

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 410.50.04	Page 1 of 6
	Original Effective Date: 10/18/21	New Effective Date: 10/15/24
	Supersedes: N/A	Dated: 10/18/21
	Administrator's Approval: Sarah Cooper, Administrator – 09/27/24	
	Required Posting or Restricted:	
<input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 410 Prison Rape Elimination Act		
Subject: Support Services and Retaliation Monitoring		

POLICY

The Division of Adult Institutions shall provide support services and retaliation monitoring to all alleged PIOC victims of sexual abuse.

REFERENCES

34 U.S.C. §30301. Prison Rape Elimination Act of 2003

28 C.F.R § Part 115, et seq. National Standards to Prevent, Detect and Respond to Prison Rape

Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)

DAI Policy 410.50.01 – Sexual Abuse Incident Review

DEFINITIONS, ACRONYMS AND FORMS

DOC-2767 – Sexual Abuse Incident Victim Support Contact Checklist

HSU – Health Services Unit

PCM – PREA Compliance Manager

PIOC – Persons in Our Care

POC-0041B – Sexual Abuse in Confinement: A Resource for Offenders

POC-103 – Victim Accompaniment Guide

POC-104 – Victim Services Coordinator Reference Guide

PREA - Prison Rape Elimination Act

PSU – Psychological Services Unit

Retaliation – Deliberately harming someone because that person did or said something, or is believed to have engaged in an act that is deemed hurtful by another person. Includes threats of, or actual, physical, financial, emotional, occupational, and/or reputational harm after an individual reports an incident of sexual abuse. Accusing someone of things they have not done with the intent of causing harm to the other person and the limitation or removal of work, programming, housing status (i.e.

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specialized or privileged housing placements), or services by a staff member after an individual reports an incident of sexual abuse is also classified as retaliation.

Sexual Abuse - Reference Executive Directive 72 for complete definition.

Sexual Abuse Review Team – A facility-based, multidisciplinary group tasked with reviewing substantiated and unsubstantiated allegations of sexual abuse. Members to include those identified in DAI Policy 410.50.01.

Sexual Assault Response Team – Multidisciplinary collaborative of professionals who coordinate a community-wide approach to navigating systemic processes following an experience of sexual assault and who are, more broadly, tasked with ending sexual violence.

Sexual Assault Service Provider (SASP) - A community based agency or person who provides support, advocacy and information to victims of sexual assault and their families.

Sexual Harassment - Reference Executive Directive 72 for complete definition.

SINC - Sensitive Information Network Communication. Wisconsin Department of Correction's sexual abuse and sexual harassment allegation and investigation tracking database.

Substantiated – An allegation that was investigated and determined to have occurred.

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

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

VSC – Victim Services Coordinator

FACILITY PROCEDURE

I. General

- A. Each facility shall identify a primary and back-up staff member to serve as the facility's VSC. Reassignment of either role shall be discussed with the PREA Office.
- B. The PREA Office shall be responsible for providing orientation to VSCs.
- C. External support provided to an alleged victim following an experience of sexual abuse shall be guided by a facility-specific Memorandum of Understanding between DOC and the SASP.

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- D. For every alleged victim of sexual abuse, the VSC is tasked with the following responsibilities, which are described in greater detail below: victim accompaniment, facilitating support services and monitoring for retaliation.
- E. At the same time the alleged sexual abuse incident is assigned an investigator(s), the VSC shall be notified of the victim's identity via a SINC notification.
- F. All contact, including attempts, with an alleged victim shall be documented on DOC-2767 via SINC.
- G. The VSC shall be notified of the outcome (i.e. substantiated, unsubstantiated, or unfounded) via SINC notification at the close of the investigation.
- H. The VSC may discontinue services if the allegation is deemed unfounded.
- I. The VSC is responsible for tracking and managing their queue in SINC, which includes timely data entry, transferring files and/or closing files.
- J. If an alleged victim transfers to another DOC facility, the VSC shall notify the receiving VSC of their arrival and current or remaining support service needs. The obligation to provide support services shall end if the alleged victim leaves DAI custody.
- K. When working with an alleged victim, the VSC shall maintain an appropriate degree of confidentiality at all times. Apart from discussing with designated supervisors, staff may not reveal any information related to a sexual abuse incident to anyone other than to the extent necessary to make treatment, investigation and other security and management decisions.
- L. The VSC shall immediately report concerns of an imminent safety or security risk expressed by the alleged victim to the appropriate security staff and PSU clinician(s).
- M. Upon request of the Warden/designee or PCM, the VSC shall participate on the facility's sexual abuse incident review team and/or community's sexual assault response team.
- N. The VSC shall use POC-104 as a resource to guide their services.

II. Victim Accompaniment

- A. The VSC shall provide victim accompaniment, in the following ways, only in the event an advocate from a SASP is unable.

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1. As requested by the victim, the VSC shall accompany and support the victim during a sexual assault nurse examiner (SANE) examination and investigatory interviews.
2. As requested by the victim, the VSC shall provide emotional support, crisis intervention, information and referrals.

B. Accompaniment shall be provided in accordance with POC-103.

III. Support Services

- A. Upon notification of an alleged sexual abuse victim, the VSC shall meet with the alleged victim as soon as possible to offer internal and external support services.
- B. If the alleged victim accepts offered services, the VSC shall refer to internal supports (i.e. PSU, HSU, Chaplain, etc.) and/or facilitate contact with the local SASP.
 1. The SASP may meet with the alleged victim via telephone, videoconferencing or in person. In person SASP visits shall be managed as all other professional visits within a correctional facility and shall be held in the same location, or equivalent, as attorney visits to ensure confidentiality.
 2. Prior to any SASP contact, the VSC shall inform the alleged victim of the extent to which communication with the SASP may be monitored. At minimum, this shall include repeating the notice at the bottom of POC-0041B, which is distributed to all PIOC upon admission. Additional measures to monitor communication shall be communicated to the alleged victim.
 3. The VSC shall serve as the SASPs facility-based point of contact and shall coordinate all contact between the SASP and alleged victim. The VSC shall ensure the SASP has proper clearance to enter the facility.
 4. Following an investigation, if the incident is determined unfounded, the VSC may discontinue support services. If the incident is determined unsubstantiated or substantiated, the VSC shall periodically review the need for continued support with the alleged victim, SASP, internal support providers and PCM, as needed.
- C. During periodic retaliation monitoring status checks described below, the VSC shall ask the alleged victim about the individual's perceived degree of wellness. Support services shall be modified, as needed.
- D. If the alleged victim declines support services initially, but requests support at a later date, the VSC shall make accommodations.

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IV. Retaliation Monitoring

- A. Following a report of sexual abuse, the VSC shall monitor the conduct and treatment of the reporter and alleged victim once every 30 days for at least 90 days. Monitoring efforts shall continue beyond 90 days if there is a continuing need (e.g. alleged victim expresses continued concern). If the report is determined to be unfounded, efforts to monitor retaliation may be discontinued.
- B. In addition to monthly face-to-face, private conversations with the reporter and victim, items to monitor include any PIOC disciplinary reports, housing or program changes.
- C. The VSC shall work with appropriate supervisors to promptly remedy retaliation concerns and document actions taken.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
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Chapter: 410 Prison Rape Elimination Act		
Subject: Support Services and Retaliation Monitoring		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS AND FORMS

FACILITY PROCEDURE

V.

- A.
- B.
 - 1.
 - 2.
 - a.
 - b.
 - c.
 - 3.
- C.

VI.

VII.

RESPONSIBILITY

- I. Staff
- II. PIOC
- III. Other