


**U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons**



**PROGRAM STATEMENT
Sexually Abusive Behavior
Prevention and Intervention Program Manual**

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| Approved by |  William K. Marshall III Director, Federal Bureau of Prisons |
| DPI | RSD |
| Number | 5333.01 |
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Summary of Changes

Program Statement Rescinded:

- 5324.12 CN-1 Sexually Abusive Behavior Prevention and Intervention Program (2/18/2025)

Changes:

- Changes title of Program Statement from "Sexually Abusive Behavior Prevention and Intervention Program" to "Sexually Abusive Behavior Prevention and Intervention Program Manual."
- Updates and clarifies the use of the BP-A1002, Safeguarding of Inmates Alleging Sexual Abuse and/or Harassment form.
- Clarifies duties of the Regional PREA Coordinators.
- Clarifies responsibilities of the Institution PREA Compliance Manager.
- Updates American Correctional Association (ACA) standards.
- Provides information on the maintenance of training records.
- Provides further guidance on the public address announcement and updates the language of the announcement to be used at shift change.
- Provides additional guidance concerning the separation of alleged inmate victims and perpetrators.
- Clarifies levels of response and appropriate actions consistent with response level.
- Provides conceptual clarification of Full Response Protocol, which is now known as a Level 3 Response.
- Clarifies Unit Management and Psychology Services responsibilities in assessing and reassessing risk of victimization and abusiveness.

- Provides additional guidance concerning the reassignment of staff if necessary to protect victims.
- Creates the expectation for staff to use the new BP-A1175, Staff Retaliation Monitoring and BP-A1176, Inmate Retaliation Monitoring forms, as well as new retaliation codes in the applicable Bureau inmate management system.
- Requires local training annually for all staff completing PREA investigations.
- Clarifies the Institution PREA Compliance Manager is responsible for retaliation monitoring including when staff report sexual abuse or sexual harassment.
- Provides guidance to Institution PREA Compliance Managers on tracking and distributing Reports of Incident.
- Clarifies psychologist documentation requirements for inmate reports of sexual abuse at previous facilities.
- Clarifies definitions of sexual abuse applied by Correctional Services to categorize the nature of sexual abuse when completing a BP-E583, Report of Incident and investigations.
- Provides clarification of evidentiary standards applied to investigation conclusions.
- Creates a BP-A1180, PREA Staffing and Workforce Utilization form.
- Creates a BP-A1181, Institution PREA Tracking Log form.
- Requires the Institution PREA Compliance Manager to conduct quarterly multidisciplinary meetings for the supervision and monitoring of inmates to ensure sexual safety.
- Removes specific references to a Bureau inmate management system and related codes. Staff must now refer to the PREA page of the Bureau's intranet site for guidance regarding this system and required codes for PREA.

1. PURPOSE AND SCOPE

In the Prison Rape Elimination Act (PREA) of 2003, Congress required the Attorney General to promulgate regulations concerning sexual abuse prevention. The statute further required that the regulations would be binding upon the Federal Bureau of Prisons (Bureau). Please see 42 United States Code (U.S.C.) § 15607 for more information. This program statement also follows the organization of the relevant portions of 28 Code of Federal Regulations (C.F.R.) Part 115 (Prison Rape Elimination Act National Standards): §§ 115.5, 115.6, Subpart A, and Subpart E.

The purpose and scope of this program statement is to provide a written policy that implements zero tolerance toward all forms of sexual activity, especially sexual abuse and sexual harassment, and to provide guidelines to address the following prohibited and/or illegal sexually abusive behavior involving inmate perpetrator against inmate victim and staff perpetrator against inmate victim. This policy also addresses incidents involving contractors and volunteers.

These guidelines are provided to:

- Help detect incidents, perpetrators, and inmate victims of sexually abusive behavior.

- Help prevent sexually abusive behavior.
- Educate staff to intervene properly and in a timely manner.
- Document, report, and investigate reported incidents.
- Discipline and/or prosecute perpetrators.

Sexual abuse and sexual harassment of staff should be addressed through other existing statutes, policies, and procedures, such as using the inmate discipline system and referral for criminal prosecutions as appropriate.

a. Program Objectives.

- Staff and inmates are informed of the Bureau’s zero-tolerance philosophy for sexually abusive behavior.
- Standard procedures are in place to detect and prevent sexually abusive behavior at all Bureau and contract facilities.
- Victims of sexually abusive behavior receive prompt and effective response to their physical, psychological, and security needs.
- Allegations of sexually abusive behavior receive prompt intervention upon report.
- The perpetrators of sexually abusive behavior will be disciplined and, when appropriate, prosecuted in accordance with Bureau policy and federal law.

b. Institution Supplement. Each institution is required to have a current Institution Supplement, which reflects that institution’s unique characteristics and specifies how each institution will comply with this program statement, including the following:

- Notification procedures to be followed when sexually abusive behavior occurs, including notification of appropriate law enforcement agencies.
- Clarification of procedural response to the inmate victim regarding the provision of security to any inmate who alleges they are the victim of sexually abusive behavior and to inmates who are reported by others to be the victims of sexually abusive behavior.
- Identifying community providers responsible for providing forensic medical examinations of the victim of a sexual assault.
- Specification of institution crisis intervention procedures for providing inmates access to confidential community victim support services.
- Detailing the procedure for monitoring or managing the perpetrator in a way that minimizes the risk of future predation.
- Describing the system in place to ensure appropriate notifications occur when inmates are identified as having a serious sexual predation history or who are “at risk” of engaging in sexually abusive behavior while in Bureau custody.

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DEFINITIONS

§ 115.5 General definitions.

For purposes of this part, the term—

Agency means the unit of a State, local, corporate, or nonprofit authority, or of the Department of Justice, with direct responsibility for the operation of any facility that confines inmates, detainees, or residents, including the implementation of policy as set by the governing, corporate, or nonprofit authority.

As a component of the Department of Justice (DOJ), all requirements of “agencies” under these regulations apply to the Bureau of Prisons (Bureau).

Agency head means the principal official of an agency.

The Director of the Bureau is the “agency head” under these regulations.

Community confinement facility means a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community correctional facility (including residential re-entry centers), other than a juvenile facility, in which individuals reside as part of a term of imprisonment or as a condition of pretrial release or post-release supervision, while participating in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during nonresidential hours.

Contractor means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

Detainee means any person detained in a lockup, regardless of adjudication status.

Direct staff supervision means that security staff are in the same room with, and within reasonable hearing distance of, the resident or inmate.

Employee means a person who works directly for the agency or facility.

Exigent circumstances mean any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

Facility means a place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals.

Bureau facilities are referred to as institutions in implementing text.

As a component of the DOJ, all requirements of a “facility” under these regulations apply to Bureau institutions.

Facility head means the principal official of a facility. A Warden is a “facility head” under these regulations.

Full compliance means compliance with all material requirements of each standard except for *de minimis* violations, or discrete and temporary violations during otherwise sustained periods of compliance.

Inmate means any person incarcerated or detained in a prison or jail.

Jail means a confinement facility of a Federal, State, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility.

Juvenile means any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.

Juvenile facility means a facility primarily used for the confinement of juveniles pursuant to the juvenile justice system or criminal justice system.

Law enforcement staff means employees responsible for the supervision and control of detainees in lockups.

Lockup means a facility that contains holding cells, cell blocks, or other secure enclosures that are:

- (1) Under the control of a law enforcement, court, or custodial officer; and
- (2) Primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency.

Medical practitioner means a health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified medical practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

Medical professionals with appropriate credentials and privileges, practice agreements, or protocols which allow them to complete injury assessments and provide basic medical intervention to stabilize victims of sexual abuse are medical practitioners under this definition. A “qualified medical practitioner” is considered to be a local community medical practitioner who has additionally completed specialized training and is certified to complete forensic examinations

of sexual abuse victims (e.g., Sexual Assault Forensic Examiner [SAFE], Sexual Assault Nurse Examiner [SANE] certification, or similar).

Mental health practitioner means a mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified mental health practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

For the purposes of this policy, psychologists in the Bureau are considered to be qualified mental health practitioners based on specific course work required for the completion of their degrees.

Pat-down search means a running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.

Prison means an institution under Federal or State jurisdiction whose primary use is for the confinement of individuals convicted of a serious crime, usually in excess of one year in length, or a felony.

Resident means any person confined or detained in a juvenile facility or in a community confinement facility.

Secure juvenile facility means a juvenile facility in which the movements and activities of individual residents may be restricted or subject to control through the use of physical barriers or intensive staff supervision. A facility that allows residents access to the community to achieve treatment or correctional objectives, such as through educational or employment programs, typically will not be considered to be a secure juvenile facility.

Security staff means employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility.

In the Bureau, all institution staff are considered to be “security staff.”

Staff means employees.

Strip search means a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person’s breasts, buttocks, or genitalia.

In the Bureau, this is also referred to as a “visual search.”

Substantiated allegation means an allegation that was investigated and determined to have occurred.

In the Bureau, this may also be referred to as a “sustained” allegation.

Unfounded allegation means an allegation that was investigated and determined not to have occurred.

Unsubstantiated allegation means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

In the Bureau, this may also be referred to as a “not sustained” allegation.

Volunteer means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

Youthful inmate means any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.

Youthful detainee means any person under the age of 18 who is under adult court supervision and detained in a lockup.

§ 115.6 Definitions related to sexual abuse.

For purposes of this part, the term—

Sexual abuse includes—

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact

incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) through (5) of this definition;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

For the purposes of defining sexual abuse within the investigative context, a sexually abusive act involves penetration of any bodily orifice, however slight.

For the purposes of defining sexual abuse within the investigative context, sexually abusive contact involves any touching for sexual gratification without penetration.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene

language or gestures.

For purposes of defining sexual harassment within the investigative context, the “repetitive” standard can be met through comments, gestures, or actions occurring on more than one occasion, and/or a combination of a single statement and non-verbal behavior (e.g., lurking and a sexualized comment). A previous documented report of sexualized comments, gestures, or demeaning references made by the inmate or third party is not required to demonstrate repetitive behavior. An investigation is required for reports of repeated sexual harassment.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate’s naked body or of an inmate performing bodily functions.

“Official duties,” as referenced above, include, but are not limited to, position descriptions, Institution Supplements, post orders, and other duties as assigned, to ensure the safe and orderly running of the institution. An example includes monitoring inmates to prevent and deter the movement of contraband.

CHAPTER 1: PREVENTION PLANNING

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

(a) An agency shall have 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:

- staff and inmates are informed this policy implements the Bureau's "zero tolerance" of sexually abusive behavior and sexual harassment, as defined in this policy;
- standard procedures are in place to detect and prevent sexually abusive behavior and sexual harassment at all Bureau institutions;
- victims of sexually abusive behavior and sexual harassment receive timely and effective responses to their physical, psychological, and security needs;
- allegations of sexually abusive behavior and sexual harassment receive timely intervention upon report; and
- the perpetrators of sexually abusive behavior and sexual harassment will be disciplined and, when appropriate, prosecuted in accordance with Bureau policy and Federal law.

(b) An agency shall employ or designate an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.

National PREA Coordinator. The National PREA Coordinator's responsibilities include developing, implementing, and overseeing the Bureau's compliance with PREA. The National PREA Coordinator provides oversight to all Regional PREA Coordinators. The National PREA Coordinator assists the Information Technology and Data Division (ITDD) in providing information regarding all incidents of sexually abusive behavior to the U.S. Census Bureau, who is the collection agent for the DOJ, Bureau of Justice Statistics. The National PREA Coordinator also coordinates with the Residential Reentry Management Branch to ensure compliance with PREA Standard § 115.11.

Regional PREA Coordinator. Each Regional PREA Coordinator ensures policy guidelines are addressed in institutions within each region. Duties and tasks of the Regional PREA Coordinators include, but are not limited to, providing training, supporting institution corrective action plans, ensuring consistent policy interpretation within their region, communicating with the National PREA Coordinator, providing oversight of institution retaliation monitoring, tracking and oversight of exigent circumstance determinations, tracking and ensuring the coordination of inmate care during investigations of staff sexual misconduct, completing the Regional Annual Safety and Supervision report, and providing support for national sexual abuse prevention initiatives. Given the sensitivity required in public correspondence and when defining

and reporting cases as substantiated, the individual assigned as the Regional PREA Coordinator is provided training by the Reentry Services Division (i.e., the National PREA Coordinator). Reentry Services Division, Psychology Services Branch, is responsible for maintaining the agenda and tracking this training. Ordinarily, the Regional Psychology Administrator will serve as the Regional PREA Coordinator.

(c) Where an agency operates more than one facility, each facility shall designate a PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

The Warden at each institution must ensure that all aspects of this program statement are implemented, including maintaining a current Institution Supplement. The Warden reviews all investigative reports of sexual abuse and sexual harassment. They must assign an Associate Warden to the collateral duty of Institution PREA Compliance Manager.

Institution PREA Compliance Manager. The Institution PREA Compliance Manager is an Associate Warden who maintains responsibility for the Sexually Abusive Behavior Prevention and Intervention Program. They must provide supervisory oversight to ensure the coordination of institution departments in prevention, detection, intervention, and response, as specified in this program statement. They provide supervisory oversight of investigative conclusions and reports. The Warden may appoint supervisors as PREA points of contact in each key department (e.g., Correctional Services, Psychology Services, Health Services), in order to assist the Institution PREA Compliance Manager with the implementation of this policy. In the absence of the Institution PREA Compliance Manager, the Warden will appoint a member of the Executive Team to serve in the acting capacity. The Institution PREA Compliance Manager is responsible for conducting an annual review of the institution PREA procedures. They work with their Regional PREA Coordinator to implement corrective action as the result of the annual review.

Institutions will ensure both staff and inmates are aware of who is serving as the Institution PREA Compliance Manager.

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

(a) A public agency that contracts for the confinement of its inmates with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.

(b) Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.

The Bureau must ensure its contracts with Residential Reentry Centers (RRC) includes their obligation to adopt and comply with the PREA standards. The Residential Reentry Management Branch field staff must include PREA compliance monitoring within their scheduled contract

monitoring activity.

§ 115.13 Supervision and monitoring.

(a) The agency shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration:

- (1) Generally accepted detention and correctional practices;
- (2) Any judicial findings of inadequacy;
- (3) Any findings of inadequacy from Federal investigative agencies;
- (4) Any findings of inadequacy from internal or external oversight bodies;
- (5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);
- (6) The composition of the inmate population;
- (7) The number and placement of supervisory staff;
- (8) Institution programs occurring on a particular shift;
- (9) Any applicable State or local laws, regulations, or standards;
- (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- (11) Any other relevant factors.

The Human Resource Management Division and the Administration Division, Central Office, must consider PREA factors and overall safety when allocating staffing resources. The Institution PREA Compliance Manager is responsible for ensuring a multidisciplinary coordinated effort to address resource allocation, physical structure of the institution, general correctional practices, internal or external audit finding, and use of technology as these elements relate to overall safety at the institution. This is accomplished through quarterly meetings, chaired by the Institution PREA Compliance Manager and ordinarily conducted in association with a Department Head meeting. The BP-A1180, PREA Staffing and Workforce Utilization form is used to document the institution efforts discussed in this meeting. The Institution PREA Compliance Manager retains these forms.

Disciplines responsible for providing information to the Institution PREA Compliance Manager

to complete the BP-A1180 are identified on the form.

(b) In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.

Deviations are documented in the comments section of the BP-A1180, PREA Staffing and Workforce Utilization form. For example, if an allocated position is not filled for budgetary or other reasons, the reasons must be noted in comments section.

(c) Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA coordinator required by § 115.11, the agency shall assess, determine, and document whether adjustments are needed to:

- (1) The staffing plan established pursuant to paragraph (a) of this section;
- (2) The facility's deployment of video monitoring systems and other monitoring technologies; and
- (3) The resources the facility has available to commit to ensure adherence to the staffing plan.

The Institution PREA Compliance Manager provides the quarterly BP-A1180, PREA Staffing and Workforce Utilization forms annually to the Regional PREA Coordinator by April 1. The Regional PREA Coordinator compiles the information for their respective region and submits it to the National PREA Coordinator by June 1.

(d) Each agency operating a facility shall implement a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Such policy and practice shall be implemented for night shifts as well as day shifts. Each agency shall have a policy to prohibit staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

Unannounced rounds by supervisory staff conducted with the intent of identifying and deterring sexual abuse and sexual harassment are completed every week, on all shifts and in all areas. The Institution Duty Officer (IDO) conducts and documents the unannounced rounds. At the end of the IDO's tour week, the documentation is forwarded to the Institution PREA Compliance Manager for review and retention.

§ 115.14 Youthful inmates.

(a) A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

(b) In areas outside of housing units, agencies shall either:

- (1) Maintain sight and sound separation between youthful inmates and adult inmates, or
- (2) Provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

(c) Agencies shall make best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible.

§ 115.15 Limits to cross-gender viewing and searches.

(a) The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.

See the Program Statements **Searches of Housing Units, Inmates, and Inmate Work Areas** and **Patient Care** for more information about visual searches.

(b) As of August 20, 2015, or August 21, 2017 for a facility whose rated capacity does not exceed 50 inmates, the facility shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. Facilities shall not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.

The threshold for a situation to be considered an exigent circumstance is high. The threat to security must be imminent, meaning any delay in conducting the search would result in significant security breach, injury, or death.

Example: There are only male staff working during day watch on a weekend day at a female institution. An inmate is suspected of bringing in contraband from the visiting room. This is not an exigent circumstance. The Operations Lieutenant should contact the Captain and either call a female managerial staff member to the institution or utilize available Health Services clinical staff to conduct the search.

If exigent circumstances exist, staff must thoroughly document, in a memorandum, the subjective description of their perception of events leading them to conclude the circumstances of the event met criteria for an exigent circumstance. This memorandum will be addressed to the Warden through the Institution PREA Compliance Manager. The Warden will notify the Regional Director who will in turn notify the Assistant Director of the Reentry Services Division.

Post assignments may not be restricted on the basis of a person's sex. Institutions will evaluate operational concerns consistent with pertinent laws, rules, and regulations. The Bureau will continue to comply with Title VII and other Equal Employment Opportunity Commission authorities in implementing this policy.

(c) The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.

This provision's requirement is not implemented by this program statement. See the Program Statement **Searches of Housing Units, Inmates, and Inmate Work Areas** for more information.

(d) The facility shall implement policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.

This section includes holding cells in the institution where an inmate may be visually searched, change clothing, or perform bodily functions (i.e., Receiving and Discharge [R&D], Special Housing Unit [SHU]). Further, this section is to provide notice in a housing unit; specific notice to individual inmates is not required.

The Bureau operates Medical Centers, which include medical housing units. This provision does not apply to medical staff working on these units.

Inmates will be appropriately clothed in all common areas of the institution. Inmates should only shower, perform bodily functions, and change clothing in designated areas (e.g., cells, shower rooms, bathrooms). Housing unit officers of the opposite sex, or any other opposite sex staff member, may view breasts, buttocks, or genitalia only in an exigent circumstance, or when incidental to security checks of these designated areas of the housing unit.

Staff are not required to make announcements when responding to temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility, or when incidental to routine cell checks, to include circumstances such as responding to alarms, contraband detection, or detecting behavior that would constitute an inmate prohibited act.

Inmates will be notified of the presence of opposite sex staff in several ways:

- Inmates are advised of the requirement to remain clothed, and the presence of opposite sex staff generally, during the intake screening and Admission and Orientation (A&O) processes.
- The following notice must be posted on inmate bulletin boards and signs within housing units, including segregated housing areas: "NOTICE TO INMATES: Male and female staff

routinely work and visit inmate housing areas.”

- For housing unit officers, an announcement is made at the beginning of primary shifts, or other appropriate time to be determined locally (e.g., 10:00 count instead of morning watch). The verbal announcement to each housing unit, including segregated housing areas, will be, “Notice: Opposite sex staff will be in housing units during this shift.” This announcement is made using the public address system (e.g., from the Control Center or Lieutenants’ Office). If the public address system does not cover these areas, an individual announcement in each housing area, including segregated housing areas, is made.
- For staff with offices in the housing units (e.g., Unit Management) the most recent schedule is posted in the housing unit, so inmates are aware when opposite sex staff are present. This provision does not affect local scheduling procedures that may occur quarterly, annually, in 18 months, etc.
- Opposite sex staff not assigned to the unit will make an announcement when they enter the unit and go in the vicinity of the cells, showers, or bathroom areas.

Nothing in this section precludes opposite sex staff from viewing live or recorded video, or from participating in an inmate suicide watch.

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

(a) The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. An agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.

The Institution PREA Compliance Manager should conduct an internet search to find local disabilities assistance offices as a resource to ensure the facility is providing effective communication accommodations when a need for such an accommodation is known. Some examples of accommodations may be providing Braille translations for visually impaired inmates, special phones for inmates who are deaf, or allowing extra time for inmates to process information. The Central Office Disabilities Program Manager can be contacted to assist in this

process as needed. The Institution PREA Compliance Manager documents these efforts.

Staff must take reasonable action to ensure that available methods of communication are provided to all inmates with disabilities for complete access to its efforts of preventing, detecting, and responding to sexual abuse and sexual harassment.

(b) The agency shall take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The Institution PREA Compliance Manager should ensure their institution has the ability to utilize the national contract with translation services during times where important information is being delivered to inmates (e.g., intake screening, medical and psychological evaluations, Unit Management reviews). Staff must take reasonable action to ensure that available methods of communication are provided to all inmates who are limited English proficient for complete access to its efforts of preventing, detecting, and responding to sexual abuse and sexual harassment.

(c) The agency shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.

§ 115.17 Hiring and promotion decisions.

(a) The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who—

(1) 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);

(2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or

(3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

(b) The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

(c) Before hiring new employees who may have contact with inmates, the agency shall:

(1) Perform a criminal background records check; and

(2) Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

(d) The agency shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.

(e) The agency shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees.

(f) The agency shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.

For current staff, the “reviews” noted in this section refer to the five-year background checks in section(e).

(g) Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

The Bureau complies with the Freedom of Information Act, 5 U.S.C. § 552; the Privacy Act of 1974, 5 U.S.C. § 552a; and all other applicable laws, rules, and regulations.

§ 115.18 Upgrades to facilities and technologies.

(a) When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency’s ability to protect inmates from sexual abuse.

(b) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency’s ability to protect inmates from sexual abuse.

All new facility designs and upgrades of technology will include consideration of how it could enhance the Bureau's ability to protect against sexual abuse.

CHAPTER 2: RESPONSIVE PLANNING

§ 115.21 Evidence protocol and forensic medical examinations.

(a) To the extent the agency is responsible for investigating allegations of sexual abuse, the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

(b) The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.

The Bureau's response to sexual assault will be based on the most updated U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents."

(c) The agency shall offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.

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 medical assessment (i.e., PREA assessment documented using the injury assessment encounter) by a Bureau medical professional will be offered to determine if any physical trauma exists from the incident and to document the subjective/objective findings so appropriate medical treatment may be offered. If medically appropriate, the victim is provided the opportunity for a forensic examination as soon as possible and at no financial cost to the victim. Institution medical professionals adhere to the tenets of informed consent and recognize the voluntary nature of medical services. Medical and mental health professionals encourage, but do not coerce, participation in the forensic examination procedures, and document the inmate's healthcare decision in the electronic health record. Under no circumstances should Bureau medical professionals attempt to collect forensic evidence in a Bureau clinic.

For further information see Chapter 6 § 115.64 and § 115.65, as well as Chapter 9 § 115.81, § 115.82, and § 115.83 of this program statement.

(d) The agency shall attempt to make available to the victim a victim advocate from a rape

crisis center. If a rape crisis center is not available to provide victim advocate services, the agency shall make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. Agencies shall document efforts to secure services from rape crisis centers. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The agency may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

The Institution PREA Compliance Manager, with the assistance of Psychology Services, attempts to enter into agreement with a rape crisis center to make available a victim advocate to inmates being evaluated for the collection of forensic evidence. If an agreement is not reached, efforts must be documented. Properly trained Psychology or Chaplaincy Services staff may provide victim services locally if a rape crisis center is not available. Evidence of training is maintained by the Employee Development Manager.

(e) As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

Victim advocates from the community used by the Bureau are preauthorized by the agreement established in section (d). The victim advocate serves as emotional and general support, navigating the inmate through the treatment and evidence collection process. The victim advocate is authorized to be present for the forensic medical exam at the outside hospital; however, they are not authorized to make decisions regarding inmate care or interfere with escort procedures as outlined in the Program Statement **Escorted Trips**.

(f) To the extent the agency itself is not responsible for investigating allegations of sexual abuse, the agency shall request that the investigating agency follow the requirements of paragraphs (a) through (e) of this section.

(g) The requirements of paragraphs (a) through (f) of this section shall also apply to:

- (1) Any State entity outside of the agency that is responsible for investigating allegations of sexual abuse in prisons or jails; and
- (2) Any Department of Justice component that is responsible for investigating allegations of sexual abuse in prisons or jails.

(h) For the purposes of this section, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for

appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

A qualified Bureau staff member meets the education requirement of this section by virtue of their degree or vocational training, and through specialized training offered by the Bureau as specified on the PREA page of the Bureau's intranet site.

§ 115.22 Policies to ensure referrals of allegations for investigations.

(a) The agency shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

(b) The agency shall have in place a policy to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The agency shall publish such policy on its Web site or, if it does not have one, make the policy available through other means. The agency shall document all such referrals.

Under this section, criminal investigations are referred consistent with the Program Statement **Criminal Matter Referrals**.

(c) If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity.

(d) Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.

(e) Any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.

CHAPTER 3: TRAINING AND EDUCATION

§ 115.31 Employee training.

- (a) The agency shall train all employees who may have contact with inmates on:
- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
 - (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
 - (3) Inmates' right to be free from sexual abuse and sexual harassment;
 - (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
 - (5) The dynamics of sexual abuse and sexual harassment in confinement;
 - (6) The common reactions of sexual abuse and sexual harassment victims;
 - (7) How to detect and respond to signs of threatened and actual sexual abuse;
 - (8) How to avoid inappropriate relationships with inmates;

- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Staff training includes a component on crime scene preservation for first responders, taking into consideration the physical design of the institution, as indicated in section 115.64.

- (b) Such training shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa.

Annual Training takes the sex of the inmate population at each facility into account. Transferring staff members receive training on inmate sexual safety based on the mission(s) of the institution they work.

- (c) 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. In years in which an employee does not receive refresher training, the agency shall provide refresher information

on current sexual abuse and sexual harassment policies.

New Staff. For new staff, a discussion of the Sexually Abusive Behavior Prevention and Intervention Program including specific staff responsibilities noted in this program statement must be a part of Introduction to Correctional Techniques (ICT) Phase I and Phase II. The Institution PREA Compliance Manager is responsible for conducting this training in ICT Phase I.

Current Staff. For current staff, information about the program is included yearly as a part of Annual Training. The Institution PREA Compliance Manager is responsible for conducting this training. The National PREA Coordinator is responsible for ensuring the content of PREA training is consistent with this program statement.

Specialized Training. Discipline-specific training is available at the institution level to staff who are most likely to be involved in the management and treatment of victims and perpetrators of sexual abuse (e.g., Health Services staff, Psychologists, Lieutenants).

(d) The agency shall document, through employee signature or electronic verification, that employees understand the training they have received.

Participation must be documented through staff signature or electronic verification. Participation documentation will note that staff understood the training they have received. At the conclusion of the training, staff are asked to seek additional supervisory direction, if necessary, to ensure understanding of the training.

§ 115.32 Volunteer and contractor training.

(a) The agency shall ensure that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

(b) The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

(c) The agency shall maintain documentation confirming that volunteers and contractors understand the training they have received.

Participation must be documented through volunteer and contractor signature or electronic verification and will indicate the volunteer and contractor understood the training they have received. At the conclusion of the training, volunteers and contractors are asked to seek additional direction from Bureau staff, if necessary, to ensure understanding of the training.

§ 115.33 Inmate education.

(a) During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

The Bureau's A&O Handbook on Sexually Abusive Behavior Prevention and Intervention is provided to each inmate at intake screening. It describes the key elements of the program and informs inmates of the Bureau's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents of sexual abuse. It also provides inmates notice that male and female staff routinely work and visit inmate housing areas. This handbook is available to staff on the PREA page of the Bureau's intranet site.

(b) Within 30 days of intake, the agency shall provide comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

During the A&O Program, the Institution PREA Compliance Manager presents the Sexually Abusive Behavior Prevention and Intervention Program. This presentation must include:

- Definitions of sexually abusive behavior and sexual harassment;
- Prevention strategies the inmate can take to minimize their risk of sexual victimization while in Bureau custody;
- Methods of reporting an incident of sexually abusive behavior or sexual harassment in the institution;
- Methods of reporting an incident of sexual abuse or sexual harassment to the Region, Central Office, or other external sources;
- Treatment options and programs available to inmate victims of sexually abusive behavior and sexual harassment;
- Monitoring, discipline, and prosecution of sexual perpetrators; and
- Notice that male and female staff routinely work and visit inmate housing areas.

In addition, where inmates do not participate in a formal A&O Program (e.g., WITSEC, pretrial, Holdovers, Case Studies, Writ returns, or Special Housing Unit [SHU] inmates), the Warden designates a staff member to ensure these inmates receive information on the Bureau's Sexually Abusive Behavior Prevention and Intervention Program within 30 days of intake. This is documented in the same manner as for inmates who participated during the regularly scheduled A&O Program.

(c) Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility

differ from those of the previous facility.

(d) The agency shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.

Refer to Chapter 1, Section 115.16 of this program statement.

(e) The agency shall maintain documentation of inmate participation in these education sessions.

The A&O forms are filed in the Inmate Central File or pretrial/holdover files.

(f) In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.

In each housing unit, the following will be posted:

- A notice to inmates stating, “Male and female staff routinely work and visit inmate housing areas.”
- A poster reflecting the Bureau’s zero tolerance for sexual abuse and sexual harassment and contact information for inmate reporting of sexual abuse allegations.

§ 115.34 Specialized training: Investigations.

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

The Captain ensures the Special Investigative Services (SIS) Lieutenants are appropriately trained in conducting sexual abuse investigations in confinement settings. The Chief of the Office of Internal Affairs (OIA) also ensures their staff, including Special Investigative Agents (SIAs), are appropriately trained in same.

(b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of *Miranda* and *Garrity* warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

Any staff member conducting investigations of sexual abuse or sexual harassment will receive specialized training. Information about the training and training materials are located on the PREA page of the Bureau’s intranet site and reviewed annually by the National PREA

Coordinator in conjunction with Correctional Programs Division. In addition, the Regional PREA Coordinator makes training recommendations to the Captain and the Institution PREA Compliance Manager based on the findings of the Annual PREA Report and other deficiencies identified through reviews of investigative reports.

- (c) The agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.
- (d) Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

§ 115.35 Specialized training: Medical and mental health care.

- (a) The agency shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:
 - (1) How to detect and assess signs of sexual abuse and sexual harassment;
 - (2) How to preserve physical evidence of sexual abuse;
 - (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
 - (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

The Health Services and Reentry Services Divisions ensure their respective staff are provided specialized training in these areas. Information about trainings and training materials are located on the PREA page of the Bureau's intranet site and reviewed annually by the National PREA Coordinator in conjunction with the respective division.

This specialized training does not provide certifications needed to conduct forensic examinations.

- (b) If medical staff employed by the agency conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.
- (c) The agency shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.
- (d) Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency.

CHAPTER 4: SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

§ 115.41 Screening for risk of victimization and abusiveness.

(a) All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.

All inmates entering an institution are screened in accordance with discipline-specific Program Statements in Health Services (**Patient Care**), Psychology Services (**Psychology Services Manual**), and Unit Management (**Intake Screening** and **Unit Management and Inmate Program Review**). For additional information on mental health intake screenings, refer to Chapter 9, Section 115.81 of this program statement. Based on information obtained in the intake screening, the following steps should be taken:

- **Inmates with a history of sexual victimization while in Bureau custody.** During the intake screening process a staff member may identify an inmate with a history of sexual victimization while in Bureau custody. This information may come from self-report or from a review of available documents, such as Judgment and Commitment Orders, criminal records, pre-sentence investigation reports, or Inmate Central File data, etc. When this occurs, the staff member must notify the Institution PREA Compliance Manager to determine whether notification to the previous facility is warranted. If the sexual victimization allegation is not previously documented in Bureau records, the inmate is referred to Psychology Services, the Captain or supervisory designee, and Health Services to ensure appropriate steps are taken to investigate, provide care, and document the allegation. The Captain or supervisory designee also updates any current Security Threat Group (STG) assignment pertaining to the alleged victim.
- **Inmates with a history of sexual victimization while in a non-Bureau correctional setting.** If victimization occurred in a non-Bureau setting, staff must document the information and notify the Institution PREA Compliance Manager. The Institution PREA Compliance Manager determines whether notification to a previous facility is warranted and will make a referral to Psychology Services to conduct a Sexual Abuse Intervention. If the alleged incident occurred recently, a referral to Health Services may also be warranted.
- **Inmates with a history of sexual predation.** During the intake screening process, a staff member may identify an inmate with a history of sexual predation from self-report or from a review of available documents, such as Judgment and Commitment Orders, criminal records, pre-sentence investigation reports, or Inmate Central File data, etc. When this occurs, the staff member must refer the inmate to Psychology Services. Staff must notify the Captain or supervisory designee of the inmate's history of predation to ensure appropriate steps have been taken related to investigation, documentation, and CIMS concerns, etc. The Captain or supervisory designee

also updates any current STG assignment pertaining to the alleged perpetrator. In addition, inmates identified as perpetrators may be included in the Posted Picture File, in accordance with the Program Statement **Posted Picture File**.

(b) Intake screening shall ordinarily take place within 72 hours of arrival at the facility.

(c) Such assessments shall be conducted using an objective screening instrument.

Staff are required to refer to the Program Statement **Intake Screening**, which outlines the steps to take during the intake screening process.

To complete the Intake Screening Form, Unit Management staff will use the PREA Intake Objective Screening Instrument located on the PREA page of the Bureau's intranet site. This guidance encompasses all factors listed in section (d) of this program statement subsection.

Ample copies of the PREA Intake Objective Screening Instrument will be maintained in the area of the institution where intake is conducted by Unit Management.

The PREA Intake Objective Screening Instrument will be completed using information available to staff at the time of intake, and with the purpose of referring the inmate for further assessment if needed. If the staff member conducting the initial screening notes salient risk factors, housing, program, and work assignments should reflect efforts to ensure safety until further assessment is conducted.

After applying the criteria on the PREA Intake Objective Screening Instrument, staff complete the Intake Screening Form and must note any specific information in the comment section applicable to victimization or abusiveness. If further assessment is needed, a referral to Psychology Services is made. The determination an inmate is "at risk" requires the Psychologist add the appropriate code into the applicable Bureau inmate management system. If none of the PREA Intake Objective Screening Instrument criteria apply, the staff member makes an entry stating, "No apparent PREA criteria met," in the comment section applicable to victimization or abusiveness.

Inmates are encouraged to disclose as much information as possible for the Bureau to provide the most protection possible under this policy. If an inmate chooses not to respond to questions relating to their level of risk, they may not be disciplined, as described in § 115.41 (h) included in this program statement section below.

Disclosure of sensitive information revealed during the intake screening process is limited to staff who have a need to know.

(d) The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;

- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

Some inmates are considered "at risk" for victimization due to one or a combination of factors such as physical appearance (e.g., small in stature, effeminate); demeanor (e.g., nonassertive, anxious, depressed); special situations (e.g., high-profile case, history of sexually abusing a child, first-time offender); or special needs (e.g., cognitive limitations, social inadequacy, developmental disability).

(e) The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive.

Some inmates pose a serious risk of engaging in sexually abusive behavior while in Bureau custody because of their criminal history or history of sexually abusive behaviors while in prison (e.g., stalking, excessive sexual preoccupation). In the case of inmates "at risk" for perpetration, Correctional Services and Psychology Services must be notified by Unit Management following the initial screening.

(f) Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

A reassessment of all inmates' (including study cases, pretrial, and holdovers at detention centers) risk of victimization or abusiveness occurs during the initial meeting with Unit

Management, within 30 days of the inmate's arrival at the facility. If no additional factors have impacted the initial risk assessment, Unit Management documents a review was conducted and there are no changes. If additional information impacting the initial assessment of risk is identified, the inmate will be referred to Psychology Services for further evaluation and determination of risk. The Unit Management reassessment is documented in the initial classification meeting notes in the Inmate Central File or in the pretrial/holdover file. Psychology Services documents findings of any reassessment in the electronic health record and updates codes in the applicable Bureau inmate management system accordingly.

(g) An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Psychology Services staff reassess the inmate's risk level whenever warranted based upon receipt of additional relevant information (e.g., allegation of sexual abuse incident). Psychology Services documents findings of any reassessment in the electronic health record and updates codes in the applicable Bureau inmate management system accordingly.

(h) Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section.

If an inmate refuses to respond or elects not to disclose information that applies only to questions about disabilities; previous sexual victimization; and the inmate's self-perception of vulnerability, they may not be disciplined.

(i) The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

Any information related to sexual victimization or abusiveness, including the information entered into the comment section of the Intake Screening Form, is limited to a need-to-know basis for staff for the purpose of treatment and security and management decisions, such as housing and cell assignments, as well as work, education, and programming assignments.

§ 115.42 Use of screening information.

(a) The agency shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Once an inmate has been identified as "at risk" for victimization or perpetration, Unit

Management must review classification options. These options may include transfer to a special treatment program (e.g., Sex Offender Management Program), transfer to a greater or lesser security facility (e.g., management variable), application of a Public Safety Factor (PSF) (e.g., sex offender), and/or changes in housing units, cell assignments, work assignments, and/or education assignments.

(b) The agency shall make individualized determinations about how to ensure the safety of each inmate.

§ 115.43 Protective custody.

(a) Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.

The assessment of alternatives to segregated housing or SHU is completed for any inmate placed in SHU for a PREA-related matter by completing the BP-A1002, Safeguarding of Inmates Alleging Sexual Abuse and/or Harassment form. This form is signed and dated by the Warden and emailed to the appropriate Regional PREA Coordinator. The Regional PREA Coordinator is responsible for tracking PREA-related SHU placements based on information provided by the Institution PREA Compliance Manager and providing consultation and guidance on these institution decisions. In the absence of the Regional PREA Coordinator, the form must be emailed to the National PREA Coordinator who will then track PREA-related SHU placements.

Sound correctional judgment must be exercised when selecting SHU cell assignments for inmates who are at increased risk of sexual victimization. Inmates are placed in administrative detention in accordance with the Program Statement **Special Housing Units**.

(b) Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:

- (1) The opportunities that have been limited;
- (2) The duration of the limitation; and
- (3) The reasons for such limitations.

When an inmate who has alleged victimization is placed in SHU involuntarily, access to programs, privileges, education, or work should not be interrupted, to the extent possible. If they

are limited, the Captain ensures that documentation exists reflecting the limitation, duration, and rationale for limitation.

(c) The facility shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

(d) If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document:

(1) The basis for the facility's concern for the inmate's safety; and

(2) The reason why no alternative means of separation can be arranged.

When determining an appropriate method of safeguarding the inmate assigned "at risk" for victimization, the Warden ensures all options are considered by completing, signing, and dating the BP-A1002, Safeguarding of Inmates Alleging Sexual Abuse and/or Harassment form. The Warden must evaluate the least restrictive methods for separation of the alleged victim and perpetrator.

The completed BP-A1002 form is placed in the Inmate Central File. When responding to requests from inmates related to this record, Unit Management staff must take caution so that sensitive information is not exploited to the inmate's detriment by staff or other inmates. If information gathered leads to an investigation, the BP-A1002 form becomes part of the investigative file and is emailed to the appropriate Regional PREA Coordinator.

Psychologists are responsible for crisis intervention, assessment of treatment needs, documentation of the evaluation results, treatment, psychiatric referral, and other treatment options related to the "at-risk" inmate.

(e) Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

The inmate's status is reviewed during weekly SHU multidisciplinary meetings.

CHAPTER 5: REPORTING

§ 115.51 Inmate reporting.

(a) The agency shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

Bureau inmates are encouraged to report allegations to a staff member at any level, including local, regional, and Central Office. They are also provided with avenues of internal reporting, such as telephonically to SIS, or by mail to an outside entity. Inmates are provided information on reporting mechanisms as noted in Chapter 3, Section 115.33 of this program statement.

(b) The agency shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Inmates are provided contact information and access to the Office of Inspector General (OIG) to make such reports. The Regional PREA Coordinator is responsible for tracking the status of staff investigations to ensure possible victims of sexual abuse are allowed access to confidential treatment services.

(c) Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

For the purpose of this section, information received anonymously refers to “drop-notes” or other written communication. Non-investigatory staff do not offer anonymity to inmates.

(d) The agency shall provide a method for staff to privately report sexual abuse and sexual harassment of inmates.

Staff reporting requirements are addressed in the Program Statement **Standards of Employee Conduct**. For the purposes of this section, a staff member may contact any supervisory staff member at the local institution, Regional or Central Office staff, including the Regional PREA Coordinators and the National PREA Coordinator. Allegations involving staff may also be reported to the OIA or the OIG, as appropriate.

§ 115.52 Exhaustion of administrative remedies.

- (a) An agency shall be exempt from this standard if it does not have administrative procedures to address inmate grievances regarding sexual abuse.
- (b)
 - (1) The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
 - (2) The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.
 - (3) The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
 - (4) Nothing in this section shall restrict the agency's ability to defend against an inmate lawsuit on the ground that the applicable statute of limitations has expired.
- (c) The agency shall ensure that—
 - (1) An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
 - (2) Such grievance is not referred to a staff member who is the subject of the complaint.
- (d)
 - (1) The agency shall issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.
 - (2) Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal.
 - (3) The agency may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
 - (4) At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed

extension, the inmate may consider the absence of a response to be a denial at that level.

(e)

(1) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.

(2) If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.

(3) If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision.

(f)

(1) The agency shall establish procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

(2) After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

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

All administrative remedies related to PREA will be processed as outlined in section 16 of the Program Statement **Administrative Remedy Program**.

Once a staff member receives an administrative remedy for PREA, it should immediately be reported to the PREA Compliance Manager to safeguard the inmate as required by §115.61 and §115.65.

§ 115.53 Inmate access to outside confidential support services.

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

The Institution PREA Compliance Manager, with the assistance of Psychology Services, seeks to establish an agreement with community service providers who are able to provide confidential emotional support services as it relates to sexual abuse. If an agreement is not feasible, the attempts are documented. Staff take reasonable action to ensure information on available resources is provided to all inmates to further the Bureau's efforts in preventing, detecting, and responding to sexual abuse and sexual harassment.

Confidential communications under this section are distinguished from privileged communications, such as in an attorney-client relationship. The Institution PREA Compliance Manager is responsible for developing local procedures to ensure confidential communication with outside victim advocates. Communications are monitored in a manner consistent with Bureau security practices and must be addressed in any memorandum of understanding with the outside victim advocacy organization.

(b) The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

(c) The agency shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

§ 115.54 Third-party reporting.

The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.

The Bureau posts and maintains the third-party reporting avenue on its public website. All institutions also post third-party reporting information in visitation rooms and housing units.

CHAPTER 6: OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

§ 115.61 Staff and agency reporting duties.

(a) The agency shall require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Allegations of sexual abuse or sexual harassment in which a staff member is the alleged perpetrator must be reported directly to the Institution PREA Compliance Manager, who will make every effort to protect the identity of the staff member while taking appropriate action to ensure protection of the inmate. If the Institution PREA Compliance Manager is not immediately available, the Operations Lieutenant may be notified of an allegation against staff only for the purposes of safeguarding the inmate. Information should be general and limited to what is needed to safeguard the inmate. If the initial report is made by an inmate to a staff member verbally, the staff member receiving the report provides a written memorandum directly to the Institution PREA Compliance Manager. A staff member who reports an allegation of sexual misconduct by a staff member will not discuss details of the allegation except with the Institution PREA Compliance Manager and/or officials investigating the allegation.

All staff must report information concerning possible incidents of inmate-on-inmate and staff-on-inmate sexual abuse or sexual harassment to the Operations Lieutenant and in accordance with the Program Statement **Standards of Employee Conduct**.

Staff provide a written memorandum to the Operations Lieutenant or Institution PREA Compliance Manager to document such a report.

Upon receipt of a PREA allegation, the Operations Lieutenant notifies the Institution PREA Compliance Manager, Psychology Services, Health Services, and SIS.

Allegations of inmate-on-inmate sexual abuse and sexual harassment occurring at the facility in which the inmate is currently housed must be entered in the intelligence investigative program TRUINTEL via the BP-E583, Report of Incident. A staff member should check the Report of Sexual Abuse (RSA) tab when initiating a PREA-related BP-E583 to trigger the appropriate type of investigative case documentation. All incidents requiring any level of response will be entered on the BP-A1181, Institution PREA Tracking Log form.

Response Levels. General guidelines are offered to aid in decision making on complex cases. The Institution PREA Compliance Manager should compare the circumstances of the current case to these general examples for guidance on the appropriate level of intervention and investigative response. Individual consultation with a Regional PREA Coordinator or the

National PREA Coordinator is advised when circumstances deviate significantly from the general guidelines. The Institution PREA Compliance Manager maintains documentation of consultation.

Level 1: Level 1 responses occur when an investigation is conducted at an institution other than the one in which the inmate(s) currently resides. Some examples of this scenario may include the inmate reporting sexual abuse at another facility, the inmate is not available to complete a medical evaluation, or the inmate has released from Bureau custody and cannot be interviewed. Level 1 responses ordinarily include fewer systemic interventions given the limited access to the alleged victims and perpetrators. A Level 1 response must never be substituted for a Level 2 or Level 3 response when staff have access to the alleged victim(s) and perpetrator(s). All incidents requiring a Level 1 response will be entered on the BP-A1181, Institution PREA Tracking Log form.

Response Level 1 Example: Upon intake, an inmate reports they experienced sexual abuse while housed at a state facility 10 years ago by an unknown perpetrator. The inmate is seen by Psychology Services for a Sexual Abuse Intervention at the inmate's current institution. PREA notification is made to the appropriate state PREA office regarding the inmate's report. No BP-E583 or investigation is conducted at the current institution because there is no PREA allegation at the current institution. All paperwork is filed in the Global section in TRUINTEL.

Level 2: Most allegations of sexual abuse and sexual harassment will require, at a minimum, a Level 2 response. If the alleged behavior was said to have occurred at the inmate's current facility at any time in the past, a Level 2 response is required. Level 2 responses include in-person intervention from Psychology Services, Health Services, and Correctional Services; aBP-E583, Report of Incident; an investigative case with a determination; inmate notification; and if appropriate, retaliation monitoring and an Executive Team Review. All incidents requiring a Level 2 response will be entered on the BP-A1181, Institution PREA Tracking Log form.

Response Level 2 Example: A report is received that an inmate experienced sexual abuse or sexual harassment at the facility in which the inmate is currently housed. The Institution PREA Compliance Manager enters the allegation onto the BP-A1181, Institution PREA Tracking Log form. The Operations Lieutenant who receives the report completes notifications, a memorandum, and the BP-E583. A PREA medical assessment is conducted of the alleged victim and perpetrator(s). Psychology Services completes a Sexual Abuse Intervention in-person with the alleged victim within 24 hours. A Sexual Abuse Intervention is also completed with the alleged perpetrator(s) as soon as is practical but no later than 60 days following the report. SIS completes an investigative case with one of three possible conclusions: Unfounded, Unsubstantiated, or Substantiated. SIS makes inmate management recommendations consistent with the investigation findings. The Institution PREA Compliance Manager and Warden review all investigative case reports. The Institution PREA Compliance Manager, in consultation with institution subject matter experts, determines appropriate actions to take with involved inmates.

Retaliation monitoring is required for any individual who reports sexual abuse or sexual harassment in all substantiated and unsubstantiated cases.

Response Level 2 Example: A report is received that an inmate experienced sexual abuse or sexual harassment at another Bureau facility. The Warden where an inmate is currently housed notifies the Warden of the facility where the inmate reported that the sexual abuse or harassment occurred. The Institution PREA Compliance Manager at the institution where the incident occurred enters the allegation onto the BP-A1181, Institution PREA Tracking Log form. Health Services completes a PREA medical assessment and Psychology Services completes an in-person Sexual Abuse Intervention at the institution where the victim is currently housed. In addition, Health Services and Psychology Services complete their respective assessments for the alleged perpetrator, at the institution the inmate is currently housed. All documentation is forwarded to the institution where the alleged incident occurred for their case file. SIS at the institution in which the inmate is currently housed interviews the reporting inmate and forwards the content of that interview to SIS department of the institution where the sexual abuse allegedly occurred. A BP-E583, Report of Incident is completed by the institution where the sexual abuse and/or sexual harassment allegedly occurred, followed by an investigative case with an appropriate finding. Retaliation monitoring is conducted by the institution where the inmate is currently housed and is required for any first-time report of sexual abuse or harassment at a Bureau facility. The current institution must maintain record of the Warden-to-Warden notification.

Level 3: A Level 3 response, formerly referred to as the Full Response Protocol, refers to the highest level of response intervention following a reported or detected incident of sexual abuse or sexual assault. It includes all actions from Response Level 2 as well as a forensic medical exam and evidence collection. Activation of an Evidence Recovery Team should be considered. Procedures for ensuring crisis intervention victim services and evidence preservation must be prioritized. Level 3 response is most likely in the immediate aftermath of a detected or reported sexual assault. The Institution PREA Compliance Manager determines whether a Level 3 response is needed and enters the incident on the BP-A1181, Institution PREA Tracking Log form. See Chapter 6, Section 115.65 of this program statement for more information regarding this coordinated response.

The Institution PREA Compliance Manager may consult with the Chief Psychologist, Health Services Administrator or Clinical Director, Captain, SIS, or Unit Managers of involved inmates to determine which level of response most appropriately aligns with the circumstances and content of the report, documents the decision in a memorandum, and directs staff to act accordingly.

Early intervention when staff detect boundary violations, inappropriate interactions, and/or inmate misconduct is critical to the safe and orderly running of an institution. Staff must intervene as appropriate (e.g., writing an incident report), in response to behaviors that may

subsequently lead to an incident of sexual abuse.

Detection requires staff remain aware of institution and unit climate as well as the reputations and behaviors of inmates through actively paying attention to the following:

- Written correspondence or verbal comments to staff.
- Posted Picture Files, and other intelligence entries.
- Inmate interactions.
- Changes in inmate behavior (e.g., eating, sleeping, hygiene, work habits).
- Isolated areas or areas of the institution that have blind-spots.

By observing factors such as these, staff are better able to detect and prevent sexually abusive behavior.

(b) Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

The information concerning the identity of the alleged inmate victim and the specific facts of the case are limited to staff who need to know because of their involvement with the victim's welfare and the investigation of the incident. This preserves the victim's privacy and the integrity of the investigative process.

(c) Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.

(d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

(e) The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

Staff must report and respond to allegations of sexually abusive behavior, regardless of the source of the report (e.g., "third party").

The Institution PREA Compliance Manager supervises the response action plan, institution investigative response, and referrals to external agencies for investigation and/or prosecution. As the severity of the alleged sexually abusive behavior increases, so must the level of response.

§ 115.62 Agency protection duties.

When an agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate.

In cases where the alleged perpetrator is another inmate, the Operations Lieutenant is notified without delay and immediately safeguards the alleged victim. The response will vary depending on the severity of the alleged sexually abusive behavior and could include monitoring the situation, changing housing assignments, changing work assignments, placing the alleged perpetrator in SHU, etc. An alleged victim is not placed in the SHU unless failure to do so would result in immediate danger to that individual. The Operations Lieutenant promptly refers all inmates reported or suspected of being the victim of sexually abusive behavior to Health Services for a PREA medical assessment and Psychology Services for an in-person Sexual Abuse Intervention. The Operations Lieutenant also notifies the Institution PREA Compliance Manager. The Operations Lieutenant documents the report in a memorandum and completes the BP-E583.

If the alleged perpetrator is a staff member, all options for safeguarding the inmate must be considered as described in the above paragraph. The decisions made to safeguard the inmate should take impact on the staff member into account. Removal from the facility is not ordinarily the first option considered. Other options for separation that should be considered include reassignment to another area or shift.

§ 115.63 Reporting to other confinement facilities.

(a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.

In cases where there is an allegation that inmate-on-inmate sexually abusive behavior occurred at another Bureau facility, the Warden or Warden's designee at the victim's current facility reports the allegation to the Warden of the identified institution. In cases alleging sexual abuse by a staff member at another Bureau institution, the Warden of the inmate's current facility refers the matter directly to the OIA and provides the Warden of the facility where the alleged abuse occurred a courtesy notification.

When sexually abusive behavior is alleged to have occurred at a non-Bureau secure facility, jail, and/or juvenile facility, the Warden will contact the appropriate office of the correctional agency or facility to provide notification of the alleged abuse.

When sexually abusive behavior is alleged to have occurred at an RRC, the Warden will contact the Residential Reentry Management Branch to provide notification of the alleged abuse.

(b) Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.

(c) The agency shall document that it has provided such notification.

(d) The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

§ 115.64 Staff first responder duties.

(a) Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:

(1) Separate the alleged victim and abuser;

(2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;

(3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and

(4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

(b) If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

The staff member first responder must preserve the crime scene. SIS staff are responsible for collecting statements and physical evidence. The investigation, in coordination with the agency to which the case may be referred, must follow the guidance given in Bureau policies and practices concerning evidence gathering and processing procedures.

§ 115.65 Coordinated response.

The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

All staff report incidents of sexual abuse to the Operations Lieutenant. See section 115.61 of this

program statement for more information about reporting duties.

The Operations Lieutenant immediately safeguards the inmate. See sections 115.43 and 115.62 of this program statement for more information about protective custody and agency protection duties.

The Operations Lieutenant promptly refers all inmates reported or suspected of being the victim of sexually abusive behavior to the Health Services for physical assessment and documentation of injuries, and to Psychology Services for an in-person Sexual Abuse Intervention. See sections 115.21 and 115.82 of this program statement for more information about evidence protocol, forensic examinations, and access to emergency medical and mental health services.

During business hours, the Operations Lieutenant ensures SIS, Captain, Institution PREA Compliance Manager, and Warden are notified. During non-business hours, the Operations Lieutenant ensures SIS, Captain, Institution PREA Compliance Manager, Duty Officer, on-call Health Services clinician, and on-call Psychologist are notified.

If the report is made about an incident occurring at the facility in which the inmate is currently housed, a Level 2 or a Level 3 response is indicated. The Institution PREA Compliance Manager reviews relevant factors and makes a determination about whether or not to proceed with a Level 3 response. Not all allegations of sexually abusive behavior require the activation of a Level 3 Response Protocol.

Fact-finding occurs as a component of a sound investigation, not in place of an investigation. The Institution PREA Compliance Manager ensures all allegations of sexual abuse and sexual harassment are investigated and entered onto the BP-A1181, Institution PREA Tracking Log form. It should be recognized that initial reports of sexually abusive behavior may be vague. Conducting an appropriate investigation is necessary to uncover the facts of the case. Once the Institution PREA Compliance Manager determines which type of intervention should occur, a sensitive and coordinated response is necessary. Ordinarily, when an inmate reports sexual abuse has occurred at the current institution, intervention will be necessary from Correctional Services, SIS, Psychology Services, and Health Services regardless of whether a Level 3 response is indicated. Services will be provided in a manner that meets both security and therapeutic needs.

A Level 3 response, monitored by the Institution PREA Compliance Manager, involves the following components:

- Correctional Services safeguards the inmate (see section 115.62 of this program statement); assists SIS in evidence collection and preservation, including inmate clothing and footwear (see section 115.64 of this program statement); assists SIS with investigations involving inmate perpetrators (see section 115.71 of this program statement); if necessary, arranges for outside medical trips in accordance with the Program Statement **Escorted Trips**; and ensures that STG categories for victims and perpetrators are entered into the centralized electronic record (see section 115.87 of this program statement). SIS collects and preserves evidence,

including inmate clothing and footwear (see section 115.64 of this program statement); investigates cases involving inmate perpetrators (see section 115.71 of this program statement); and coordinates efforts with federal law enforcement and attorneys in the event prosecution of the alleged perpetrator is warranted.

- Psychologists are responsible for crisis intervention, assessment of treatment needs, documentation of the evaluation results, treatment, psychiatric referral, and other treatment options related to the alleged victim (see section 115.82 of this program statement). Psychologists also notify the qualified Bureau staff member or the outside victim advocate, if necessary, to assist the inmate (see section 115.21 of this program statement).
- Properly trained Health Services clinicians are responsible for assessment, examination, documentation, and treatment of inmate injuries arising from incidents of sexual abuse, to include testing when appropriate for pregnancy, HIV, and other sexually transmitted infections (see sections 115.82 and 115.83 of this program statement). When a forensic medical exam (i.e., “rape kit”) is indicated, the inmate must be referred to an outside provider equipped to evaluate and treat sexual assault victims in accordance with local laws (see sections 115.21 and 115.82 of this program statement). Under no circumstances should Bureau medical professionals attempt to collect forensic evidence in a Bureau clinic.

A Level 3 Response Protocol may also involve interventions by Chaplaincy Services, Unit Management, or other support services. The staff noted above have additional responsibilities for follow-up with the inmate victim, which are covered in sections 115.66 through 115.68, 115.76 through 115.78, and 115.81 through 115.83 of this program statement, as well as thorough documentation of the incident and response.

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

(a) Neither the agency nor any other governmental entity responsible for collective bargaining on the agency’s behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the agency’s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

(b) Nothing in this standard shall restrict the entering into or renewal of agreements that govern:

(1) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.72 and 115.76; or

(2) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member’s personnel file following a determination that the allegation of sexual abuse is not substantiated.

§ 115.67 Agency protection against retaliation.

- (a) The agency shall establish a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate which staff members or departments are charged with monitoring retaliation.
- (b) The agency shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
- (c) For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The Institution PREA Compliance Manager is responsible for ensuring the integrity of the retaliation monitoring process.

The Institution PREA Compliance Manager monitors retaliation for any inmate who has reported sexual abuse or harassment requiring a Level 2 or 3 response by compiling information about discipline, housing, and programming status onto the BP-A1176, Inmate Retaliation Monitoring form. The completed form is then filed with the investigative case and emailed to the applicable Regional PREA Coordinator and National PREA Coordinator for review. The Institution PREA Compliance Manager will also enter retaliation monitoring assignments in the Bureau inmate management system. Staff must refer to the PREA page of the Bureau's intranet site for guidance regarding these systems and required codes for PREA. Retaliation monitoring information must be considered confidential and shared only with others who have a need to know.

Retaliation monitoring must occur for a period of at least 90 days and include periodic in-person status checks with the inmate. Changes to housing, programming, or incident reports received should be documented as they occur, but no less than every 30 days. If an inmate makes an allegation of retaliation within the 90-day time frame, it should be documented on the BP-A1176, Inmate Retaliation Monitoring form with comments detailing how the situation was addressed. If the inmate is placed in the SHU in relation to the report of sexual abuse or sexual harassment (e.g., involuntary protective custody, assault on perpetrator), retaliation monitoring will occur every 30 days until restricted housing is no longer indicated, even if the monitoring period extends beyond 90 days. If an inmate is transferred within the retaliation monitoring

period, continued monitoring of retaliation is required at subsequent institutions. The receiving institution must utilize the applicable Bureau inmate management system assignments to identify new arrivals who require continued retaliation monitoring.

Inmates who have reported sexual abuse of others but are not themselves victims of sexual abuse also require retaliation monitoring.

The Regional PREA Coordinators are responsible for ensuring the integrity of the retaliation monitoring process for institutions within their region. This is accomplished by consulting with institutions regarding decisions of SHU placement and transfer for inmates who have made allegations of sexual abuse or sexual harassment. The Regional PREA Coordinators have decision-making authority in identifying and remediating acts of retaliation. The Regional PREA Coordinators consult with the respective Regional Director and National PREA Coordinator when making remedial recommendations.

The Institution PREA Compliance Manager also monitors staff who have reported inmate sexual abuse allegations to protect them from retaliation for a minimum of 90 days. This responsibility will not be delegated. Retaliation monitoring for staff is done by completing the BP-A1175, Staff Retaliation Monitoring form and must include a review of performance evaluations and reassignments. If the initial monitoring indicates a continued need, periodic status checks occur. Retaliation monitoring of staff is not required for a staff member who is merely reporting an allegation told to them by an inmate, third party, or email. Completed Staff Retaliation Monitoring forms are filed with the investigative case and emailed to the applicable Regional PREA Coordinator and National PREA Coordinator for review.

Should the Institution PREA Compliance Manager or a Regional PREA Coordinator determine a staff member or inmate has been retaliated against for reporting abusive sexual behavior, the Warden and the National PREA Coordinator will be notified. Immediate remediation is required and must be documented. For inmates, documentation is uploaded to TRUIINTEL.

- (d) In the case of inmates, such monitoring shall also include periodic status checks.
- (e) If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.
- (f) An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded.

§ 115.68 Post-allegation protective custody.

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

See Chapter 4, Section 115.43 from this program statement regarding protective custody. The BP-A1002, Safeguarding of Inmates Alleging Sexual Abuse and/or Harassment form is also used in cases of post-allegation protective custody.

CHAPTER 7: INVESTIGATIONS

§ 115.71 Criminal and administrative agency investigations.

(a) When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

SIS Lieutenants, the Captain, and the Institution PREA Compliance Manager meet monthly to review all ongoing cases and ensure timely completion of investigations.

At the conclusion of the investigation, the allegations must be indicated as:

- Substantiated.
- Unsubstantiated (i.e., may have occurred, but insufficient evidence to prove).
- Unfounded (i.e., evidence proves that this could not have happened).

For Level 2 or Level 3 Response, the investigation phase is initiated, and the following notification(s) must be made:

(1) **Inmate Perpetrator on Inmate Victim.** In the event that an inmate is alleged to have perpetrated sexually abusive behavior against another inmate SIS is notified immediately.

(2) **Staff Perpetrator on Inmate Victim.** In the event a staff member is alleged to have perpetrated sexually abusive behavior against an inmate, the Institution PREA Compliance Manager notifies the Warden immediately. The Warden notifies the Regional Director and the OIA, who in turn notifies the OIG, and, when appropriate, the Federal Bureau of Investigation (FBI). If there is any evidence (video or otherwise) the staff member did not perpetrate the alleged sexual abuse, the Warden ensures it is submitted as supporting documentation with the OIA referral and maintains record of this referral.

(b) Where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34.

(c) Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

This investigation is a separate responsibility from staff member first responders addressed in section 115.64 of this program statement. These duties are carried out by the appropriate investigative agency (e.g., SIS, OIA, OIG, FBI).

Previous unsubstantiated or unfounded complaints and reports may not be used as evidence and

must not be used to discredit the alleged victim or dissuade appropriate intervention and investigation.

(d) When the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

(e) The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No agency shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

(f) Administrative investigations:

(1) Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and

(2) 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.

Administrative investigations must also consider whether other factors such as physical layouts, staffing patterns, institution operations, etc., contributed to the abuse.

(g) Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

(h) Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

(i) The agency shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

(j) The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

(k) Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.

(l) When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

§ 115.72 Evidentiary standard for administrative investigations.

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

If the facts lead a trained investigator to gravitate toward one side, the evidentiary standard has been met. If the facts of the case have convinced the investigator there is a greater than 50 percent chance the sexual abuse or sexual harassment has occurred, the finding will be substantiated.

§ 115.73 Reporting to inmates.

(a) Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

For inmate-on-inmate allegations, the SIS Lieutenant provides notification to the alleged victim of the outcome of the investigation, regardless of whether it is substantiated, unsubstantiated, or unfounded. Notification to an inmate must occur whenever that inmate is under Bureau jurisdiction, regardless of current housing location. The SIS Lieutenant works with SIS departments at other institutions, United States Probation Officers, and with management staff at RRCs to provide inmate notifications.

For allegations against a staff member, the SIA or Institution PREA Compliance Manager provides notification to the alleged victim of the outcome of the investigation, regardless of whether it is substantiated, unsubstantiated, or unfounded. Notification to an inmate must occur whenever that inmate is under Bureau jurisdiction, regardless of current housing location. The SIA or Institution PREA Compliance Manager works other institutions, United States Probation Officers, and with management staff at RRCs to provide inmate notifications.

(b) If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.

Efforts will be made by SIS or the SIA at least once a quarter to obtain a status update from outside investigative agencies. This will be documented, and the alleged victim will be informed of any update or lack thereof.

(c) Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;

(3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or

(4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

An assessment of whether actions described in (c)(1)-(4) above are warranted is made in accordance with section 115.65 of this program statement. Inmates are notified only if there is a connection between the listed actions in this section and an incident of sexual abuse. The timing of such notifications must not interfere with any pending criminal or administrative investigations. All notifications are made in accordance with the Freedom of Information Act, 5 U.S.C. § 552, and the Privacy Act of 1974, 5 U.S.C. § 552a.

(d) Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

(1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or

(2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

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

Documentation is maintained in the investigation file.

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

The Bureau's obligation to report terminates if the inmate victim is released from the Bureau's custody (i.e., from an institution, RRC, or home confinement).

When an inmate is transferred from a Bureau institution to an RRC, the reporting requirement responsibility shifts from the institution to staff at the RRC.

CHAPTER 8: DISCIPLINE

§ 115.76 Disciplinary sanctions for staff.

Bureau staff are subject to the Program Statement **Standards of Employee Conduct** and employment-based laws, rules, and regulations.

- (a) Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.
- (b) Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

If evidence supports that a staff member engaged in sexual abuse, as defined in section 115.6 of this program statement, the matter will first be referred for criminal prosecution. Administrative discipline, including proposed removals for sexual abuse, will be conducted using the Program Statements **Standards of Employee Conduct** and **Human Resource Management Manual**. Any decision made on the proposal will be in accordance with all applicable laws, rules, and regulations.

- (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
- (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

§ 115.77 Corrective action for contractors and volunteers.

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

Generally, this section is applied in cases where there is possible criminal prosecution.

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

Generally, this section is applied in cases where administrative investigation/actions would be appropriate.

§ 115.78 Disciplinary sanctions for inmates.

(a) Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

If a staff member observes inmates engaged in a sexual act, that staff member will write an incident report for engaging in sexual acts. The incident report must be suspended pending an investigation and administrative finding of whether the sexual activity was abusive or engaged in willingly by the involved parties. If the investigation determines the sexual activity was abusive, the incident report is re-written to the appropriate prohibited act code and issued only to the perpetrator. If the investigation reveals the involved parties willingly engaged in sexual behavior, the original incident reports are issued to the involved parties and disciplinary proceedings resume.

(b) Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

(c) The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

(d) If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

(e) The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

(f) For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

The maintenance of an effective sexual abuse prevention policy, and general secure and orderly running of an institution, requires that inmates be held responsible for manipulative behavior and intentionally making false allegations. False allegations are managed in accordance with the procedures and standards of the Program Statement **Inmate Discipline Program**, (i.e., inmates

who are found to have made false allegations may be issued an incident report).

(g) An agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

All sexual activity between inmates is prohibited and subject to discipline. See the Program Statement **Inmate Discipline Program**.

CHAPTER 9: MEDICAL AND MENTAL CARE

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

Follow-up meetings under this section are conducted by Psychology Services and Health Services as clinically appropriate.

Consistent with standard 115.63 of this program statement, when an inmate reports being the victim of sexual abuse at a previous facility, psychologists review the clinical record to determine whether treatment needs associated with the reported sexual abuse have been assessed. When documentation indicates the sexual abuse was previously reported (i.e., a Sexual Abuse Intervention is in the electronic health record), psychologists document the record review, assessment of treatment needs, and current mental health functioning as a Risk of Sexual Victimization, paying particular attention to victim-specific psychological symptoms. When no such documentation exists, psychologists follow all procedures outlined in Chapter 6 §115.65, including documenting a Sexual Abuse Intervention.

(a) If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

(b) If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

Inmates considered high risk for sexual re-offending may be referred to specialty treatment or management programs, referred to individual or group counseling, or managed through standard correctional techniques.

If an inmate perpetrator is determined in need of treatment services and refuses treatment, Psychology Services staff document the refusal in the electronic health record.

(c) If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

(d) Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by

Federal, State, or local law.

It is appropriate under this section to provide staff information regarding an inmate's history of sexually abusive behavior. For example, placing the inmate in the Posted Picture File, to maintain the safe, secure, and orderly running of the institution.

(e) Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

§ 115.82 Access to emergency medical and mental health services.

(a) Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

Mental Health Services for Inmate Victims. Psychology Services is responsible for providing clinical intervention within 24 hours of the reported allegation. The intervention is documented as a Sexual Abuse Intervention in the electronic health record and includes assessment of current mental health functioning and treatment needs, offer of victim advocate services, and recommendation for follow-up services. In addition, risk of victimization is reassessed and documented in the electronic health record.

Medical Services for Inmate Victims. Medical professionals are responsible for examination, documentation, and treatment of inmate injuries arising from sexually abusive behaviors, including testing for pregnancy and sexually transmitted infections.

When an inmate self-reports or is referred directly to Health Services for a PREA-related concern, Health Services staff ensure the Operations Lieutenant is informed so additional notifications can be made. See Chapter 6, Section 115.65 of this program statement regarding the coordinated response. The alleged victim is offered an injury assessment and the subjective/objective findings are thoroughly documented in the electronic health record. If the inmate consents to the injury assessment, Health Services staff must be cautious not to compromise forensic evidence.

To avoid compromising medical evidence of an inmate who reports recent sexual abuse, the individual will be offered the opportunity to be transported to a community facility/rape crisis center that is equipped, in accordance with local laws, to evaluate and treat sexual assault victims by a trained professional (e.g., a SANE or a SAFE). The inmate has the right to be accompanied by a victim advocate during both the PREA injury assessment and/or forensic medical examination at their request. Regardless of the timeline in which an inmate is medically evaluated following a sexually abusive act/contact, the inmate has the right to refuse either all or

some of the injury assessment conducted by a Bureau medical professional, or the forensic medical examination conducted by an outside provider. A medical professional discusses the possible consequences of the refusal in a way that is non-coercive and consistent with the ethical responsibilities of healthcare professionals. Any refusal should be documented in the electronic health record.

If a trip to a local community facility is needed, Health Services staff coordinate with Correctional Services to transport the inmate to the facility.

When community care is completed, institution providers render follow-up care, including screening for infectious disease (i.e., HIV, viral hepatitis, or other STIs), pregnancy testing for female victims, and administration of emergency contraceptives and prophylactic medication if exposure to bloodborne pathogens is suspected, and if these services were not already rendered during the community visit.

Services for Alleged Inmate Perpetrators. A psychologist will conduct a clinical intervention with the alleged perpetrator(s) as soon as practical, but not later than 60 days following the reported allegation. This will be documented as a Sexual Abuse Intervention in the electronic health record and will include assessment of current mental health functioning and treatment needs, whether the inmate accepts or declines participation in treatment, and recommendation for follow-up services.

Health Services clinicians also perform a physical injury assessment on any alleged inmate perpetrators without compromising forensic evidence. Providers document the assessment in the electronic health record and provide a copy to Correctional Services for insertion in the investigation file. The inmate has the right to refuse either all or some of the injury assessment conducted by a Bureau medical professional. A medical professional discusses the possible consequences of the refusal in a way that is non-coercive and consistent with the ethical responsibilities of healthcare professionals. Any refusal must be documented in the electronic health record.

Forensic examinations of inmate perpetrators will be in consultation with relevant outside law enforcement agencies and consistent with applicable laws and policies.

(b) If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.

The Operations Lieutenant takes preliminary steps, as stated in Chapter 6, Section 115.65 of this program statement.

(c) Inmate victims of sexual abuse while incarcerated shall be offered timely information about

and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Information and access to care as indicated in this section is offered to all inmate victims as clinically indicated. Bureau healthcare providers are responsible for ensuring inmate victims receive the necessary emergent treatment.

(d) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

Bureau policies concerning inmate co-pays for medical treatment shall not be applied to victims of sexual abuse.

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

(a) The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

(b) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

(c) The facility shall provide such victims with medical and mental health services consistent with the community level of care.

(d) Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

(e) If pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

Program Statements **Patient Care** and **Female Offender Manual** should be referenced for information regarding prenatal counseling and care for pregnant female inmates.

(f) Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

(g) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

(h) All prisons shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

CHAPTER 10: DATA COLLECTION AND REVIEW

§ 115.86 Sexual abuse incident reviews.

(a) The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.

(b) Such review shall ordinarily occur within 30 days of the conclusion of the investigation.

In cases of unsubstantiated allegations, the institution Executive Staff reviews the incident to assess the facility's response to the allegations. All factors noted within standard 115.86(d) in this program statement must be considered. The Institution PREA Compliance Manager documents the review in a report, including any recommendations for improvements, and submits the report to the Warden.

In cases of substantiated sexual abuse, institution Executive Team review the incident to assess the facility's response. All factors noted within standard 115.86(d) in this program statement must be considered. The Institution PREA Compliance Manager consults with the Regional PREA Coordinator to develop recommendations for improvement and identify training needs. The review is documented in a report to the Warden, who ensures implementation of the recommendations and necessary training occurs. A copy of this report is forwarded to the Regional Director through the Regional PREA Coordinator. The Regional PREA Coordinator consults with the National PREA Coordinator and makes additional recommendations if needed.

The institution Executive Team must include an assessment of whether staff engagement, wellness, or morale had an impact on the supervision of inmates in each incident review.

In an effort to mitigate potential stress associated with these events, staff who respond to allegations of sexual abuse will be offered information about the Employee Assistance Program (EAP).

(c) The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

(d) The review team shall:

(1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;

(3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;

(4) Assess the adequacy of staffing levels in that area during different shifts;

(5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and

(6) Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) through (d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.

(e) The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

§ 115.87 Data collection.

(a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

The Bureau tracks information concerning sexual abuse using the methods listed below. In disseminating this information within the Bureau, or releasing information to a third party, the Bureau complies with the Freedom of Information Act, 5 U.S.C. § 552; the Privacy Act of 1974, 5 U.S.C. § 552a; and all other applicable laws, rules, and regulations.

(1) **SIS Data.** SIS must maintain secure investigative files and data, which include:

- The victim(s) and perpetrator(s) of sexually abusive behavior.
- A factual description of the events.
- Formal and informal action(s) taken.
- All collateral reports, supporting memoranda, and videotapes.
- Medical forms (e.g., injury assessments).
- Any other evidentiary materials pertaining to the allegation.

(2) **Office of Internal Affairs Data.** The OIA reports the cumulated data on the inmate victims of staff sexually abusive behavior to all Wardens and the Psychology Services Administrator at the end of each quarter and at the end of each fiscal year.

(3) **Inmate Data.** The ITDD collects and reports on the data used in the Bureau of Justice Statistics Survey of Sexual Violence.

(4) **Sexual Abuse Classification and Management Data.** The Captain in each institution is responsible for accurate classification and Bureau inmate management system assignments related to sexually abusive behavior. Access to these assignments must be limited to those staff who are involved in managing and treating the inmate victim or inmate perpetrator or investigating the incident. Staff must refer to the Bureau PREA intranet site for guidance regarding these systems and required codes for PREA.

(b) The agency shall aggregate the incident-based sexual abuse data at least annually.

The National PREA Coordinator, with the assistance of the Regional PREA Coordinators and Office of Research and Evaluation, aggregates and reviews data from all sources annually.

(c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

The ITDD collects and reports the data referenced in the Bureau of Justice Statistics Survey of Sexual Violence.

(d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

(e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

(f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

§ 115.88 Data review for corrective action.

(a) The agency shall review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:

- (1) Identifying problem areas;
- (2) Taking corrective action on an ongoing basis; and
- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

The National PREA Coordinator reviews data compiled by the Regional PREA Coordinators, the ITDD, and the OIA, and issues a report to the Director on an annual basis, meeting the requirements of this section.

(b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

(c) The agency's report shall be approved by the agency head and made readily available to the public through its Web site or, if it does not have one, through other means.

(d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

The Bureau complies with the Freedom of Information Act, 5 U.S.C. § 552; the Privacy Act of 1974, 5 U.S.C. § 552a; and all other applicable laws, rules, and regulations.

§ 115.89 Data storage, publication, and destruction.

(a) The agency shall ensure that data collected pursuant to § 115.87 are securely retained.

(b) The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its Web site or, if it does not have one, through other means.

(c) Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.

The Bureau complies with the Freedom of Information Act, 5 U.S.C. § 552; the Privacy Act of 1974, 5 U.S.C. § 552a; and all other applicable laws, rules, and regulations.

(d) The agency shall maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

CHAPTER 11: AUDITS

§ 115.93 Audits of standards.

The agency shall conduct audits pursuant to §§ 115.401 through 115.405.

AUDITING AND CORRECTIVE ACTION

§ 115.401 Frequency and scope of audits.

Information provided to auditors under this section is released consistent with the Freedom of Information Act, 5 U.S.C. § 552; the Privacy Act of 1974, 5 U.S.C. § 552a; and all other applicable laws, rules, and regulations.

(a) During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency shall ensure that each facility operated by the agency, or by a private organization on behalf of the agency, is audited at least once.

Ordinarily the Bureau will attempt to audit all facilities in a cyclical rotation to ensure each institution is re-audited as close to every three years as possible. It is understood that the correctional environment is often unpredictable, and there may be reason to postpone the reoccurring PREA audit to ensure the safety of the staff, inmates, and the external auditor. In these instances, the Bureau will remain in compliance with PREA law so long as the postponed institution is reaudited before the conclusion of the current three-year cycle in process.

(b) During each one-year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited.

(c) The Department of Justice may send a recommendation to an agency for an expedited audit if the Department has reason to believe that a particular facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist the agency with PREA-related issues.

(d) The Department of Justice shall develop and issue an audit instrument that will provide guidance on the conduct of and contents of the audit.

(e) The agency shall bear the burden of demonstrating compliance with the standards.

(f) The auditor shall review all relevant agency-wide policies, procedures, reports, internal and external audits, and accreditations for each facility type.

(g) The audits shall review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period.

- (h) The auditor shall have access to, and shall observe, all areas of the audited facilities.
- (i) The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information).
- (j) The auditor shall retain and preserve all documentation (including, *e.g.*, video tapes and interview notes) relied upon in making audit determinations. Such documentation shall be provided to the Department of Justice upon request.
- (k) The auditor shall interview a representative sample of inmates, residents, and detainees, and of staff, supervisors, and administrators.
- (l) The auditor shall review a sampling of any available videotapes and other electronically available data (*e.g.*, Watchtour) that may be relevant to the provisions being audited.
- (m) The auditor shall be permitted to conduct private interviews with inmates, residents, and detainees.

This section refers to in-person interviews. Institutions may use attorney-client rooms or other appropriate areas, taking institution security concerns into account.

- (n) Inmates, residents, and detainees shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.

Inmates are able to use special mail procedures when sending confidential information or correspondence to PREA auditors, consistent with the Program Statement **Correspondence**. The Institution PREA Compliance Manager will notify the institution mailroom when the PREA audit is beginning and ending, which will determine the time frame for PREA auditor mail to be treated as special mail.

- (o) Auditors shall attempt to communicate with community-based or victim advocates who may have insight into relevant conditions in the facility.

§ 115.402 Auditor qualifications.

- (a) An audit shall be conducted by:
 - (1) A member of a correctional monitoring body that is not part of, or under the authority of, the agency (but may be part of, or authorized by, the relevant State or local government);
 - (2) A member of an auditing entity such as an inspector general's or ombudsperson's office that is external to the agency; or

(3) Other outside individuals with relevant experience.

(b) All auditors shall be certified by the Department of Justice. The Department of Justice shall develop and issue procedures regarding the certification process, which shall include training requirements.

(c) No audit may be conducted by an auditor who has received financial compensation from the agency being audited (except for compensation received for conducting prior PREA audits) within the three years prior to the agency's retention of the auditor.

(d) The agency shall not employ, contract with, or otherwise financially compensate the auditor for three years subsequent to the agency's retention of the auditor, with the exception of contracting for subsequent PREA audits.

§ 115.403 Audit contents and findings.

(a) Each audit shall include a certification by the auditor that no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

(b) Audit reports shall state whether agency-wide policies and procedures comply with relevant PREA standards.

(c) For each PREA standard, the auditor shall determine whether the audited facility 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 facility has achieved at each grade level.

(d) Audit reports shall describe the methodology, sampling sizes, and basis for the auditor's conclusions with regard to each standard provision for each audited facility, and shall include recommendations for any required corrective action.

(e) Auditors shall redact any personally identifiable inmate or staff information from their reports, but shall provide such information to the agency upon request, and may provide such information to the Department of Justice.

(f) The agency shall ensure that the auditor's final report is published on the agency's Web site if it has one, or is otherwise made readily available to the public.

The final report will be posted on the Bureau's public website within 30 working days of receipt. The most recent final report for each facility must remain posted.

§ 115.404 Audit corrective action plan.

(a) A finding of “Does Not Meet Standard” with one or more standards shall trigger a 180-day corrective action period.

To allow the auditor 60 days to write and submit a final report, institutions have 120 days to develop, implement, and submit to the Program Review Division (PRD) the corrective action(s) from the date the preliminary report is received.

(b) The auditor and the agency shall jointly develop a corrective action plan to achieve compliance.

(c) The auditor shall take necessary and appropriate steps to verify implementation of the corrective action plan, such as reviewing updated policies and procedures or re-inspecting portions of a facility.

(d) After the 180-day corrective action period ends, the auditor shall issue a final determination as to whether the facility has achieved compliance with those standards requiring corrective action.

(e) If the agency does not achieve compliance with each standard, it may (at its discretion and cost) request a subsequent audit once it believes that it has achieved compliance.

§ 115.405 Audit appeals.

(a) An agency may lodge an appeal with the Department of Justice regarding any specific audit finding that it believes to be incorrect. Such appeal must be lodged within 90 days of the auditor’s final determination.

The PRD files an appeal on behalf of the facility. Appeals are filed according to procedures issued by the Office of Justice Programs, PREA Management Office, U.S. Department of Justice.

(b) If the Department determines that the agency has stated good cause for a re-evaluation, the agency may commission a re-audit by an auditor mutually agreed upon by the Department and the agency. The agency shall bear the costs of this re-audit.

Re-audits are funded by the institution.

(c) The findings of the re-audit shall be considered final.

REFERENCES

Program Statements

Administrative Remedy Program
Criminal Matter Referrals
Escorted Trips
Female Offender Manual
Human Resource Management Manual
Inmate Discipline Program
Intake Screening
Patient Care
Posted Picture File
Psychology Services Manual
Searches of Housing Units, Inmates, and Inmate Work Areas
Special Housing Units
Standards of Employee Conduct
Unit Management and Inmate Program Review

Bureau Forms Prescribed by 5333.01

BP-A1002 Safeguarding of Inmates Alleging Sexual Abuse and/or Harassment
BP-A1181 Institution PREA Tracking Log
BP-A1180 PREA Staffing and Workforce Utilization
BP-A1175 Staff Retaliation Monitoring
BP-A1176 Inmate Retaliation Monitoring

Other Bureau Forms

BP-E583 Report of Incident

Federal Statutes

42 U.S.C. §15607
5 U.S.C. § 552, Freedom of Information Act 5 U.S.C. § 552a, Privacy Act of 1974

Federal Regulations

28 C.F.R. § 115.5–§ 115.6, General definitions and Definitions related to sexual abuse 28 C.F.R. § 115.11–§ 115.18, Subpart A - Prevention Planning
28 C.F.R. § 115.21–§ 115.22, Subpart A - Responsive Planning 28 C.F.R. § 115.31–§ 115.35, Subpart A - Training and Education
28 C.F.R. § 115.41–§ 115.43, Subpart A - Screening for Risk of Sexual Victimization and Abusiveness 28 C.F.R. § 115.51–§ 115.54, Subpart A - Reporting
28 C.F.R. § 115.61–§ 115.68, Subpart A - Official Response Following an Inmate Report 28 C.F.R. § 115.71–§ 115.73, Subpart A - Investigations 28 C.F.R. § 115.76–§ 115.78, Subpart A - Discipline
28 C.F.R. § 115.81–§ 115.83, Subpart A - Medical and Mental Care 28 C.F.R. § 115.86–§ 115.89, Subpart A - Data Collection and Review 28 C.F.R. § 115.93 & §§ 115.401–§ 115.405,

Subpart A - Audits

Other References

Prison Rape Elimination Act of 2003 (Public Law 108-79; September 4, 2003)

U.S. Department of Justice, Office of Violence Against Women, A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents, September 2024.

ACA Standards

Performance-Based Standards and Expected Practices for Adult Correctional Institutions, 5th Edition: 5-ACI-1C-09, 5-ACI-2C-02, 5-ACI-1D-10, 5-ACI-1D-12, 5-ACI-1D-13, 5-ACI-3D-04, 5-ACI-3D-09, 5-ACI-3D-10, 5-ACI-3D-11, 5-ACI-3D-12, 5-ACI-3D-13, 5-ACI-3D-14, 5-ACI-3D-15, 5-ACI-3D-16, 5-ACI-6A-25(M), 5-ACI-6A-32(M), 5-ACI-6C-14(M).

Performance-Based Standards for Adult Local Detention Facilities, 5th Edition: 5-ALDF-2A-27, 5-ALDF-4D-22, 5-ALDF-4D-23, 5-ALDF-4D-24, 5-ALDF-4D-25, 5-ALDF-4D-26, 5-ALDF-4D-27(M), 5-ALDF-4D-28, 5-ALDF-4D-29, 5-ALDF-6B-02, 4-ALDF-7B-05, 4-ALDF-7B-10, 4-ALDF-7B-11.

Standards for Administration of Correctional Agencies, 2nd Edition: 2-CO-1C-18.

Records Retention Requirements

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on the Bureau's intranet site.