaliation.**

1. Family Guidance Re-Entry Center will identify, secure and protect all residents and staff that report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff and shall designate which staff members or departments are charged with monitoring retaliation.
2. Family Guidance Re-Entry Center will employ multiple protection measures such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
3. For at least 90 days following a report of sexual abuse. Family Guidance Re-Entry Center will monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse. FGC will monitor to see if there are changes that may suggest possible retaliation by residents or staff. FGC will act promptly to remedy any such retaliation. Items Family Guidance Re-Entry Center will monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Family Guidance Centers, Inc., Springfield facility will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
4. In the case of residents, such monitoring shall also include periodic status checks.
5. If any other individual who cooperates with an investigation expresses a fear of retaliation, Family Guidance Re-Entry Center will respond appropriately to protect that individual against retaliation.
6. Family Guidance Re-Entry Center obligation to monitor will terminate if the BOP Contract Oversight Specialist determines that the allegation is unfounded.

### **Disciplinary sanctions for staff.**

1. BOP staff or non-BOP staff will be subjected to disciplinary sanctions up to and including termination for violating Family Guidance Re-Entry Center sexual abuse or sexual harassment policies.
2. Termination shall be the presumptive disciplinary sanction for BOP staff or non-BOP staff

who engaged in sexual abuse or sexual harassment. All sexual activity between residents is prohibited at Family Guidance Re-Entry Center

3. Disciplinary sanctions for violations of Family Guidance Re-Entry policies relating to sexual abuse or sexual harassment will result in termination.
4. All terminations for violations of Family Guidance Re-Entry Center sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignations, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.
5. Sections for violating of FGC Policy that relate to sexual abuse or sexual harassment (other than the actually engaging in sexual abuse) shall be commensurate with the nature and circumstance of the act committed, by staff member's disciplinary history, and the sections imposed for similar offenses by staff with comparable histories.

### **Sexual abuse incident reviews.**

1. Family Guidance Re-Entry Center will 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. FGC review team will include the PREA Coordinator, Compliance Manager, and FGC VP, Investigator, and Medical/Mental health staff.
2. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
3. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.
4. 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;
  - 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 Family Guidance Re-Entry Center;
  - c. Examine the area in the Family Guidance Re-Entry Center where the incident allegedly occurred to assess whether physical barriers in the 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 (4)(a)-(4)(e) of this section, and any recommendations for improvement, and submit such report to the Family Guidance Re-Entry Center head and PREA compliance manager.

5. Family Guidance Re-Entry Center will implement the recommendations for improvement, or shall document its reasons for not doing so

### **Prevention**

FGC will train staff, contractors, and volunteers in their responsibilities in preventing, detecting, and responding to sexual abuse and sexual harassment. Employee training is incorporated as policy.

- FGC will educate and inform all RRC, BOP staff and inmates in the facility zero tolerance policies for all forms of sexual abuse and sexual harassment.

- Post contact information in English and Spanish on who to contact if he/she is a victim or believed to be at imminent risk of sexual abuse, sexual harassment, or retaliation due to a reported sexual abuse or harassment.

- Provide a pamphlet in English and Spanish with information on FGC zero tolerance policies toward sexual abuse and sexual harassment, how to report incidents of sexual abuse and sexual harassment, clients rights and responsibilities, etc.; and

- Provide specialized training for medical and mental health care staff.

FGC will develop and document a staffing plan that allows for adequate levels of supervision, and where applicable under state and local licensing standards, video monitoring;

- Prohibit cross-gender pat-down searches except in exigent circumstances.

- Prohibit any type of strip search or visual body cavity search.

- Enable inmates to shower, perform bodily functions, and change clothing without being viewed by staff.

- Only properly trained BOP staff will conducting pat-down searches, including cross-gender pat-down searches and searches of transgender and intersex in exigent circumstances. Lisa Watson the retaliation Officer and Maria Crawford the Compliance Manager are train in cross-gender pat down search.

- Incorporate unique vulnerabilities of lesbian, gay, bisexual, transgender, questioning, and intersex into trainings and screening protocols.
- Provide competent and accessible services to FGC client's with disabilities so that they have an equal opportunity to participate in and benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment;
- Provide competent and accessible services to FGC clients who are limited-English proficient (LEP) so that they have an equal opportunity to participate in and benefit from all aspects of FGC facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment;
- Perform background checks on prospective employees, contractors, and volunteers; prohibiting the hiring of individuals with a history of sexual harassment or abuse, and impose an affirmative duty on employees to disclose any misconduct of sexual abuse , sexual harassment or voyeurism.

### **Responsive Plan**

FGC will provide community resources and services, including crisis intervention services, counseling, and victim advocates following incidents of sexual abuse and sexual harassment and allow to the extent possible the presence of a victim advocate at medical examinations and investigatory interviews;

- Arrange for a victim with his/her consent to undergo a forensic medical examination performed by a Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner where possible.
- Maintain or attempt to enter a written memorandum of understanding or other agreement specific to investigations of sexual abuse and sexual harassment with all responsible investigating agencies.

FGC will ensure that allegation are immediately referred to the appropriate investigating authorities upon the request of the victim, including state and federal law enforcement authorities, as appropriate, and keep abreast of the progress of investigations.

### **Training and Education:**

- FGC will properly train staff, contractors, and volunteers in their responsibilities in preventing, detecting, and responding to sexual abuse and sexual harassment;
- Educate and inform BOP staff and RRC on zero tolerance policies for all forms of sexual abuse and sexual harassment in an age and culturally appropriate fashion;

- Post contact information in English and Spanish on all housing bulletin boards on who can contact if he/she is a victim or believed to be at imminent risk of sexual abuse or sexual harassment;
- Provide PREA information in English and Spanish to staff and resident with information on the facility is zero tolerance policies toward sexual abuse and sexual harassment, how to report incidents of sexual abuse and sexual harassment, rights and responsibilities, etc.; and provide specialized training for medical and mental health care staff.

### **Assessment for Risk of Sexual Victimization and Abusiveness**

- Screen and assess all residents for risk of being sexually abused or sexually abusive and use the assessment information to inform housing, bed, education, and other service assignments.

### **Reporting:**

Provide residents multiple ways to report sexual abuse and sexual harassment, retaliation for reporting, and staff neglect or violation of responsibilities that may have contributed to such incidents. Immediately report all allegations.

- Implement written policies and procedures for identifying and handling time-sensitive grievances.
- Maintain or attempt to enter into agreements with community service providers, including legal advocacy organizations and confidential emotional support services for victims of crime; include these outside agencies in the care provider facility's sexual abuse and sexual harassment prevention and intervention protocols; and provide information about these organizations.

### **PREA Standard: 115.212 contracting with other entities for the confinement of residents.**

### **FGC Policy:**

1. Family Guidance Re-Entry Center is a private non for profit agency and does not contract for the confinement of its residents with other private agencies or other entities, including other government agencies thus it will not include 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 will provide for contract monitoring to ensure that the contractor is complying with the PREA standards is not applicable for Family Guidance Re-Entry Center.
  
3. There will be no emergency circumstances in which all-reasonable attempts to find a private agency or other entity in compliance with the PREA standards. Family Guidance Re-Entry Center will not enter into a contract with an entity that fails to comply with these standards. In such a case, Family Guidance Re-Entry Center, Springfield facility will have no need to document its unsuccessful attempts to find an entity in compliance as this standard is not applicable to our facility.

### **PREA Standard: 115.213 Supervision and Monitoring**

#### **FGC Policy:**

1. For this Springfield facility, Family Guidance Re-Entry Center, the staffing plan consists of trained paid staff, dressed and awake on the premises to provide 24 hour coverage, seven days a week for a moderate security level contract. This staffing coverage will provide for safe and secure supervision of all adult male and female federal residents. A key staff member will be available Monday-Friday 8:00 am to 4:00 pm. At least two positions all times (one male and one female as facility is co-ed) is required 7 days, 24 hours a day to provide adequate levels of staffing, and, where applicable, video monitoring, to protect residents against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, agencies shall take into considerations:
  - a. Housing of residents is in one building with separation of sleeping, bathing and toilet areas by gender. Appropriate space and furnishings are afforded with reasonable amounts of privacy and adequate staff supervision.
  - b. The composition of the resident population consists of adult males and females ages 20-87 years of age. Capacity of residents at one time between 16 and 30 residents daily. Average length of stay under staff supervision is 120 days.
  - c. No reported prevalence of substantiated and unsubstantiated incidents of sexual abuse has occurred.
  - d. No other relevant factors.
  
2. In circumstances where the staffing plan is not complied with, this facility will document and justify all deviations from the plan.
  
3. Whenever necessary, but no less frequently than once each year, the Family Guidance

- Re-Entry Center will assess, determine and document whether adjustments are needed to:
- a. The staffing plan established pursuant to paragraph (1) of this section;
  - b. Prevailing staffing patterns;
  - c. The Springfield's office deployment of video monitoring systems and other monitoring technologies; and
  - d. The resources the Springfield office has available to commit to ensure adequate staffing levels.

**PREA Standard: 115.214 Reserved.**

**PREA Standard: 115.215 Limits to Cross-gender, Transgender and Intra-sexual viewing & searches**

**FGC Policy:**

Family Guidance Re-Entry Center will not conduct any pat down searches on any inmate that enters the facility.

4. Family Guidance Re-Entry Center process regarding inmates bringing items into the facility:
  - a) the inmate is asked to empty all pockets and display all items.
  - b) the inmate is asked to empty all containers and bags to display all items.
  - b) all items brought into the Family Guidance Center facility by an inmate must be approved by their primary counselor.
5. In extenuating circumstance only properly, trained BOP staff will conducting pat-down searches, including cross-gender pat-down searches and searches of transgender and intersex in exigent circumstances. The retaliation Officer and Compliance Manager are train in cross-gender pat down search.
6. Resident have the right to shower and, perform bodily function, change clothes without nonmedical staff of the opposite gender viewing. FGC staff will knock and announce themselves and their gender before entering resident's room.

**PREA Standard: 115.216 Residents with disabilities and residents who are limited to English proficient.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will take appropriate steps to ensure that residents with



disabilities (including for example, residents who are deaf, hard of hearing, those who are blind, have low vision. This also includes those who have intellectual, psychiatric, or speech disabilities) to 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.

2. The PREA coordinator will spend extra time with these resident to assist them in their disparities
  - a. The PREA Coordinator will reach out to community disabilities assistance offices, as a resource to ensure that this Springfield facility is providing effective communication accommodations when a need for such accommodation is known.
3. Family Guidance Re-Entry Center staff will take reasonable action to ensure meaningful access to all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment to residents 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.
4. Family Guidance Re-Entry Center will not rely on resident interpreter, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under standard 115.264, or the investigation of the resident's allegations.

**PREA Standard: 115.217 Hiring and promotion decisions**  
**FGC Policy:**

Family Guidance Re-Entry Center will not hire or promote anyone who have contact with residents, and will not enlist the services of any contractor who may have contact with residents, who;

- d. 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);
- e. 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
- f. Has been civilly or administratively adjudicated to have engaged in the activity

described in paragraph (1) (b) of this section.

8. Family Guidance Re-Entry Center will consider any incident of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.
9. Before hiring new employees who may have contact with residents, Family Guidance Re-Entry Centers will:
  - c. Perform a criminal background records check; and
  - d. Consistent with Federal, State and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of allegation of sexual abuse.
10. Family Guidance Re-Entry Center will perform a criminal background records check before enlisting the services of any contractor who have contact with residents.
11. Family Guidance Re-Entry Center will conduct criminal background records checks at least every 5 years of current employees who have contact with residents.
12. Family Guidance Re-Entry Center will ask all applicants and employees who have contact with residents directly about previous misconduct described in paragraph (a) of this section in written application or interviews for hiring or promotions and in interviews or written self-evaluations conducted as part of reviews of current employees. This agency will also impose upon employees a continuing affirmative duty to disclose any such misconduct.
13. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
14. Unless prohibited by law, Family Guidance Re-Entry Center will 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.

**PREA Standard: 115.218 Upgrades to facilities and technologies**

**FGC Policy:**

1. When designing or acquiring any new facility and in planning any substantial expansion or modification of this facility, Family Guidance Re-Entry Center will consider the effect of the design, acquisition, expansion, or modification upon our ability to protect residents from sexual abuse.
2. When installing or updating a video monitoring system, electronic surveillance system or other monitoring technology, Family Guidance Re-Entry Center will consider how such technology may enhance this facility's ability to protect residents from sexual abuse.
  - a. All new Springfield facility designs and upgrades of technology will include considerations of how it could enhance the BOP ability to protect against sexual abuse.

**Policy Title: Responsive Planning**

**Effective Date: 06-09-16**

**PREA Standard: 115.221 Evidence Protocol and Forensic Medical Examinations**

**FGC Policy:**

1. Although, Family Guidance Re-Entry Center is not responsible for investigating allegations of sexual abuse, this facility will follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.
2. This protocol will be developed and based on the most recent edition of the U.S. Department of Justice's Office of 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. Family Guidance Re-Entry Center will offer all victims of sexual abuse access to forensic medical examinations at Memorial Hospital, without financial cost, where evidentiary or medically appropriate. Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) shall perform such examinations where possible. If SAFEs or SANEs cannot be made available, other qualified medical practitioners can perform the examination. This facility will document its efforts to provide SAFEs or SANEs.
  - a. When there is a report of a recent incident of sexual abuse or there is a strong suspicion that a recent serious assault may have been sexual in nature, a physical examination of the alleged victim should be conducted. Springfield facility BOP

staff will provide the opportunity for a forensic examination as soon as possible. In case of resident-on-staff sexual abuse, community medical/mental health resources and services will be made available to the staff member immediately.

4. Family Guidance Re-Entry Center will make every attempt to make available to the victim, a victim advocate from Prairie Center Against Sexual Assault. If a rape crisis center is not available to provide victim advocate services, this facility will make available to provide these services a qualified staff member from a community based organization. This Springfield facility will document efforts to secure services from rape crisis centers.
5. As requested by the victim, Prairie Center Against Sexual Assault will accompany and support the victim through the forensic medical examination process and investigatory interviews and will provide emotional support, crisis intervention, information and referrals.
6. Family Guidance Re-Entry Center will request that the investigating agency follow the requirements of numbered 1 through 5 of this section.
7. The requirements of number 1 through 6 of this sections will also apply to:
  - a. Any State entity outside of this facility that is responsible for investigating allegations of sexual abuse in community confinement facilities; and
  - b. Any Department of Justice component that is responsible for investigating allegations of sexual abuse in the community confinement facilities.

**PREA Standard: 115.222 Policies to ensure referrals of allegations for investigations.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will make immediate contact with Springfield agency's head to ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.
2. Family Guidance Re-Entry Center's will immediately contact Springfield Police Department whom is responsible for ensuring that all allegations of sexual abuse or sexual assault are referred to them for investigation and who also has the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. .

3. Administrative Investigator and Springfield Police Department are responsible for administrative or criminal investigations of sexual abuse or sexual harassment in this community confinement facility and the policies governing the conduct of these investigations.

**Policy Title: Education and Training**

**Effective Date: 06-09-16**

**PREA Standard: 115.231 Employee training**

**FGC Policy:**

4. Family Guidance Re-Entry Center will train all employees who may have contact with residents on:
  - ee. Our zero tolerance policy for sexual abuse and sexual harassment;
  - ff. How to fulfill their responsibilities under agency sexual abuse sexual harassment prevention, detection, reporting and response policies and procedures;
  - gg. Residents right to be free from sexual abuse and sexual harassment;
  - hh. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - ii. The dynamics of sexual abuse and sexual harassment in confinement;
  - jj. The common reactions of sexual abuse and sexual harassment victims;
  - kk. How to detect and respond to signs of threatened and actual sexual abuse;
  - ll. How to avoid inappropriate relationships with residents;
  - mm. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents; and
  - nn. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
5. This training at Family Guidance Re-Entry Center shall be tailored to the gender of the residents at our facility which are all adult men and women.
6. All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.
7. All employees at Family Guidance Re-Entry Center will verify their understanding of the training they received through their written signature and date it was completed. Participation documentation will note that employees understood the training they have received. At the conclusion of the all trainings, employees are asked to seek additional

supervisory direction, if necessary to ensure understanding of the training. All employees will call 911 if staff witnessed an assault.

### **PREA Standard: 115.232: Volunteer and Contractor Training**

#### **FGC Policy:**

4. Family Guidance Re-Entry Center will train all volunteer and contractors who may have contact with residents on:
  - oo. Our zero tolerance policy for sexual abuse and sexual harassment;
  - pp. How to fulfill their responsibilities under agency sexual abuse sexual harassment prevention, detection, reporting and response policies and procedures;
  - qq. Residents right to be free from sexual abuse and sexual harassment;
  - rr. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - ss. The dynamics of sexual abuse and sexual harassment in confinement;
  - tt. The common reactions of sexual abuse and sexual harassment victims;
  - uu. How to detect and respond to signs of threatened and actual sexual abuse;
  - vv. How to avoid inappropriate relationships with residents;
  - ww. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex or gender nonconforming residents; and
  - xx. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
5. This training at Family Guidance Re-Entry Center shall be tailored to the gender of the residents at FGC, which are all adult men and women.
6. The agency shall provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures.

All volunteers and contractors at Family Guidance Re-Entry Center will verify their understanding of the training they received through their written signature and date it was completed. Participation documentation will note that volunteers and contractors understood the training they have received.

### **PREA Standard: 115.233 Resident Education**

#### **FGC Policy:**

6. During Family Guidance Re-Entry Center's intake process. Residents will receive information explaining our agency's zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicious of sexual abuse or sexual harassment, their rights to be free from sexual abuse and sexual harassment and the right from retaliation for reporting such incidents and regarding our agency's policies and

procedures for responding to such incidents.

7. Family Guidance Re-Entry Center will provide some refresher information when a resident is transferred to another facility.
8. Family Guidance Re-Entry Center will provide resident education in the appropriate formats to all residents referred by the DOJ/BOP/RCC that meet program criteria for admission. This could include those with limited English proficiency, deaf visually impaired or otherwise disabled as well as residents who have limited reading skills.
9. Family Guidance Re-Entry Center will have written documentation as well as resident verification of their participation in education sessions.
10. Family Guidance Re-Entry Center will ensure this information is continuously and readily available through written and visual mechanisms, i.e. RRC inmate handbook, information sheets, etc.

**PREA Standard: 115.234 Specialized training; Investigations**

**FGC Policy:**

1. Springfield Police Department and an Administrative Investigator conduct all sexual abuse investigations as these investigators have received training in conducting such investigations in confinement settings. Springfield Police Department and the Administrative Investigator who conduct such investigations and thus maintains documentation that this required specialized training has been completed.

**PREA Standard: 115.235 Specialized training: Medical and mental health**

**FGC Policy:**

4. Family Guidance Re-Entry Center will ensure that all full and part-time medical and mental health care staff who work regularly in this facility have been trained in:
  - f. How to detect and assess signs of sexual abuse and sexual harassment.
  - g. How to preserve physical evidence of sexual abuse.
  - h. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
  - i. How and to whom to report allegations or suspicious of sexual abuse and sexual harassment.
  - j. If staff witness and assault in progress they must call 911.

5. No medical staff employed by Family Guidance Re-Entry Center will conduct forensic examinations.
6. Family Guidance Re-Entry Center will maintain documentation that medical and mental health staffs have received the above training in (1) written verification of their signature and date.
7. Family Guidance Re-Entry Center does not sub-contract with other providers and/or use volunteers for its medical and mental health care.

**Policy Title: Screening for Risk of Sexual Victimization and Abusiveness**

**Effective Date: 06-09-16**

**PREA Standard: 115.241 Screening for risk of victimization and abusiveness.**

**FGC Policy:**

9. All residents will be assessed at time of intake screening and upon transfer to another facility for the risk of being sexually abused by other residents or sexually abusive towards other residents.
10. This resident intake screening will be done within 72 hours of arrival to Family Guidance Re-Entry Center.
11. This assessment will be conducted using an objective screening instrument.
12. This intake screening instrument contains at a minimum, the following criteria to assess residents for the risk of sexual victimization:
  - j. Whether resident has a mental, physical or developmental disability;
  - k. The age of the resident;
  - l. The physical build of the resident;
  - m. Whether the resident has previously been incarcerated;
  - n. Whether the resident's criminal history is exclusively nonviolent;
  - o. Whether the resident has prior convictions for sex offenses against an adult or child;



- p.** Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
  - q.** Whether the resident has previously experienced sexual victimization; and
  - r.** The resident's own perception of vulnerability.
- 13.** This intake screening will also consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as know by Family Guidance Re-Entry Center in assessing residents for risk of being sexually abusive.
- 14.** Within 30 calendar days of resident's arrival to Family Guidance Re-Entry Center will reassess the resident's risk for victimization of abusiveness based upon any additional, relevant information received at this facility since their initial intake assessment.
- 15.** A resident's risk level will be assessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness.
- 16.** Residents will not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to numeral (4)(a), (4)(g), (4)(h), or (4)(i) of this section.
- 17.** The dissemination of these responses to questions asked pursuant to this standard at Family Guidance Re-Entry Center will begin first with the PREA Coordinator, then the designated Mental Healthcare staff and finally a designated BOP staff to ensure that this sensitive information is not exploited to the resident's detriment by staff or other residents.

**PREA Standard: 115.242 Use of screening information.**

**FGC Policy:**

- 1.** Family Guidance Re-Entry Center will use information from our risk screening assessment to help determine any housing, room, vocational, educational and or program assignments with the goal of keeping separate those residents that are at high risk of being sexually victimized from those at high risk of being sexually abusive.
- 2.** Individualize determinations will be made to ensure the safety of each resident.

3. DOJ/BOP/RRC personnel will decide whether to refer a transgender or intersex resident to Family Guidance Re-Entry Center for either a male or female resident on case by case basis based on whether this placement would ensure the resident's health and safety, and whether the placement would present management or security problems.
4. All transgender or intersex resident's own views with respect to his or her own safety shall be given serious consideration.
5. All transgender and intersex residents will be given the opportunity to shower separately from other residents.
6. Family Guidance Re-Entry Center will not place lesbian, gay, bisexual, transgender, or intersex residents in rooms or floors solely based on their identified status or unless such placement in either a dedicated room or floor has been established in connection with a consent decree, legal settlement, or legal judgement for the purpose of protecting such residents.

**PREA Standard: 115.243 Grievance**

**FGC Policy**

6. Family Guidance Re-Entry Center will allow residents to file an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse by contacting the PREA Coordinator or PREA Retaliation Officer in a verbal or written format. If resident prefers it to be verbal, PREA Coordinator will document interaction and request. Action Plan response will be decided by the REA Coordinator, Compliance Manager and the Retaliation Officer.
7. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, the Springfield facility can immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action plan may be taken.
8. FGC will provide an initial response within 48 hours and shall issue a final Springfield facility decision within 5 calendar days.
9. The initial response and final decision shall document this facility determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The PREA Retaliation Officers will immediately be notified of the substantial risk of imminent sexual abuse. If deemed necessary the victim will be relocated in

the facility for safety within 48 hours corrective action will be taken.

- 10.** The final agency decision will be issued in 5-calendar day. Both the initial response and final decision shall document the FGC determination if the resident is in substantial risk of imminent sexual abuse. FGC shall document the action taken in response to the emergency grievance.

**Policy Title: Reporting**

**Effective Date: 06-09-16**

**PREA Standard: 115.251 Resident reporting.**

**FGC Policy:**

- 1.** Family Guidance Re-Entry Center will provide multiple internal ways for residents to report privately sexual abuse, sexual harassment, retaliation by other residents or/and staff neglect or violation of responsibilities that may have contributed to such incidents. That may have hindering reports by mail to an outside party, such as contact information to Salvation Army RRC-Chicago. The inmates have their personal cell phone as a secure confidential way to access 24 hours a day, 7days a week for any resident or staff related emergency.
- 2.** Family Guidance Re-Entry Center will inform residents of at least one way to report abuse or harassment to a public, private or federal entity that is not part of the Family Guidance Re-Entry Center through a confidential secure cell phone. This entity will be able to receive and immediately forward resident reports of sexual abuse and sexual harassment to this agency's officials, allowing the resident to remain anonymous upon request
- 3.** Family Guidance Re-Entry Center's BOP staff will be mandated to accept all reports verbally, in writing, anonymously and from third parties and will promptly document all reports.
- 4.** Family Guidance Re-Entry Center will mandate all BOP staff to privately report sexual abuse and sexual harassment of residents to Springfield Police, PREA Coordinator, FGC Program Director or FGC Human Resource Department.

**PREA Standard: 115.252 Exhaustion of administrative remedies.**

**FGC Policy:**

Family Guidance Re-Entry Center is not exempt and does have administrative procedures to address **resident grievances** regarding sexual abuse. The procedure is that a resident can share their written and or verbal concerns with their BOP counselor or PREA Coordinator who will immediately contact within 24 hours the PREA Compliance Manager who then follow-up the resident administratively.

7. Family Guidance Re-Entry Center will not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse.
  - d. Family Guidance Re-Entry Center will not apply time limits on any portion of a grievance that does not allege an incident of sexual abuse.
  - e. Family Guidance Re-Entry Center will not require a resident to use any informal grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
  - f. Nothing in this section will restrict Family Guidance Re-Entry Center's ability to defend against a lawsuit filed by a resident on the ground that the applicable statute of limitations has expired.
  
8. Family Guidance Re-Entry Center will ensure that
  - c. Any resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
  - d. That such grievance is not referred to a staff member who is the subject of the complaint.
  
9. Family Guidance Re-Entry Center, Inc. will 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 to the Administrative Investigator.
  - d. Computation of the 90-day time period shall not include time consumed by residents in the preparing any administrative appeal.
  - e. Family Guidance Re-Entry Center can 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. This agency will notify the resident in writing of any such extension and provide a date by which a decision will be made.
  - f. At any level of the administrative process with BOP, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, the resident may consider the absence to be a denial at that level.

- 10.** Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of residents.
  - g.** If the third party files such a request of behalf of a resident, the Springfield facility can require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
  - h.** If the resident declines to have this request processed on his or her behalf, Family Guidance Re-Entry Center will document the resident's decision.
  
- 11.** Family Guidance Re-Entry Center will allow residents to file an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse by contacting the PREA Coordinator or PREA Retaliation Officer in a verbal or written format. If resident prefers it to be verbal, PREA Coordinator will document interaction and request.
  - a.** After receiving an emergency grievance, alleging a resident is subject to a substantial risk of imminent sexual abuse. the Springfield facility can immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action plan may be taken, will provide an initial response within 48 hours and shall issue a final Springfield facility decision within 5 calendar days. The initial response and final decision shall document this facility determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The PREA Retaliation Officers will immediately be notified of the substantial risk of imminent sexual abuse. If deemed necessary the victim will be relocated in the facility for safety. Within 48 hrs. Corrective action will be taken. The final agency decision will be issued in 5 calendar day. Both the initial response and final decision shall document the FGC determination if the resident is in substantial risk of imminent sexual abuse. FGC shall document the action taken in response to the emergency grievance.
  
- 12.** Family Guidance Re-Entry Center, can discipline a resident for filing a grievance related to an alleged sexual abuse only where the agency demonstrates that the resident filed the grievance in bad faith.

**PREA Standard: 115.253 Resident access to outside confidential support services.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will provide residents access to outside victim advocates for emotional support services related to sexual abuse. FGC will provide residents with mailing addresses and telephone numbers, including toll-free hotline numbers for Prairie Center Against Sexual Assault (PCASA) for victim advocacy or rape crisis intervention. FGC will enable reasonable communication between residents and PCASA, in as confidential a manner as possible. Residents are allowed to have their own cell phone in order to make confidential calls to PCASA. In the event that residents do not have a cell phone, outgoing mail from FGC is not monitored and can be used as a way to report confidentially.
2. The Springfield facility will inform residents, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Prairie Center Against Sexual Assault will provide confidential emotional support services relative to sexual abuse no matter when the abuse occurred. It is up to you if you desire to report sexual abuse to the authorities.
3. Family Guidance Re-Entry Center will maintain linkage agreements and or memoranda of understandings with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse. The Springfield facility will maintain copies of agreements and/or documentation showing attempts to enter into such agreements.

**PREA Standard: 115.254 Third party reporting.**

**FGC Policy:**

A Third party reporter is someone who reports sexual abuse and/or sexual harassment that is or has happened to a resident staying in the facility under the Federal Bureau of Prisons Program but is neither the victim nor the abuser. This person may have been told by the victim about the abuse or harassment, or witnessed it first-hand. "Third party" includes other inmates, staff, family members, friends, lawyers, among others.

1. Family Guidance Center Re-Entry Center policy for Third Party Reporting states that. Another inmate(s), staff member, friend, legal counsel, or anyone else outside

the facility that knows of a resident that is or has been a victim of sexual abuse and/or sexual harassment can report the incident by calling Family Guidance Center at 217-544-9858 Ext. 3104

2. Anonymous reporting to Family Guidance Re-Entry Center will investigate with the information that is given. The more information that is given, the better the investigator(s) can thoroughly and by investigative standards do a proper and complete investigation.
3. A Third Party reporter can submit a written report, in person, over the phone on someone's behalf to Family Guidance Center, PREA Coordinator, 120 N. 11<sup>th</sup>. St., Springfield, IL 62703 and/or Family Guidance Center, Salvation Army RRC-Chicago 825 North Christiana Ave. Chicago, IL. 60651 Phone number: 312-661-212. This resource is located outside of Family Guidance Re-entry Center and you can remain anonymous upon request.

**Policy Title: Official Response Following a Resident Report**

**Effective Date: 06-09-16**

**PREA Standard: 115.261 Staff and agency reporting duties.**

**FGC Policy:**

1. The Springfield facility will require all BOP staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in this facility; any retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Staff intervention as appropriate as an incident report on behaviors that may subsequently lead to an incident of sexual abuse.
2. Apart from reporting to the PREA Coordinator, Springfield facility executive head and/or the Springfield Police, Springfield staff will not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in our policy, to make treatment, investigations 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 residents of the practitioner's duty to report and the limitations of confidentiality at the initiation of services.

4. This Springfield facility does not accept any resident under the age of 18 and thus would not have any alleged victims under the age of 18. However, anyone considered a vulnerable adult, this facility will report any allegations to Springfield Police or the Administrative Investigator.
5. The Springfield facility will report all allegations of sexual abuse and sexual harassment, including third party and anonymous reports to Springfield Police or the Administrative Investigator, as they are this facility's designated investigator.
6. Springfield medical and mental health staff shall inform resident of their requirement to report sexual abuse and their limitation on confidentiality at the initiation of service

**PREA Standard: 115.262 Agency protection duties.**

**FGC Policy:**

1. When the Springfield facility staff learns of a resident that is subject to substantial risk of imminent sexual abuse, this facility will take immediate action to protect the resident. Immediate safeguards could include monitoring the situation, changing rooms, changing work assignments, placing alleged victims and perpetrator in separate housing floors or removal from the facility.

**PREA Standard: 115.263 Reporting to other confinement facilities.**

**FGC Policy:**

5. Upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the Springfield facility once notified of this allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuses occurred. In addition, the head of the Springfield office shall inform BOP COS.
6. Notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation.
7. This Springfield facility will document that it has provided this notification.



8. The Springfield facility head upon receiving notification will ensure that all allegations shall be investigated in accordance with PREA guidelines.

**PREA Standard: 115.264 Staff first responder duties.**

Upon learning of an allegation that a resident was sexually abused, the first BOP staff or non BOP member to respond to the report shall be required to:

- 6) 1<sup>st</sup> responder will secure and separate, alleged victim and suspect perpetrator. Alleged victim goes to a private room. 1<sup>st</sup> responder stays with the alleged victim always. Suspected Perpetrator goes to second floor lounge where he/she can be monitor by camera.
- 7) If alleged incident took place in a room, lock and secure all keys. (if there are any)
- 8) If it is an allegation of rape with any form of penetration, ask the alleged victim and suspected perpetrator not to do any **washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.**
- 9) Immediately notify PREA Coordinator and PREA Compliance Manager who will respond to facility immediately. Call 911.
- 10) Springfield Police Department will be called with the 911 emergency number. The Compliance Manager will notify the head of the Springfield Facility. The head of the Springfield facility will notify the Administrative investigator. The investigator will be given access to the area where the alleged incident happen, to the alleged victim and the suspected perpetrator.

**PREA Standard: 115.265 Coordinated response.**

**FGC Policy:**

3. Family Guidance Re- Entry Center will develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among BOP staff and non-BOP staff first responders, medical and mental health practitioners, investigators, and facility

leadership.

4. This written institutional response plan will be monitored by the PREA Coordinator and involves the following components
  - e. BOP staff will safeguard the victim at the Springfield facility from abuser; engage in evidence collection and preservation that could include obtainment of resident clothing, etc., immediate contact Springfield Police, FGC's PREA Coordinator and Compliance Manager who will contact FGC head who will contact the Administrative investigative.
  - f. FGC medical staff will attend to only immediate emergency medical care until the victim can be transported to trained medical personnel. Arrange for outside medical trip if necessary for forensic medical examination by .
  - g. Trained medical personnel will be responsible for the assessment, examination, documentation and treatment of victim injuries arising from the sexual abuse including testing for pregnancy, HIV and STI's. Trained medical staff in the collection of sexual assault evidence will forward this information as physical evidence to use later in the formal investigative process by the investigator in the determination of administrative/criminal findings.
  - h. Upon completion of this initial incident, staff have additional responsibilities for follow-up with the victim covered in standards 115.66-68, 115.76-78 and 115.81-83

**PREA Standard: 115.266 Preservation of ability to protect residents from contact with abusers.**

**FGC Policy:**

1. Neither Family Guidance Re-Entry Center nor any other governmental entity responsible for collective bargaining on behalf of FGC's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits Family Guidance Centers, Inc., Springfield facility's ability to remove alleged staff sexual abusers from contact with residents pending the outcome of an investigation or a determination of whether and to what extent discipline is warranted.
2. Nothing in this standard 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 standard 115.272 and standard 115.276; or
  - b. A no-contact assignment will be imposed pending the outcome of an investigation shall be expunged from or retained in a staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

**PREA Standard: 115.267 Agency protection against retaliation.**

**FGC Policy:**

7. Family Guidance Re-Entry Center will identify, secure and protect all residents and staff that report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff and shall designate which staff members or departments are charged with monitoring retaliation.
8. Family Guidance Re-Entry Center will employ multiple protection measures such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
9. For at least 90 days following a report of sexual abuse. Family Guidance Re-Entry Center will monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse. FGC will monitor to see if there are changes that may suggest possible retaliation by residents or staff. FGC will act promptly to remedy any such retaliation. Items Family Guidance Re-Entry Center will monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Family Guidance Centers, Inc., Springfield facility will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
10. In the case of residents, such monitoring shall also include periodic status checks.
11. If any other individual who cooperates with an investigation expresses a fear of retaliation, Family Guidance Re-Entry Center will take appropriate measures to protect that individual against retaliation.
12. Family Guidance Re-Entry Center obligation to monitor will terminate if the BOP Contract Oversight Specialist determines that the allegation is unfounded.

**PREA Standard: 115.268 Reserved.**

**Policy Title: Investigations**

**Effective Date: 06-09-16**

**PREA Standard: 115.271 Criminal and administrative agency investigations.**

**FGC Policy:**

1. The Springfield Police Department will conduct investigations into allegations of sexual abuse and sexual harassment, as it will do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
2. Where sexual abuse is alleged, Family Guidance Re-Entry Center will immediately contact the Springfield Police Department who has received special training in sexual abuse investigations pursuant to standard 115.234.
3. Springfield Police Department 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, Springfield Police Department will 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 resident or staff. Family Guidance Centers, Inc., Springfield facility will not require a resident 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.

Administrative investigations will be notified of all sexual abuse incident that occur at FGC by the department head. The Administrative investigations

- a. Shall include an effort to determine whether BOP 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.
- c. Shall ensure that the credibility of an alleged victim, suspect/subject and

witnesses shall be assessed on individual basis, not on a person's status as a client.

- d. Determine a finding in each investigation of substantiated, unsubstantiated or unfounded using the evidence as burden of proof.
  - e. Submit written report to FGC within 60days.
1. Criminal investigations will 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.
  2. Substantiated allegations of conduct that appears to be criminal will be referred for prosecution by Springfield Police Department.
  3. Family Guidance Re-Entry Center will retain all written reports referenced in paragraph (6) and (7) of this section for as long as the alleged abuser is incarcerated by Family Guidance Re-Entry Center, plus five years.
  4. The departure of the alleged abuser or victim from the employment of Family Guidance Re-Entry Center will not provide a basis for terminating an investigation.
  5. The Springfield Police Department and the administrative Investigator that conducts these investigations will do so pursuant to the above requirements.
  6. When the Springfield Police Department and the Administrative Investigator investigates sexual abuse, Family Guidance Re-Entry Center will cooperate with their investigators and will endeavor to remain informed about the progress of the investigation.

**PREA Standard: 115.272 Evidentiary standard for administrative investigations.**

**FGC Policy:**

2. Family Guidance Center does not impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated

**PREA Standard: 115.273 Reporting to residents.**

**FGC Policy:**

1. Following an investigation into a resident's allegation of sexual abuse suffered at Family Guidance Re-Entry Center, we will inform the resident as to whether the allegation has

been determined to be substantiated, unsubstantiated, or unfounded.

2. Since Family Guidance Re-Entry Center did not conduct the investigation, it will request the relevant information from Department of Justice in order to inform the resident.
  3. Following a resident's allegation that a BOP staff or non-BOP staff has committed sexual abuse against the resident, Family Guidance Re-Entry Center will subsequently inform the resident (unless Family Guidance Re-Entry Center has determined that the allegation is unfounded) whenever:
    - a. The staff member is no longer employed at the facility;
    - b. Family Guidance Re-Entry Center learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
    - c. Family Guidance Re-Entry Center learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
  4. Following a resident's allegation that he or she has been sexually abused by another resident, Family Guidance Re-Entry Center will subsequently inform the alleged victim whenever:
    - a. Family Guidance Re-Entry Center learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
    - b. Family Guidance Re-Entry Center learns that 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. Family Guidance Re-Entry Center obligation to report this standard shall terminate if the resident is released from our facility
- Policy Title: Discipline**

**Effective Date: 06-09-16**

**PREA Standard: 115.276 Disciplinary sanctions for staff.**

**FGC Policy:**

1. BOP staff or non-BOP staff will be subjected to disciplinary sanctions up to and including termination for violating Family Guidance Re-Entry Center sexual abuse or sexual harassment policies.
2. Termination shall be the presumptive disciplinary sanction for BOP staff or non-BOP staff who engaged in sexual abuse or sexual harassment. All sexual activity between residents is prohibited at Family Guidance Re-Entry Center

3. Disciplinary sanctions for violations of Family Guidance Re-Entry policies relating to sexual abuse or sexual harassment will result in termination.
4. All terminations for violations of Family Guidance Re-Entry Center sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignations, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.
5. Sections for violating of FGC Policy that relate to sexual abuse or sexual harassment (other than the actually engaging in sexual abuse) shall be commensurate with the nature and circumstance of the act committed, by staff member's disciplinary history, and the sections imposed for similar offenses by staff with comparable histories.

**PREA Standards: 115.277 Corrective action for contractor and volunteers.**

**FGC Policy:**

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to the Springfield Police Department, unless the activity was clearly not criminal, and to relevant licensing bodies.
2. Family Guidance Re-Entry Center will take appropriate remedial measures, and shall consider whether to prohibit further contact with residents, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

**PREA Standard: 115.278 Disciplinary sanctions for residents.**

**FGC Policy:**

1. Residents will be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident abuse. Any sexual activity between residents is prohibited.
2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.

3. The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction should be imposed.
4. If Family Guidance Re-Entry Center offers counseling services or other interventions designed to address and correct underlying reasons or motivations for the abuse, our facility will consider whether to require offending residents to participate in such interventions as condition of access to programming or other benefits.
5. Family Guidance Re-Entry Center will discipline a resident 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 will not constitute falsely reporting an incident of lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
7. Family Guidance Re-Entry Center may, in its discretion, prohibit all sexual activity between residents and may discipline residents for such activity. Family Guidance Re-Entry Center will not, however deem such activity to constitute sexual abuse if it determines that the activity is not coerced

**Policy Title: Medical and Mental Care**

**Effective Date: 06-09-16**

**PREA Standard: 115. 281 Reserved.**



**PREA Standard: 115.282 Access to emergency medical and mental health services.**

**FGC Policy:**

1. Resident victims of sexual abuse will 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 judgement.
2. Any time that an incident of allegation of sexual abuse is discovered or reported, FGC will transport the victim of sexual abuse to Memorial Medical Center for a forensic medical examination and to meet with a rape crisis advocate from PCASA as soon as possible. Trained medical professionals, (SANE/SAFE trained) will determine if forensic exam is feasible base on the amount of time elapse from the alleged incident
3. Resident victims of sexual abuse while in residential reentry confinement will 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.
4. Treatment services will 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. Prairie Center Against Sexual Assault will provide supportive services such as counseling, follow-up and any investigative interviews.

**PREA Standard: 115.283 Ongoing medical and mental health care for sexual abuse victims and abusers.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will offer medical and mental health evaluation and as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
2. The evaluation and treatment of such victims will 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. Family Guidance Re-Entry Center will provide such victims with medical and mental health services consistent with community level of care.
4. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
5. If pregnancy results from conduct specified in paragraph (4) of this section, such victims will receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services in the community and referral will be made available upon request.
6. Resident 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 he victim names the abuser or cooperates with any investigation arising out of the incident.
8. Family Guidance Re-Entry Center will attempt to conduct a mental health evaluation of all know resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

**Policy Title: Data Collection and Review**

**Effective Date: 06-09-16**

**PREA Standard: 115.286 Sexual abuse incident reviews.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will 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. FGC review tem will include the PREA Coordinator, Compliance Manger, and FGC VP, Investigator, and Medical/Mental health staff.
2. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
3. The review team shall include upper-level management officials, with input from line

supervisors, investigators, and medical or mental health practitioners.

4. The review team shall:
  - g. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
  - h. 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 Family Guidance Re-Entry Center;
  - i. Examine the area in the Family Guidance Re-Entry Center where the incident allegedly occurred to assess whether physical barriers in the may enable abuse;
  - j. Assess the adequacy of staffing levels in that area during different shifts;
  - k. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
  - l. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (4)(a)-(4)(e) of this section, and any recommendations for improvement, and submit such report to the Family Guidance Re-Entry Center head and PREA compliance manager.
5. Family Guidance Re-Entry Center will implement the recommendations for improvement, or shall document its reasons for not doing so

**PREA Standard: 115.287 Data Collection**

**FGC Policy:**

1. Family Guidance Re-Entry Center will collect accurate, uniform data for every allegation of sexual abuse at this facility using a standardized instrument and set of definitions.
2. Family Guidance Re-Entry Center will aggregate the incident-based sexual abuse data at least annually.
3. The incident-based data collected will 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. Family Guidance Re-Entry Center will maintain, review and collect data needed from all available incident-based document including reports, investigation files and sexual abuse incident reviews.

5. Family Guidance Re-Entry Center will not be able to obtain incident-based and aggregated data from private facilities as this agency will not contract for any services for the confinement of its residents.
6. Upon request, Family Guidance Re-Entry Center will provide all such data from the previous calendar year to the Department of Justice no later than June 30<sup>th</sup>

**PREA Standard: 115.288 Data Review for corrective action.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will review data collected and aggregated pursuant to standard 115.287 in order to assess and improve the effectiveness its sexual abuse prevention, detection and response policies, practices, and training include:
  - a. Identifying problem area;
  - b. Taking corrective action on an ongoing basis; and
  - c. Preparing an annual report of its findings and corrective actions for this Springfield facility as a whole.
2. This report will include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the Springfield facility's progress in addressing sexual abuse.
3. Family Guidance Re-Entry Center head will approved this report and made available to the public through our website.
4. Family Guidance Re-Entry Center will redact specific material from the reports when publication would present a clear and specific threat to the safety and security of this facility, but must indicate the nature of the material redacted.

**PREA Standard: 115.289 Data storage, publication and destruction.**

**FGC Policy:**

1. Family Guidance Re-Entry Center will ensure that data collected pursuant to standard 115.287 are securely retained.

2. Family Guidance Re-Entry Center will make all aggregated sexual abuse data from this facility under its direct control available to the public at least annually on our website.
3. Before making aggregated sexual abuse data publicly available, Family Guidance Re-Entry Center will remove all personal identifiers.
4. Family Guidance Re-Entry Center will maintain sexual abuse data collected pursuant to standard 115.287 for at least 10 years after the date of the initial collection unless Federal, State or local law requires otherwise.

**Policy Title: Audits**

**Effective Date: 06-09-16**

**PREA Standard: 115.293 Audits of standards**

**FGC Policy:**

1. Family Guidance Re-Entry Center will conduct audits pursuant to standards 115.401-405.

**Policy Title: Auditing and Corrective Action**

**Effective Date: 06-09-16**

**PREA Standard: 115.401 Frequency and scope of audits.**

**FGC Policy:**

1. During the three-year period starting on August 20, 2013, and during each three-year period thereafter, Family Guidance Re-Entry Center will ensure that the Springfield facility is audited at least once.
2. During each one-year period starting on August 20, 2013, Family Guidance Re-Entry Center will ensure that at least one-third of each facility operated by Family Guidance Centers, Inc., is audited.
3. The Department of Justice may send a recommendation to Family Guidance Re-Entry

Center for an expedited audit if the Department has reason to believe that this particular facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist this facility with PREA-related issues.

4. The Department of Justice will develop and issue an audit instrument that will provide guidance on the conduct of and contents of the audit.
5. Family Guidance Re-Entry Center will bear the burden of demonstrating compliance with the standards.
6. The auditor will review all relevant Family Guidance Re-Entry Center policies, procedures, reports, internal and external audits and accreditations for this facility type.
7. The audits will review at a minimum a sampling of relevant documentation and other records and information for the most recent one year period.
8. The auditor will have access to and will observe all areas of the Springfield facility.
9. The auditor will be permitted to request and receive copies of any relevant documents (including electronically stored information).
10. The auditor will retain and preserve all documentation (including e.g. video tapes and interview notes) relied upon in making audit determination. Such documentation will be provided to the Department of Justice upon request.
11. The auditor will interview a representative sample of inmates, residents and detainees and of BOP staff, non-BOP staff, program manager and administrators.
12. The auditor will review a sampling of any available videotapes and other electronically available data that will be relevant to the provisions being audited.
13. The auditor will be permitted to conduct private interviews with inmates, residents and detainees.
14. Inmates, residents and detainees will be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.
15. Auditors will attempt to communicate with community-based or victim advocates who may have insight into relevant conditions at our Springfield facility.

**PREA Standard: 115.402 Auditor qualifications.**

**FGC Policy:**

1. An audit will be conducted by:
  - a. A member of a correctional monitoring body that is not part of, or under the authority of Family Guidance Re-Entry Center. (but may be part of, or authorized by, the relevant State or local government);
  - b. A member of an auditing entity such as an inspector general's or ombudsperson office that is external to Family Guidance Re-Entry Center; or
  - c. Other outside individuals with relevant experience.
2. All auditors will be certified by the Department of Justice. The Department of Justice will develop and issue procedures regarding the certification process, which will include training requirements.
3. No audit will be conducted by an auditor who has received financial compensation from Family Guidance Re-Entry Center being audited (except for compensation received for conducting prior PREA audits) within the three years prior to this agency's retention of the auditor.
4. Family Guidance Re-Entry Center will not employ, contract with or otherwise financially compensate the auditor for three years subsequent to Family Guidance Re-Entry Center retention of the auditor, with the exception of contracting for subsequent PREA audits.

**PREA Standard: 115.403 Audit content findings.**

**FGC Policy:**

1. Each audit will include a certification by the auditor that no conflict of interest exists with respect to his or her ability to conduct an audit of Family Guidance Re-Entry Center under review.
2. Audit reports will state whether Family Guidance Re-Entry Center policies and procedures comply with relevant PREA standards.
3. For each PREA standard, the auditor will determine whether the audited facility this being Family Guidance Re-Entry Center reaches one of the following findings: Exceeds Standard (substantially exceeds requirement of standard); Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period); Does Not Meet Standard (requires corrective action). The audit summary shall

indicate, among other things, the number of provisions the Springfield facility has achieved at the each level.

4. Audit reports will describe the methodology, sampling sizes and basis for the auditor's conclusions with regard to each standard provision for the audited Springfield facility and will include recommendations for any required corrective action.
5. Auditors will redact any identifiable inmate or staff information from their reports, but will provide such information to Family Guidance Re-Entry Center upon request and will provide such information to the Department of Justice.
6. Family Guidance Re-Entry Center will ensure that the auditor's final report is published on our agency's public website.

**PREA Standard: 115.404 Audit corrective action plan.**

**FGC Policy:**

1. A finding of "Does Not Meet Standard" with one or more standards will trigger a 180-day corrective action period.
2. The auditor and Family Guidance Centers, Inc. will jointly develop a corrective action plan to achieve compliance.
3. The auditor will take the necessary and appropriate steps to verify implementation of the corrective action plan. Such as reviewing updated policies and procedures or re-inspecting portions of Family Guidance Re-Entry Center.
4. After the 180-day corrective action period ends, the auditor will issue a final determination as to whether Family Guidance Re-Entry Center has achieved compliance with those standards requiring corrective action.
5. If Family Guidance Re-Entry Center does not achieve compliance with each standard, it will request a subsequent audit once it believes it has achieved compliance.

**PREA Standard: 115.405 Audit appeals.**

**FGC Policy:**

1. Family Guidance Re-Entry Center may lodge an appeal with the Department of Justice regarding any specific audit finding that it believes to be incorrect. Such an appeal must



be lodged within 90 days of the auditor's final determination.

2. If the department determines that Family Guidance Re-Entry Center has stated good cause for re-evaluation, Family Guidance Re-Entry Center will commission a re-audit by an auditor mutually agreed upon by the Department of Justice and Family Guidance Re-Entry Center. Family Guidance Re-Entry Center will bear the costs of this re-audit.
3. The findings of the re-audit will be considered final.

**Policy Title:**                    **State Compliance**

**Effective:**                      **06-09-16**

**PREA Standard: 115.501 State determination and certification of full compliance.**

**FGC Policy:**

1. In determining pursuant to 42 U.S.C. 15607(c) (2) whether the State of Illinois is in full compliance with the PREA standards, the Governor will consider the results of the most recent Family Guidance Re-Entry Center audits.
2. The Governor's certification will apply to all facilities in the State of Illinois under the operational control of the State of Illinois executive branch, including facilities operated by private entities on behalf of the State of Illinois executive branch.