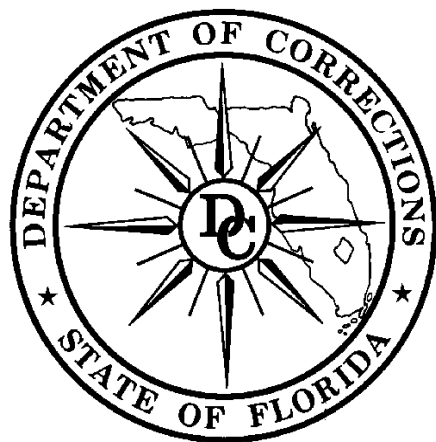


Florida Department of Corrections

Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors

“Read and Sign”



LESSON PLAN COVER SHEET

Lesson Title: Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors

Learning Goal: To instruct interns, volunteers, and contracted staff on the purpose and scope of the Prison Rape Elimination Act of 2003 with its focus to prevent, detect, and respond to all reported and suspected cases of sexual abuse and misconduct.

Target Population: Interns, Volunteers, and Contractors

Instructor(s): Read and Sign

Written By: Staff Development and Training Date Written: November 2013 Date Revised/Distributed: _____

Training Credit(s): 2 _____

Amount and Type of Equipment and Supplies Needed:

_____ Chalk or Dry Erase Board	_____ Flipchart
_____ Videocassette Recorder/Monitor	_____ Felt-tip Markers
_____ Overhead Projector	_____ Masking Tape
_____ Audio Cassette Player	_____ Pencils
_____ Slide Projector	_____ Note Pads

Other Equipment/Supplies: _____

Student Materials Needed:

Materials Needed: Lesson Plan – online or hardcopy
“Read and Sign” Training Affidavit

Instructor Materials Needed:

Sign-in sheet/Roster: _____

of Transparencies: _____

Videotape Title: _____

Reference Materials: Procedures 602.053 – Prison Rape Elimination Act - Prevention, Detection, and Response; 108.015 - Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations; Staff Development and Training Lesson Plan New Employee Orientation

Overview

Purpose:

This training is intended to communicate that the Florida Department of Corrections maintains a zero-tolerance standard for sexual abuse, sexual assault, sexual battery, sexual harassment, and staff sexual misconduct within institutional and community supervision environments. It is directed to all interns, volunteers, and contracted staff who work in a correctional institution, Community Corrections office, or any other facility owned, operated, or under the control of the Florida Department of Corrections.

It serves to instruct interns, volunteers, and contracted staff on the purpose and scope of the Prison Rape Elimination Act of 2003 with its focus to *prevent, detect, and respond* to all reported and suspected cases of sexual abuse and misconduct.

What is the primary intent of the Prison Rape Elimination Act (PREA), to whom does PREA apply, and what are the purposes?

The Act supports the elimination, reduction and prevention of sexual assault and rape within corrections systems. It does so by mandating national data collection efforts; providing funding for program development and research; and creating a national commission to develop standards and accountability measures. The Act provides for the analysis of the incidence and effects of prison rape in federal, state, and local institutions in order to provide information, resources, and recommendations designed to protect individuals from prison rape.

The Act applies to all federal, state and local prisons, jails, police lock-ups, private facilities and community settings such as residential facilities.

The purposes of this Act are to:

1. establish a zero-tolerance standard for the incidence of prison rape in prisons in the United States;
2. make the prevention of prison rape a top priority in each prison system;
3. develop and implement national standards for the detection, prevention, reduction, and punishment of prison rape;
4. increase the available data and information on the incidence of prison rape, consequently improving the management and administration of correctional facilities;
5. standardize the definitions used for collecting data on the incidence of prison rape;
6. increase the accountability of prison officials who fail to detect, prevent, reduce, and punish prison rape;
7. protect the Eighth Amendment rights of federal, state, and local prisoners;
8. increase the efficiency and effectiveness of federal expenditures through grant programs such as those dealing with health care; mental health care; disease prevention; crime prevention, investigation, and prosecution; prison construction, maintenance, and operation; race relations; poverty; unemployment; and homeless; and
9. reduce the costs that prison rape imposes on interstate commerce.

What are the three primary objectives of Procedure 602.053 - *Prison Rape: Prevention, Detection, and Response*?

1. To establish zero-tolerance standards for sexual assault/battery in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender, or sexual preference, through accountability of perpetrators and the punishment of those institutional and community correctional officials who fail to detect, prevent, reduce and punish sexual assault/battery/harassment crimes for incarcerated inmates and those offenders under departmental jurisdiction.
2. To establish and provide implementation of standards for the detection, prevention, reduction and punishment of sexual assault/battery by increasing the availability of data, information and training on the incidence of sexual assault/battery consequently improving the management and administration of correctional facilities.
3. To establish guidelines for proper and immediate reporting of such incidents as well as providing appropriate safeguards for victims, the management of evidence, and actions to be taken from reporting an allegation to substantiation of a sexual assault, sexual battery, and/or sexual harassment.

What are the procedures for reporting incidents and/or allegations of prison rape?

The department maintains a zero tolerance philosophy regarding inmate sexual battery/assaults. It is of primary importance that the prevention and the reporting of any allegation or act of inmate sexual assault and/or staff sexual harassment and staff sexual misconduct as outlined throughout the procedure be a priority of all agency staff.

All staff, inclusive of, wardens, circuit administrators, deputy circuit administrators, assistant wardens, chiefs of security, shift supervisors and department/section managers, volunteers and contract employees will ensure that they foster an environment within their facility(ies) that clearly precludes sexual battery. This includes, but may not be limited to:

- 1. taking all reports concerning sexual battery seriously;**
2. initiating immediate reporting of alleged sexual battery, staff sexual misconduct and staff sexual harassment to the Office of the Inspector General;
3. taking immediate steps to ensure preservation of possible crime scenes, inclusive of evidence protection;
4. taking all appropriate measures to ensure the safety of an inmate who may have been sexually battered or of an inmate who may have reported the sexual battery of another;
5. ensuring non-harassment and non-humiliation of alleged victims or informants of sexual battery regardless of sexual preference or transgender status of the inmate(s).
6. Classification and/or housing assignment staff and medical personnel will ensure that, within twenty-four (24) hours of arrival a screening of each inmate is conducted (by an authorized medical/mental health professional).

Any staff member who has reason to believe that an inmate demonstrates a sexually assaultive behavior or poses a risk for sexual victimization, even though an incident may not have occurred, will notify the shift supervisor. If no incident of sexual assault, etc., as described within the procedure has occurred, no PREA number is needed.

Reporting Incidents/Allegations: All incidents or allegations of sexual battery, staff sexual misconduct and staff sexual harassment will be reported in accordance with: “Incident Reports – Institutions,” Procedure 602.008; “Reporting Incidents to the Inspector General and Management Information Notification System,” Procedure 108.007; “Incident Reports - Community Corrections,” Procedure 302.045; “Emergency Action Center,” Procedure 602.012.

In all institutional instances of incidents involving sexual battery, staff sexual misconduct, improper conduct (sexual) or staff sexual harassment, the shift supervisor will ensure that an “Incident Report,” DC6-210, and a “Management Information System Notification” (MINS) report are processed and submitted. Each of these reports will include the PREA identification number issued by the Emergency Action Center (EAC).

In all Community Corrections incidents involving sexual battery, staff sexual misconduct, improper conduct (sexual) or staff sexual harassment, the circuit administrator will ensure that a “Community Corrections Incident Report,” DC3-225 and a MINS report is processed and submitted. Each of these reports will include the PREA identification number issued by the Emergency Action Center (EAC).

The inmate(s) suspected of committing a sexual battery will be managed in accordance with section 33-602.220, F.A.C. (Administrative Confinement) pending a complete and thorough investigation and disciplinary process, inclusive of external charges, if applicable. Inmate(s) who have been found guilty of sexual battery, through the course of either internal or external hearings will be processed in accordance with section 33-602.222, F.A.C (Disciplinary Confinement), unless otherwise ordered through judicial or administrative process.

Each warden will ensure that, the inmate orientation process will encourage inmates to immediately report any concern or fear of possible sexual battery to correctional staff.

Any employee who has knowledge of or is receiving information, whether written, verbal, anonymous or third party, regarding the fear, coercion or actual sexual battery will immediately notify the shift supervisor, the chief of security or higher authority who will then take immediate steps to evaluate the inmate’s concern/allegation. The authority notified will ensure proper medical treatment (if applicable) and the safety of the inmate by means provided in section 33-602.220, F.A.C. (Administrative Confinement) and section 33-602.221, F.A.C. (Protective Management), if applicable.

- a. Any employee who fails to report or take immediate action regarding these incidents, or intentionally inflicts humiliation toward the victim or informant, or trivializes a report of sexual battery will be subject to the appropriate level of discipline. This discipline will possibly include termination of employment, as outlined in section 33-208.003, F.A.C.

- b.** Community corrections staff will refer to section (7) (b) and(c) of Procedure 602.008 for reporting instructions.

Inmates/offenders who have been sexually battered, or are aware of a sexual battery, or sexual misconduct of a staff member, will immediately notify the nearest correctional staff member and report the incident. All reasonable measures to secure the safety of the inmate(s) will be implemented by the shift supervisor, the chief of security, the warden and the investigator assigned.

- a.** Victims of a sexual battery should try to preserve as much physical evidence of the battery as possible. Prior to reporting a sexual battery, there should be no showering, washing, etc., of the body and/or clothing or bed linen.
- b.** Security staff will also ensure the preservation of evidence by securing the site of the battery (if possible). The clothing or any other items of the victim and the perpetrator (which may be pertinent to an investigation) will be preserved also.

Security/community correctional staff will notify the Office of the Inspector General immediately of any allegation of sexual battery, sexual misconduct, improper conduct (sexual), and staff sexual harassment. An investigation will be initiated in accordance with "Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations," Procedure 108.015.

**Florida Department of Corrections
Training Affidavit**

Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors

Read and Sign

The Florida Department of Corrections requires all interns, volunteers, and contractors to receive training on the **Prison Rape Elimination Act**, also known as **PREA**. This requirement can be fulfilled by reading the ***Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors*** and signing this form.

When the information has been read, please sign and return this affidavit to the local trainer as verification that the **PREA** information has been read.

“I confirm that I have read the contents of the *Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors* and am therefore eligible to receive two (2) credits for training.”

Signature

Date

Print Name

Work Location