

**Bluegrass Career Development Center
December 11, 2014 Operations Manual**

- C. Parenting Classes
- D. Anger Management
- E. Employability Classes

**Institutional Policy and Procedure 26.2
Prison Rape Elimination Act: Reference Corrections Policy and
Procedure 14.7**

POLICY

BCDC will adhere to Corrections Policy and Procedure 14.7 Sexual Abuse Prevention and Intervention Programs.

BCDC has a zero tolerance for any sexual misconduct of any kind between inmates or between inmates and staff.

Any female staff that enters the BCDC restrooms and showers shall knock and announce herself prior to entering these areas each time. Any female who enters the dorm area shall announce that a female is on the floor to give all residents notice of the opposite genders presence.

BCDC staff who receive a report from a resident of any type of sexual misconduct concerning residents or staff shall immediately notify the Administrative Staff. Administrative Staff shall refer the allegations in writing to the BCDC PREA Investigator. Under no circumstances shall any BCDC staff attempt to investigate allegations of sexual misconduct by inmates or staff.

Any report received from a resident of sexual misconduct which may have occurred at the residents sending facility shall be documented. The Director shall notify the sending facilities Warden or Director within 72 hours of receiving the information. The information shall be documented and retained that the information was provided to the Facility in question. Any staff member found to be in violation of PREA Standards which has been substantiated shall be reported to Relevant Licensing Agencies. BCDC shall ensure that all allegations of sexual harassment and sexual abuse shall be referred for administrative or criminal investigations. All allegations involving criminal conduct shall be referred to the Kentucky State Police.

No staff member or resident shall be retaliated against in any form for reporting sexual harassment, abuse, or cooperating with sexual allegation investigations. Administrative staff shall have the responsibility of monitoring and enforcing this directive for a period of 90 days following an allegation by a resident or staff member. Administrative staff shall complete the

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Sexual Allegation Monitoring Form following the 90 days or prior if the need arises. The monitoring shall exceed the 90 days if there is sufficient evidence to mandate the extension.

I. Training:

- A.** All BCDC staff shall receive PREA Training as required by 28 C.F.R. 115.31 annually. Training is in accordance with C.P.P. 14.7.
- B.** As required by 28 C.F.R. 115.31 all Volunteers and Community Work Supervisors receive annual training in accordance with C.P.P. 14.7.
- C.** 28 C.F.R. 115.34 - 28 CFR 115.71- The Facility Director or Facility Manager shall conduct all PREA Investigations.
- D.** BCDC Health Care Providers has received training in accordance with Standard 28. C.F.R. 115.35 . Training documentation is on file for all staff, volunteers, and contractors.
- E.** BCDC inmates may receive support and counseling services from:
Bluegrass.org/Madison County 415 Gibson Ln. Richmond Ky. 40475
Phone: 859-623-9367 – 24 hour access hotline 1-800-928-8000
- F.** All BCDC residents who may become victims of sexual abuse shall have access to Baptist Health forensic medical staff (SANE NURSES) in Richmond Ky. at no cost to the residents.
- G.** Per Standard 28 C.F.R. 115.33 all residents shall receive an inmate handbook upon intake which addresses BCDC stance on sexual abuse of zero tolerance policy. Information provided educates inmates of the processes that may be taken to inform staff of any and all violations concerning sexual abuse and how this information may be relayed. Inmates shall be verbally addressed concerning this process upon intake. Each Tuesday at 9:15 p.m. the PREA Training video shall be played throughout the facility which addresses the prevention of sexual abuse, self-protection, and receiving treatment and counseling. The video also addresses their rights to be free from sexual abuse, harassment, and retaliation for reporting incidents which may occur.
- H.** BCDC has posters placed throughout the facility which addresses Sexual abuse. BCDC has information concerning sexual abuse written in large print, video and audio, and in (Braille) for individuals who may be visually impaired. BCDC also has information written in (Spanish) and has an interpreter on an as needed basis. Translator information is within the PREA Container. All information shall be available to inmates at all times by request and shall be published on the BCDC Website.

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- I. The BCDC Counselor shall conduct a Risk Assessment within 72 hours of intake and shall be reassessed 30 days from intake date. This process shall be documented within the Kentucky Offender Management System.

II. Evidence Collection:

- A. BCDC shall utilize a PREA evidence collection kit which shall be located within the Monitors' Station. The kit shall have the following items within:
 1. Paper bags for clothing collection in which each item shall be placed in separate bags tagged with name, number, date, time, identity of item, and a completed chain of evidence form attached.
 2. Clean white sheets shall be used to have inmates stand on while they undress for collection. Upon completion the sheet is to be placed in a paper bag with the same info as in no #1.
 3. Paper Gowns will be used when appropriate.
 4. Chain of evidence forms will be used appropriately and placed on each item followed by an Incident Report.
 5. Section one of the Sexual Offense Allegations Reporting Form shall be completed. Section Two shall be completed by the PREA Investigator.
 6. Copy of C.P.P. 14.7 Sexual Abuse Prevention Policy.
 7. PPE equipment
 8. Paper tape
 9. Containment tape to seal off crime scene areas if required.
 10. Digital camera also available at all times within staff office.
 11. All forms and policies shall be within the PREA Evidence Collection Kit.

III. Sexual Allegation Procedure IPP 26.2

- A. If a sexual allegation complaint is received by a staff member that a resident has been abused in any way staff will immediately place the resident in the conference room under video surveillance behind a locked door. The alleged perpetrator shall be placed in the Food Service Office with a staff member maintaining constant supervision.
- B. Staff shall immediately notify Administrative staff once the residents have been separated. Administrative Staff will begin the process of determining the plan of action for BCDC. Administrative staff will begin the notification process to have the residents transferred and or transported to Baptist Health in Richmond Ky. The State CSC Coordinator, Parole Officer, Facility Director, and the BCDC PREA Investigator shall be immediately notified.
- C. Administrative staff shall begin calling in additional BCDC Staff to assist with the situation and to return the facility to normal operations as soon as possible.

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- D. **The** On-Duty staff member will then begin securing any possible crime scene, evacuating an area, gathering evidence, taking photos, securing property and maintaining pertinent documentation until additional staff arrive. The PREA Kit within the Monitors Station shall be utilized as needed to assist staff.

Staff Training and Awareness of Transgender and Intersex Population.

1. All new employees shall receive familiarity training related to the transgender and intersex population during PREA training.
2. The BCDC shall include transgender and intersex population awareness training during the yearly PREA training.
3. The BCDC shall provide training to security staff about how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates.
4. All volunteers and contractors who have contact with inmates shall also be familiar with their responsibilities regarding transgender and intersex populations in accordance with BCDC policies.

Showers

1. Transgender and intersex inmates shall be given the opportunity to shower privately from other inmates.
2. Transgender and intersex inmates shall be given as much privacy as possible without jeopardizing the safety of the inmate and the safety and security of the institution during the shower periods.
3. BCDC staff shall conduct themselves in a professional manner when interacting with the inmates during this process.

Searches

1. BCDC staff shall not search or physically examine transgender or intersex inmates for the sole purpose of determining their genital status. As noted in PREA Standard 28 C.F.R. 115.15(e), if an inmate's genital status is unknown, BCDC may determine it through conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.
2. Security staff shall conduct these searches in a professional and respectful manner; in the least intrusive manner possible, and consistent with security needs.