

Sixth District Department of Correctional Services POLICY	Issue Date 10/18/13	Effective Date 03/20/17	Policy Number 2408-17
Subject SEXUAL MISCONDUCT WITH OFFENDERS COMMUNITY CONFINEMENT STANDARDS (PREA Medical and Mental Health Care)		Review Month June	Author 0590 (MLA)
Rescinds 2408-13	Reference	Prison Rape Elimination Act-Community Confinement Standards, United States Department of Justice Final Rule 28 C.F.R. Part 115, Docket No. OAG-131, RIN 1105-AB34, May 17, 2012, PREA Standards (§115.281 Reserved), 115.282, 115.283	

PURPOSE:

To establish policy in regard to Prison Rape Elimination Act (PREA) related medical and mental health care.

POLICY:

It is policy of the Sixth Judicial District, Department of Correctional Services, to provide a safe, humane, and secure environment, free from the threat of sexual violence and sexual harassment for all offenders, by maintaining a program of education, prevention, detection, response, investigation, prosecution and tracking. The Sixth Judicial District Department of Correctional Services has zero tolerance for sexual violence of any kind.

This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Sixth Judicial District, Department of Correctional Services and is maintained current by the District Director or the Designee.

PROCEDURE:

1. Access to Emergency Medical and Mental Health Services §115.282:
 - A. Offender victims of sexual abuse receives timely, unimpeded access to emergency medical treatment in the community and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
 - B. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders take preliminary steps to protect the victim pursuant to §115.262 and immediately notify appropriate medical and mental health practitioners.
 - C. Offender victims of sexual abuse while incarcerated/in the residential facility are 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.

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PROCEDURE: (continued)

- D. Treatment services are 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.
 - 1) Attorney General's Crime Victim Compensation Fund (1-800-373-5044).
- 2. Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers §115.283:
 - A. Medical and mental health evaluation and, as appropriate, treatment to all offenders who have been victimized by sexual abuse in any prison, jail, lockup or juvenile facility is available in the community.
 - B. The evaluation and treatment of such victims includes, 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. Offender victims of sexually abusive vaginal penetration while incarcerated/in the residential facility are offered pregnancy tests at the hospital.
 - D. If pregnancy results from conduct specified in paragraph (C) of this section, such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services in the community.
 - E. Offender victims of sexual abuse while incarcerated/in the residential facility are offered tests for sexually transmitted infections as medically appropriate.
 - F. Treatment services are 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.
 - G. The facility attempts to conduct a mental health evaluation of all known offender-on-offender abusers within sixty (60) days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

BY ORDER OF:

Bruce Vander Sanden, Director