Alternatives, Inc.

Policy and Procedural Statement

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| SOP: A29 | Subject: Internal PREA Investigator Description & Duties |
| Section: Administration, General | Page 1 of 2 |
| Reference Standards: | Revision Date: October 7, 2019 |
| Signature: “David O. Armstrong” | Effective Date: October 9, 2019 |

**I. Policy:** It is the policy of Alternatives, Inc. to maintain trained PREA Investigators to conduct pre-investigations into all PREA allegations as soon as reports are received.

**II. Related State and Federal Policies and Procedures:**

Prison Rape Elimination Act of 2003; 115.234 Specialized training: Investigations, 115.267

Agency protection against retaliation

**III. Definitions:**

PREA: Prison Rape Elimination Act of 2003, was enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies.

PREA Investigator: Local law enforcement, federal officials, or state employees charged with conducting a criminal investigation of PREA complaints.

Internal PREA Investigator: The Passages Assistant Director/Contract Assurance Coordinator and the PREA Coordinator for all Alternatives, Inc. facilities. Responsible to stabilize the situation – see that immediate victim needs are met and to obtain a sufficient understanding of the complaint to make a formal report of the alleged incident.

Alleged victim: A resident who has reported to have been sexually assaulted.

**IV: Procedures:**

1. **Staff Education:**

Each PREA Investigator is required to complete the online course “PREA: Investigating Sexual Abuse in a Confinement Setting” from the PREA Learning Center. PREA Investigators are also required to attend the quarterly PREA Investigator training (when offered/available).

1. **Responsibilities**

* PREA Investigators are responsible for responding to all allegations of sexual assault.
* Complete and follow the steps in the Sexual Assault Response Checklist ALT219.
* Notify PREA Coordinator that a PREA report has been received.
* Report incident to the DOC or FBOP
* Notify the Billings Police Department of the report and findings from the preliminary investigation. The police department will do any further evidence collection/investigation. It is the Billings Police Department’s responsibility to conduct all criminal investigation, not Alternatives’.
* Verify alleged victim has received medical and mental health care and receives ongoing care as needed.
* Protect alleged victim or staff against retaliation. Track monitoring on the PREA Retaliation Monitoring Sheet for at least 90 days (ALT220). Monitoring can be done by the PREA investigator or the PREA investigator can assign it to the resident’s case manager.
* Report back to the alleged victim verbally or in writing within 90 days of the report being submitted, whether the allegation has been determined to be substantiated, unsubstantiated or unfounded and whether any legal action will be taken following the investigation.
* PREA Investigator will inform a resident who has made an allegation of staff sexual assault (unless unfounded) of the occurrence of the following events:
  + If the staff member is no longer posted within the resident’s unit.
  + If the staff member is no longer employed by Alternatives.
  + If the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility.
  + If the agency learns that the staff member has been convicted on a charge related to sexual abuse within the agency.
* Conduct a post incident review. Refer to SOP A22 Prison Rape Elimination Act 2003.
* After the completion of the investigation and an outcome has been determined complete the Survey of Sexual Victimization – Incident Form
* Records of PREA Reports/Investigations will be securely stored in the PREA Coordinator’s office at Passages. Records include incident and investigative reports, offender information, case disposition, medical and counseling findings, retaliation monitoring sheet and recommendations for post release treatment and/or counseling. These records shall be retained for as long as the alleged abuse is incarcerated or employed by the agency, plus five years.