

	<p>Tennessee Department of Children's Services Protocol for the Prison Rape Elimination Act (PREA) UNIT</p>
	<p>Supplemental to DCS Policy: 18.8, Zero-Tolerance Standards and Guidelines for Sexual Abuse, Sexual Harassment Incidents and Prison Rape Elimination Act (PREA)</p>

Statewide PREA Coordinator (SPC)

The SPC develops, implements, and oversees agency efforts to comply with the PREA standards in all of its facilities and contract providers that meet the PREA requirement. The SPC monitors PREA compliance and provides PREA oversight by ensuring the completion of the responsibilities listed below.

Statewide PREA/SIU Incidents and Investigations:

1. Reviews all screened out referrals by the Child Abuse Hotline (CAH) for sexual abuse and sexual harassment to ensure it does not meet the PREA definition, which would require an investigation to be opened. Consults with the CAH and Special Investigations Unit (SIU) Directors regarding PREA requirements, if violations are noticed.
2. Serves as an authorized reviewer for PREA sexual abuse and sexual harassment investigations conducted by SIU investigators and consults with the SIU Director regarding PREA requirements, if violations are noticed prior to case closure.
3. Ensures [CS-4258, Initial Notification of Sexual Abuse and/or Sexual Harassment Allegation for PREA Facilities](#) is being sent to PREA Facilities by SIU at the opening of each case and tracked by the PREA Unit. Ensures [CS-4232, Investigation Outcome of Allegations of Sexual Abuse/Harassment](#) is being sent to PREA Facilities by SIU at the close of each case and tracked by the PREA Unit.
4. Ensures the PREA Facility Concerns Spreadsheet is being maintained by staff in order to aggregate data regarding trends, concerns, and issues identified through the investigation processes for the purpose of addressing noncompliance, either directly with the facility or through the IPQT process.
5. Tracks the completion of the Specialized PREA Investigator Training required for SIU Investigators and maintains participation rosters, certificates of completion and other documents as evidence for any required internal, state and federal audit.

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Statewide PREA Compliance and Enhancements:

1. Oversees Office of Juvenile Justice (OJJ) PREA monitors within the PREA Unit to ensure the following is completed for TN Department of Children's Services (DCS) PREA residential contract facilities, state operated facilities, and youth detention centers:
 - A. Ensures PREA monitors complete thorough quarterly site visits to confirm facilities are complying with the PREA standards;
 - B. Reviews site visit reports on the Unannounced PREA Site Visit Checklist and on [CS-4242, PREA Site Visit](#) as well as other collected documents;
 - C. Follows-up on any issues, concerns, or recommendations noted from the site visit; and
 - D. Ensures tracking of any major PREA violations reported by monitors.
2. Establishes professional development resources and quality assurance tools for internal and external customers regarding PREA requirements for the TN Department of Children's Services (DCS) to include coaching, training, case investigation reviews, and mentoring. Provides technical assistance to monitors, investigators, facility staff, and others, to include help with understanding policies/standards and how the implementation will impact investigations, youth victims, involved persons, and the agency as a whole.
3. Work closely with JJ Legal Senior Associate Counsel, Office of Criminal Justice Programs, Office of Child Safety, Office of Quality Compliance, and Office of Internal Auditing to identify laws/policies/procedures that may hinder PREA Compliance for the state and work towards making changes in policy and practice to meet PREA Requirements.
4. Assists with addressing all PREA concerns within internal or external governing body audit findings for DCS, to include developing and maintaining reports to help track compliance and analyze meaningful and useable data on a statewide level for PREA.
5. Assists with the development and implementation of all PREA related trainings for all investigators conducting sexual abuse and sexual harassment investigations. Also provides support, consultation, and technical assistance as needed for all applicable agencies and facilities.
6. Submits PREA updates at least monthly to OJJ Leadership, legal, and the PREA Unit for the purpose of highlighting progress and identifying compliance challenges. Reports major PREA concerns to

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the Provider Quality Team (PQT) through submission of a PQT Referral, Licensure, or Program Monitoring and Evaluation (PME), when necessary.

Data Collection:

1. Maintains and enters quarterly data into the Performance Management System for the Bureau of Justice when the PREA Grant is in effect.
2. Maintains a tracking spreadsheet with the outcomes of all PREA investigations and submits as evidence for any required internal, state, and federal audit.
3. Ensures tracking spreadsheets of compliance issues are maintained by monitors to include collaborating with the assigned JJ PREA monitor and agency/facility to correct the identified concerns, staff supervision issues, PREA/policy violations, etc., within the specified timeframe.
4. Maintains and provides data for the annual **Governor's Compliance Report** and the **Survey of Sexual Victimization Reports** for the Bureau of Justice.
5. Maintains the DCS PREA Website page which includes updates on Sexual Abuse and Sexual Harassment statistics as well as the development and posting of the Annual PREA Report.

Wilder's Facility Monitoring Coordinator (FMC)

In addition to completing all responsibilities in the **OJJ DCS PREA Monitor** section, the FMC is also the official PREA Coordinator for the state-owned facility (Wilder).

Wilder Youth Development Center (YDC):

1. The FMC works alongside the PREA Compliance Manager (PCM) at Wilder to prepare for the federal audits, collection of evidence, and to ensure that the facility is in full compliance.
2. Coordinates with the Wilder PCM to conduct site visits every other month and maintains written documentation to gauge compliance and areas of focus for Wilder. Maintains a copy of the bi-monthly report by uploading it to the L: Drive and documents visits on the **PREA Monitoring Spreadsheet**.
3. Provides support to Wilder Leadership and the PCM related to an overall understanding of the PREA process and ensure relative PREA trainings or resources are available as requested by the facility.

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4. Ensures data around staffing patterns are completed as necessary, or at least quarterly, and work with OJJ/Wilder leadership on resolutions to improve ratios relative to PREA standards. These appropriate ratios improve safety of the youth and staff and contribute to compliance with standards.
5. Tracks, maintains, and provides data for the **Survey of Sexual Victimization Juvenile Incident (SSVIJ)** forms for the Bureau of Justice.
6. Ensures the Sexual Abuse Incident Reviews are being held on time for all substantiated and unsubstantiated abuse cases to include the review of documents/outcomes and tracks implementation of recommendations/requirements.
7. Maintains electronic copies of the signed [CS-1045, Staffing Plan Assessment](#) and current **Staffing Plan** at least annually from all PREA agencies/facilities in the state.

OJJ DCS PREA Monitor

Monitors assist with monitoring compliance with PREA requirements for all PREA facilities in TN by ensuring the completion of the responsibilities below:

Facility/Agency Monitoring and Audits:

1. Monitor conducts quarterly PREA Site Visits to the assigned residential contract facilities that meet the correct placement type, PREA confinement definition, and PREA requirement of 51% or more juvenile justice youth. At least one of the four visits must be unannounced. Efforts are to be made to conduct at least one visit with the PME/Licensure monitor if possible. The purpose of these quarterly visits is to ensure facilities are complying with the PREA standards and to address any issues and concerns:
 - A. Prior to going to the facility for scheduled Site Visits and periodically between visits, the monitor engages and advises the PREA compliance manager, facility manager/administrator, and/or superintendent of all PREA documents/forms required per DCS policy/PREA standards.
 - B. Uses form [CS-1045, Staffing Plan Assessment](#) and **PREA Standard 115.313** as a guide to conducting site visits. The monitor requests/collects/reviews pertinent PREA documents identified by DCS SPC and documents viewed as applicable.

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- C. Results of the current scheduled Site Visit and the status of action steps from the prior Site Visits are documented on form [CS-4242, PREA Site Visit](#) and then submitted to the SPC for review prior to submission to the OJJ Leadership.
 - D. Results of current unannounced Site Visit and the status of action steps from the prior Site Visits are documented on the **Unannounced PREA Site Visit Checklist** and then submitted to the SPC for review prior to submission to the OJJ Leadership.
 - E. Provides the PREA facility information as requested by the SPC for the Annual PREA Reports, DCS Website updates, and other auditing bodies.
2. Monitor assists with addressing identified issues from Site Visits and tracks progress:
- A. Follows up on any issues, concerns or recommendations noted from the site visit by collaborating with the agency/facility to correct the identified concerns, staff supervision issues, PREA/policy violations, etc.
 - B. Utilizes the Facility Concerns Tracking Spreadsheet, PME reports, Licensure reports and the SPC PREA Incident Spreadsheet to track and monitor PREA related issues within the facility.
3. When the monitor has findings during their quarterly visits where facilities have failed to make adequate progress toward rectifying previously identified deficiencies, a corrective action document is developed and submitted to the SPC for review. The PREA Unit collaborates with IPQT prior to any issuance of corrective actions or Performance Improvement Plans (IPP) to discuss and determine next steps on how to proceed.
4. Monitor assists with preparing PREA facilities for their federally required audits, when requested or needed:
- A. Conducts an on-site mini mock audit for the agency/facility which would include a review of paper and electronic files and documents, interviews with staff, interviews with residents, and facility tour to evaluate compliance.
 - B. Continuously provides technical assistance and answers questions, as needed, to assist the agency/facility with being in full compliance with PREA.
 - a) If an agency/facility has an identified finding from their federal audit that requires a corrective action, the monitor and SPC work with the agency to help get it corrected.

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5. Monitor assists with the facilitation of all PREA related trainings for PREA facility staff. Also, provides support, consultation, and technical assistance as needed for all assigned agencies and facilities.

6. Monitor assists with overall PREA compliance for the state to include continuously assessing processes, tracking concerns and/or recommendations and reviewing PREA related policies/protocols/practice from assigned facilities for the benefit of supporting safe environments free from sexual abuse/harassment.
 - A. Ensures **PREA Monitoring Spreadsheet** is updated weekly to reflect any scheduled/completed visits, concerns/corrective action plans, facility staff coaching/training, updates regarding compliance, and other tasks/responsibilities completed.

 - B. Participates in scheduled team meetings/trainings with the DCS SPC and team.

 - C. Completes mandatory trainings and additional trainings related to PREA Compliance and Implementation as it's made available

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