



SUBJECT: PREA Risk Assessments and Accommodation Strategies	PAGE <u> 1 </u> OF <u> 9 </u> .
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	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to provide the procedures for employees to follow when screening inmates for risk of sexual victimization and abusiveness, and to establish the processes for the use and sharing of screening information to inform housing, bed, work, education and program assignments.

III. APPLICABILITY

This policy is applicable to all inmates, persons employed by the Ohio Department of Rehabilitation and Correction (DRC), volunteers, and independent contractors assigned to an institution.

IV. DEFINITIONS

Abuser - A high risk inmate who has been found guilty of committing one or more instances of sexual abuse in an institutional setting.

LGBTI - An acronym for a group for sexual minorities including lesbian, gay, bisexual, transgender, and intersex individuals.

Out-to-Court Inmates - Inmates who have previously been received by DRC and are assigned to an institution, but temporarily leave DRC custody to a county jail or other criminal justice entity for court, hearings, or other proceedings.

Potential Abuser - An inmate who has been determined to be at risk of committing sexual abuse in an institutional setting based upon the information gathered in the screening process and the correctional judgment of unit management.

Potential Victim - An inmate who has been determined to be at risk of being a victim of sexual abuse in an institutional setting based upon the information gathered in the screening process and the correctional judgment of unit management.

PREA Accommodation Strategy (PAS) - A strategy plan prepared by the unit management chief or in their absence, the acting unit management chief for an inmate's housing, bed, work, education and program assignments based upon the PREA classification determined by the PREA risk assessment system, the needs of the individual inmate, the structure/security level of the facility, and the correctional judgment of the staff member.

PREA Classifications - For purposes of tracking risk of sexual abuse, all inmates will be designated as either an abuser, victim, potential abuser, potential victim or no classification based upon screening results from the PREA risk assessment system.

PREA Risk Assessment System – A computer system designed to assist the institutions assessing risk of sexual abuse for an individual inmate and to assist in tracking and sharing information about PREA classifications and LGBTI inmates. The electronic PREA risk assessment forms shall be utilized until the automated system becomes available.

Substantiated Allegation - Means an allegation that was investigated and determined to have occurred.

Unit Management - For purposes of this policy, “unit management” refers to the unit management chief, unit manager, correctional counselor and/or case manager in a parent institution. Classification specialists are also included in this definition at the reception centers.

Unfounded Allegation - An allegation that was investigated and determined not to have occurred.

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

Victim - A high risk inmate who has been the victim of sexual abuse in an institutional setting, which has been confirmed by disciplinary records of the abuser and/or inmate on inmate assault records.

Vulnerable Adult - Inmates that have been identified as having an intellectual and/or developmental disability (IDD) per DRC policy 67-MNH-22, Offenders with Intellectual Disabilities and Developmental Disabilities; Screening, Evaluation, Treatment and Reentry.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to assess inmates to determine their risk of sexual victimization or abusiveness. Once assessed, unit management shall use the information obtained to monitor and manage inmates in their housing, bed, work, education and program assignments. Risk assessments shall be completed upon admission, transfer, initiation and conclusion of investigations into substantiated or unsubstantiated allegations, referral due to mental health concerns and/or referrals due to concerns of substantial imminent risk of sexual abuse. Risk assessments shall also be completed on inmates who return from court or during their annual security review if one has not been completed previously.

VI. PROCEDURES

A. General Guidance for Screening Criteria

1. The PREA risk assessment system shall contain criteria for determining whether an inmate is an abuser or a victim.
 - a. If the inmate has been found guilty of committing one (1) or more instances of sexual abuse in an institution setting, the inmate shall be assigned abuser as a PREA classification.
 - b. If the inmate has been the victim of a confirmed sexual abuse in an institution setting, the inmate shall be assigned victim as a PREA classification.
2. If the assessment indicates the inmate is at risk or has experienced prior sexual victimization, whether it occurred in an institution setting or in the community, staff shall offer a follow-up meeting with a medical or mental health practitioner within fourteen (14) calendar days of the intake screening. All inmates shall be screened by mental health in accordance with DRC policy 67-MNH-02, Mental Health Screening and Mental Health Classification.
3. If the assessment indicates that the inmate is at risk or has previously perpetrated sexual abuse, whether it occurred in an institution setting or in the community, staff shall offer a follow-up meeting with a mental health practitioner within fourteen (14) calendar days of the intake screening. All inmates shall be screened by mental health in accordance with DRC policy 67-MNH-02, Mental Health Screening and Mental Health Classification.
4. For inmates not assigned abuser or victim as a PREA classification, the PREA risk assessment system shall contain minimum criteria for determining the risk of victimization and abusiveness. These criteria, in conjunction with correctional judgment, shall guide unit management in assigning an inmate a PREA classification. No single factor or combination of factors is solely determinative of risk. Unit management shall use the criteria as a guide to make informed decisions about the inmate's risk of abusiveness or victimization.
5. Inmates that do not have any significant risk of victimization or abusiveness shall be assigned no classification in the PREA risk assessment system. Assessments for inmates with no significant risk may be verified at the case manager level. The case manager may request verification of a no classification assignment from the unit manager. All victim, abuser, potential victim and potential abuser classifications shall be sent to the unit management chief (UMC) for final verification. If an inmate is designated a PREA classification, the UMC or acting UMC shall also document the inmates' classification in DOTS Portal on the CLASI screen with the appropriate flag.
6. Staff shall ensure the sensitive assessment information is not exploited and that any documents obtained from the assessment are secured. The information shall be used to inform housing, bed, work, education, and programming 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.

7. Inmates shall not be disciplined for refusing to answer or for not disclosing complete information in response to questions concerning: mental, physical or developmental disabilities; whether the inmate is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming; whether the inmate has previously experienced sexual victimization; or, the inmate's perception of his/her own vulnerability.
8. Any change in PREA classification from victim, abuser, potential victim, or potential abuser to no classification shall be sent to the UMC for final verification.

B. Timeframe for Standard Screenings

1. All inmates shall be assessed for risk of sexual victimization or abusiveness upon arrival of intake and upon transfer to another institution. These screenings shall be initiated in the PREA risk assessment system by medical personnel during intake medical screenings conducted pursuant to DRC policy 52-RCP-06, Reception Medical Intake Screening and during health screenings pursuant to DRC policy 68-MED-01, Medical Services. Unit management shall complete the screening within seventy-two (72) hours of the inmate's arrival at the facility.
2. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information to law enforcement about prior sexual victimization that occurred in the community. If an inmate wishes to report the information, the Informed Consent (DRC1169) shall be completed and forwarded to the institution investigator. The institution investigator shall contact the Ohio State Highway Patrol (OSHP) and provide them with the information. The institution investigator shall document the contact with the OSHP. The only exception is if the alleged victim is under the age of eighteen (18) or considered a vulnerable adult as defined by this policy, the institution shall report the allegation to the OSHP.
3. No sooner than fifteen (15) calendar days, but no later than thirty (30) calendar days from the inmate's arrival at any institution, the inmate shall be reassessed (30 Day Review) regarding their risk of victimization or abusiveness based upon any additional, relevant information received since that institution's intake screening of the inmate. Unit management shall complete this reassessment. The inmate shall be present during the thirty (30) day reassessment. A thirty (30) day reassessment shall not be conducted after the completion of a special assessment or existing inmate assessment.
4. Inmates returning from out-to-court or another criminal justice entity shall be taken to inmate health services upon arrival at the institution. Medical staff shall complete the Outside Agency Review Screen.
 - a. If the inmate answers "Yes" that they have experienced sexual victimization or were involved in a sexual abuse incident while away from DRC custody, medical staff shall document the information reported by the inmate in the comment section, notify the institution investigator and complete an Incident Report (DRC1000).

Within seventy-two (72) hours of the inmate's arrival at the institution, unit management staff shall follow-up on the Outside Agency Review Screen and a special risk assessment shall be completed. The additional PREA risk assessment screening process shall then be followed.

- b. If the inmate answers "No" that they have not experienced sexual victimization or were not involved in a sexual abuse incident while away from DRC custody, the medical staff member shall note "Nothing Reported" and the outside agency review is complete.

C. Special Screenings upon the Report of Sexual Abuse

1. Upon the report of sexual abuse, the victim shall be housed in a designated safe housing environment of the institution until evaluated by unit management.
2. By the end of the next business day following the report of sexual abuse, the victim support person shall meet with the victim to conduct a preliminary assessment of the inmate's current safety needs. The victim support person shall also review the privilege levels afforded the inmate while in the safe housing environment to assure they are as consistent with the inmate's prior privilege level as possible. The victim support person shall further review the needs of the inmate in the following areas:
 - a. Housing;
 - b. Medical;
 - c. Mental Health;
 - d. Threat of harm from alleged aggressor or other inmates; and
 - e. Any other area of concern that is raised by the inmate or staff relevant to future administrative/management decisions affecting the inmate.
3. When considering the protection of staff or inmates, staff shall consider:
 - a. Housing changes;
 - b. Transfers of inmate victims or abusers;
 - c. Removal of alleged staff or inmate abusers from contact with victims.
4. Within seven (7) calendar days, unit management shall complete a special assessment of both the alleged victim and abuser within the PREA risk assessment system. The special assessment shall be initiated and completed by unit management staff.

The alleged victim shall be given a classification of potential victim. The alleged abuser shall be given a classification of potential abuser. Unit management staff shall prepare a written PREA accommodation strategy based upon those assessments and any relevant information from the victim support person as set forth in section VI.C.2 above.

5. All inmates who were identified as being involved in an allegation of sexual abuse (alleged victim and abuser) shall be reassessed in the PREA risk assessment system within seventy-two (72) hours of the completion of the final investigation. The institution

investigator shall notify the UMC of the completion of the investigation and the need for a special assessment.

- a. If the allegation was substantiated, unit management shall assign the inmate the appropriate PREA classification of victim or abuser.
- b. If the allegation was unsubstantiated, unit management shall utilize the criteria within the PREA risk assessment system and good correctional judgment to determine whether a change in PREA classification is warranted for each inmate who was alleged to be involved in an unsubstantiated allegation of sexual abuse. Unit management may choose to maintain the PREA classification assigned during the initial special assessments of the alleged victim and abuser.
- c. If the allegation was unfounded, unit management shall remove the automatic PREA classifications of potential abuser and potential victim assigned during the initial special assessment. New special assessments shall be completed. Unit management may choose to reduce the PREA classification assigned to each inmate.

D. Special Screenings upon the Report of a Substantial Risk of Imminent Sexual Abuse

If it is determined that an inmate is in substantial risk of imminent abuse, a special screening shall be completed within seventy-two (72) hours of the final decision. The inmate's PREA classification shall be changed dependent upon the contents of the final decision and criteria within the PREA risk assessment system.

E. Other Special Screenings

1. Pursuant to DRC policy 67-MNH-02, Mental Health Screening and Mental Health Classification, any employee may make a mental health referral based on their observation of the inmate's behavior or at the inmate's request, which include referrals based on concerns that the inmate has been or is at high risk of being subject to sexual misconduct. This referral shall be documented on a Referral to Mental Health Services form (DRC5265). Following their assessment, mental health services may recommend further mental health services or referral to other institutional services. Mental health services' response and recommendations shall be communicated to unit management for purposes of completing a special screening and to the referral source. Referrals from mental health services shall have a special screening completed by unit management within seven (7) calendar days of the referral.
2. All transgender and intersex inmates shall receive a special screening at least every six (6) months as set forth in DRC policy 79-ISA-05, Lesbian, Gay, Bisexual, Transgender, Intersex (LGTBI) Policy.

F. PREA Risk Assessments for Franklin Medical Center (Zone A)

1. HUB Transports - A PREA risk assessment shall not be completed on inmates who are transported to Franklin Medical Center (FMC) on the HUB for clinic appointments and return to their parent institution the same day. FMC staff shall review the Transport

Authorization/Pass (DRC5055) to identify any inmate with a PREA classification (i.e., V, PV, A, PA) to prevent victims or potential victims from being placed in holding cells with abusers or potential abusers.

2. Urgent Care Transport - A PREA risk assessment shall not be completed on inmates who are transported to FMC to receive medical treatment in the urgent care and return to their parent institution the same day. FMC staff shall review the Transport Authorization/Pass (DRC5055) to identify any inmate with a PREA classification (i.e., V, PV, A, PA) to prevent victims or potential victims from being placed in holding cells with abusers or potential abusers.
3. Long Term Medical/Permanently Housed (Zone A) - A PREA risk assessment shall be completed on all inmates who are permanently transferred to FMC.
4. Short Term Medical Housing (Zone A) – FMC staff shall review the Transport Authorization/Pass (DRC5055) to identify any inmate with a PREA classification or a Transgender/Intersex (i.e., V, PV, A, PA, T, I) upon being admitted to prevent victims or potential victims from being placed in holding cells with abusers or potential abusers. A PREA risk assessment shall be completed should additional information be received during the admission process.

G. PREA Risk Assessments for Immediate Transfers and Inmates Temporarily Housed at Another Facility (at least one overnight stay)

Receiving institution staff shall review the Transport Authorization/Pass (DRC5055) to identify any inmate with a PREA classification or a transgender/intersex inmate (i.e., V, PV, A, PA, T, I) to prevent victims or potential victims from being housed with abusers or potential abusers. The OCM, with the assistance of unit management, shall complete a special screening in paper form as outlined in section VI.J. 2 of this policy.

H. PREA Accommodation Strategies

1. Based on the information obtained in the PREA Risk Assessment System, assigned PREA classification and good correctional judgment, the UMC, or in their absence the acting UMC, shall complete a PREA accommodation strategy to make individualized determinations about how to ensure the safety of each inmate. Inmates assigned no classification in the PREA risk assessment system shall not require a PREA accommodation strategy.
2. Initial PREA accommodation strategies shall be completed by the UMC or in their absence, the acting UMC on intake inmates within five (5) business days; however, housing assignments must be considered immediately.
 - a. Inmates at high risk for victimization shall not be placed in involuntary segregation 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.

- b. The PREA involuntary segregation screen shall be completed if an involuntary segregation assignment is made pursuant to this section. Staff shall clearly document the basis for the concern for the inmate's safety and the reason why no alternative means could be arranged.
 - i. Inmates placed in segregation for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If access is restricted, staff shall document:
 - 1). Opportunities that have been limited;
 - 2). Duration of limitations;
 - 3). Reasons for such limitations.
 - ii. Involuntary segregation assignments shall only be until alternative means of separation from likely abusers can be arranged and shall not ordinarily exceed thirty (30) calendar days.
 - iii. Every thirty (30) calendar days, unit management shall afford each inmate a review to determine whether there is a continuing need for separation from general population.
 - c. Once a determination is made for housing, the PREA accommodation strategy shall be completed.
3. An inmate's PREA accommodation strategy shall be reviewed at every standard and special screening and shall be adjusted as necessary.
 4. At no time shall the review and revision of the PREA accommodation strategy exceed five (5) business days from the completion of a standard or special screening.

I. PREA Accommodation Strategies for Transgender and Intersex Inmates

In addition to the directives in DRC policy 79-ISA-05, Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) Policy, and section VI.H of this policy, any accommodation other than showering alone shall be forwarded to the PREA coordinator by e-mail for approval. The OCM shall not complete the assessment until a response is received from the PREA coordinator.

J. PREA Risk Assessment System

1. All PREA risk assessments shall be completed in the PREA Risk Assessment System.
2. If the PREA risk assessment system is not available (i.e., after hours or weekend new intakes at reception, system outage, etc.), staff shall complete the assessment in paper form which is available on the PREA Information Center intranet website. Once the system becomes available, the assessment shall be entered into the system and the paper forms attached as an addendum to the assessment. Notes shall be placed in the comment box explaining why the assessment was initially created on paper.

Related Department Forms

Informed Consent

DRC1169

Transport Authorization/Pass

DRC5055

Referral to Mental Health Services

DRC5265