

07-000/50 PREA Compliance

Los Angeles County Sheriff's Department

CUSTODY SERVICES DIVISION	Unit Order: #07-000/50
GENERAL POPULATION	Effective Date: 03-04-2013
NORTH COUNTY CORRECTIONAL FACILITY	Revision Date: XX-XX-XXXX
	Review Date: XX-XX-XXXX
Subject: PREA Compliance	
Reference: PREA Public Law 108-79; PREA Compliance Provisions 115.64 and 115.65; 673 PC; MPP 4-01/020.60, 5-09/350.00; CDM 3-04/025.00-025.55, 4-01/000.00, 4-07/010.00, 4-11/020.00, 5-02/050.00, 5-08/010.00, 7-33/000.00, 7-52/000.00, 8-03/060.00	
Unit Commander Signature:	Date:

PURPOSE OF ORDER: The purpose of this order is to establish the duties of the Prison Rape Elimination Act (PREA) Compliance Manager at the North County Correctional Facility (NCCF) and delineate unit specific procedures for handling PREA related incidents.

SCOPE OF ORDER: This order applies to all personnel working at and assigned to NCCF.

ORDER:

It is the policy of NCCF to ensure all PREA related incidents are addressed according to law and Department policy. NCCF personnel and those working at NCCF shall familiarize themselves with the Custody Division Manual (CDM) sections, referenced above, related to PREA related incidents and how they shall be handled.

The NCCF PREA Compliance Manager collateral duty has been established to ensure that the Department's policies and procedures regarding PREA are enforced at NCCF. The PREA Compliance Manager shall hold the minimum rank of sergeant and is identified on the NCCF Collateral Duty Statement.

The PREA Compliance Manager shall maintain periodic contact with the Department's executive, division-wide PREA coordinator in order to remain current with PREA related issues, ensure all laws and policies related to sexual assault and abuse within custody facilities are enforced at NCCF through a proper application of policies and procedures, and ensure NCCF unit orders adhere to PREA guidelines.

SEXUAL ABUSE AND SEXUAL HARASSMENT

Sexual abuse/assault and/or sexual harassment shall not be tolerated at any custody facility operated by the Sheriff. Sexual abuse and/or sexual harassment by an employee, vendor, contracted agency, volunteer, inmate or other non-Department member with a business association with the Department, shall be prohibited. No individual, no matter his or her title or position, has the authority to commit or allow sexual abuse and/or harassment of inmates.

See Custody Division Manual (CDM) section 3-04/025.05, "PREA – SEXUAL ABUSE AND SEXUAL HARASSMENT," for descriptions of what constitutes sexual abuse and/or sexual harassment.

In accordance with California Penal Code section 673, Department personnel are required to care and protect inmates remanded to the custody of the Sheriff. Violation of Penal Code section 673 is a misdemeanor.

Regular, unannounced rounds of NCCF shall be made on all shifts by sergeants and lieutenants to identify and deter staff sexual abuse and sexual harassment of inmates. Personnel shall not alert other staff members when these unannounced rounds are taking place, unless such announcement is related to the legitimate operational functions of this facility.

Each of NCCF's line sergeants shall complete one, unannounced PREA round, per shift, to identify and deter staff sexual abuse and sexual harassment. These rounds shall be documented in each area's electronic Uniform Daily Activity Log (e-UDAL) using the "PREA Unannounced Round" pull down menu for sergeants.

Each of NCCF watch commanders shall complete one, unannounced PREA round, per shift, per week, to identify and deter staff sexual abuse and sexual harassment. These rounds shall be documented in each area's e-UDAL using the "PREA Unannounced Round" pull down menu for lieutenants.

COORDINATED RESPONSE PROTOCOL

In the event a report of sexual abuse involving an inmate is received, whether made verbally or in writing, including third-party and anonymous reports, NCCF personnel shall implement the "Coordinated Response Protocol" (CRP), which follows in this unit order. The CRP provides unit specific information concerning the duties, responsibilities, notification and treatment protocol required of NCCF of personnel.

The CRP supplements the PREA related mandates contained in CDM sections 3-04/025-00 – 3-04/025.55, which all personnel assigned to, working at, or volunteering at any Division facility must adhere to.

The NCCF watch deputy shall maintain a list of all contracted hospital(s) where an inmate will be transported to if a forensic Sexual Assault Rape Treatment (SART) Protocol exam is required.

FIRST RESPONDER DUTIES

Upon learning of an allegation that an inmate was sexually abused, NCCF personnel shall notify their supervising sergeant immediately and adhere to duties specified in CDM sections 3-04/025.10, "PREA-STAFF FIRST RESPONDER DUTIES AND COORDINATED RESPONSE PROTOCOL" and 3-04/025.15, "PREA – CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS."

All appropriate reports (i.e., SH-R-49) shall be completed. Video recordings shall be downloaded and entered in the Department's Property Evidence and Laboratory Information System (PRELIMS) if the area of occurrence is equipped with fixed video surveillance (CCTV).

The writer of the first report for any PREA-related incident shall include the name(s) of medical and/or mental health staff who provided the initial treatment to the inmate.

Custody personnel shall generate an IRTS information only report for all inmate-on-inmate allegations of sexual harassment.

If a sexual assault is reported to have happened at another facility or while under the care of another law enforcement agency (i.e., LAPD, Burbank PD, Glendale PD) a courtesy report shall be written. The agency where the incident occurred shall be notified of the courtesy report or any allegation where a courtesy report was not taken within seventy-two (72) hours of the allegation.

SERGEANT RESPONSIBILITIES

Sergeants shall be responsible for the supervision of first responder personnel and to ensure compliance to the PREA CRP. Sergeants shall ensure personnel refrain from conducting an investigative interview of the suspect/inmate in the absence of the investigative unit having jurisdiction, unless the urgency of the information received dictates such.

The sergeant responding to any sexual related crimes involving an inmate shall ensure all reports, evidence collection and preservation, and the following notifications are completed:

1. NCCF watch commander
2. Custody Investigative Services (CIS)

The sergeant responding to any inmate allegation of sexual related crimes and sexual harassment, made verbally or in writing, including third-party and anonymous reports, shall make an immediate verbal notification to Custody Investigative Services (CIS) and an email notification to Custody Support Services (CSS).

CIS will evaluate whether the reporting inmate meets the criteria for protective custody.

WATCH COMMANDER RESPONSIBILITIES

The NCCF watch commander shall notify NCCF's PREA Compliance Manager of all inmate allegations of sexual related crimes and sexual harassment, made verbally or in writing, including third-party and anonymous reports that come to his/her attention. If the PREA Compliance Manager is not on duty at the time of this notification, then the watch commander shall complete the notification to the Division-wide PREA coordinator.

NOTIFICATION TO DIVISION-WIDE PREA COORDINATOR

The executive, division-wide PREA Coordinator (currently Director Karen Dalton) is responsible for developing, implementing, and overseeing the Department's efforts to comply with the PREA standards in all of its facilities within Custody Division.

When any report or allegation of sexual abuse is received, the designated PREA Compliance Manager, or the on duty watch commander shall notify the PREA Coordinator telephonically or by email and provide the name(s) and booking number(s) of the inmates, and/or name(s) and employee number(s) of the staff members involved and nature of the criminal activity.

PREA COMPLIANCE MANAGER

When any report of sexual abuse or harassment is received, the watch commander shall notify the NCCF PREA Compliance Manager telephonically or by e-mail and provide the name(s), booking number(s) of the inmates, and/or name(s) and employee number(s) of the staff members involved and nature of the alleged criminal activity.

In addition to the responsibilities delineated in CDM sections 3-04/025.30 "PREA – SUPERVISION AND MONITORING," 3-04/025.40 "PREA – INMATE EDUCATION," and 3-04/025.55 "PREA – PROTECTION

AGAINST RETALIATION,” NCCF’s PREA Compliance Manager shall also:

- Track all courtesy reports/allegations and notifications made to other agencies
- Periodically review all PREA notifications and meet at least once per month with the operations sergeant to discuss and identify patterns of alleged sexual abuse and/or harassment within the facility
- Ensure proper medical and mental health follow up are coordinated upon an inmate’s return from a SART exam

MEDICAL AND MENTAL HEALTH STAFF RESPONSIBILITIES

Medical and Mental Health Staff shall be responsible for immediate and follow-up care of a sexual assault victim. They will assist with the coordination for transport of the inmate to a contracted hospital(s) if a forensic Sexual Assault Rape Treatment Protocol (SART) exam is required.

OUTSIDE RESOURCES

NCCF shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses to rape crisis organizations. Inmates will be afforded the opportunity to report sexual abuse or harassment by contacting Crime Stoppers on any telephone located within their housing location. Inmates can access Crime Stoppers by pressing the number 1 or 2, then *21, which will automatically connect them to Crime Stoppers.

Inmates shall also be provided access to outside resources such as counseling from the Young Men’s Christian Association (YMCA), in accordance with department guidelines. NCCF personnel will be responsible for informing the inmate, prior to giving them access, of the extent to which such communications may be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. See CDM section 3-04/025.20, “PREA – SUPPORT SERVICES FOR INMATE VICTIMS OF SEXUAL ABUSE” and 5-06/070.00, “INMATE CORRESPONDENCE” for additional information.

LEGAL/CONFIDENTIAL MAIL

All incoming and/or outgoing mail addressed to or from the PREA Auditor, Rape Crisis Center or Just Detention International (JDI) personnel shall be considered legal mail (see NCCF unit order 07-175/06, "MAIL PROCEDURES" for additional information concerning mail handling).

TRAINING

The NCCF training Unit shall ensure all personnel assigned to NCCF have received the Department mandated PREA training. Refresher training shall be given to all personnel every two years on the Department's sexual abuse and sexual harassment policies and procedures.

The NCCF training unit shall ensure PREA Policy is distributed to staff via the Scheduling Management System (SMS) briefing module at least twice per year. NCCF training personnel are to ensure an Automated Personnel In-Service (APIS) roster is maintained for all PREA training and refresher courses and retained for two years.

PREA INFORMATIONAL VIDEO / INMATE EDUCATION

The PREA informational video will be shown with the inmate orientation video at least two (2) times per day to all inmates housed at NCCF. Central control shall notify the watch sergeant when the inmate orientation/PREA video is shown and the watch sergeant shall enter this event into the facility log.

The PREA coordinator shall ensure that the following information is posted within view of every housing area located within NCCF:

“NOTICE TO ALL INMATES

THE LOS ANGELES COUNTY SHERIFF’S
DEPARTMENT HAS ZERO TOLERANCE
FOR SEXUAL ABUSE

If you have been the victim of any
sexual assault or sexual abuse,
report it.
THERE IS HELP.

You can do any of the following:

1. Notify any custody personnel
2. Fill out an Inmate Complaint Form
3. Fill out a confidential Medical Request Form
4. Notify the County Ombudsman at:

**510 S. Vermont, Suite 215
Los Angeles, CA 90020
(213) 738-2003
(800) 801-0030 (Inquires)”**

PREA TRACKER

The NCCF operations staff shall maintain a PREA tracker to ensure all PREA incidents are documented and tracked. The PREA Compliance Manager shall email the "PDC NCCF OPS REQUEST" email group of all PREA incidents he or she is made aware of to ensure the incident has been included in the NCCF PREA tracker.

Revision Date XX/XX/XXXX

03/04/2013 NCCF
