



**Volunteers of America<sup>®</sup>**

*There are no limits to caring.<sup>®</sup>*

Volunteers of America, Puerto Rico, Inc. - Residential Reentry Center - Casa Alborada  
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## Prison Rape Elimination Act (PREA) Program

# Policy & Procedure Manual

Reviewed by:

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Facility Director

07/10/2024  
Date

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Dr. Jerry C. Martinez  
QI/PREA/ACA Coordinator

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09/01/2024  
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## **POLICY AND PURPOSE**

The Volunteers of America Puerto Rico (VOAPR) Residential Reentry Center – Casa Alborada, from here on (RRC Casa Alborada) as a community correctional facility promotes sexual safety and it is committed to the zero tolerance towards sexual abuse and sexual harassment through the implementation of policies and procedures to prevent, detect, respond and eliminate such conduct.

RRC Casa Alborada is committed to ensure a safety environment free from retaliation, with complete access to community support services and effective methods to report and address any incident of sexual abuse or sexual harassment.

RRC Casa Alborada’s major priority and ongoing focus is to meet the objectives set forth within the Prison Rape Elimination Act (PREA) of 2003 and embrace the standards set forth by the National Prison Rape Elimination Commission and the American Correctional Association (ACA), as well as its user agencies.

## **MISSION AND VISION**

***Mission:*** RRC Casa Alborada is committed to serve federal adults in custody (males and females) in their reentry process using evidence-based practices models and community services support. Our commitment is to provide the quality of our services through team work and the promotion of the human dignity.

***Vision:*** Maintain the accreditations of the Prison Rape Elimination Act Program and the American Correctional Association Program and continue to be a leader organization in the eradication of recidivism of the population we serve.

## **FACILITY CHARACTERISTICS**

RRC Casa Alborada is located in one building with the designated capacity of **110** residents. The facility holds male and female residents (inmates) from the Federal Bureau of Prisons, from here on FBOP, and the United States Probation Office from the District of Puerto Rico, from here on USPO. The building has six floors. The housing units are located on the second (female housing unit), third, fourth and fifth floors (male housing units) with eleven open bay/dorm sections, including an office for one Case Manager per housing unit.

On the first floor you have the Control Center, staffed 24 hours a day, 7 days a week by male and female staff. A multipurpose dining area and administrative offices for the Deputy Director, Senior Resident Monitor, Human Resources/Business Manager and two Case Managers. In addition, it has a single cell room for a handicap resident with restroom facilities, when not in use for PREA purposes it is used for isolation and/or security purposes.

The sixth floor has a meeting conference area and administrative offices for the QI/PREA/ACA Coordinator, one Case Manager, two Employment Placement Specialists and the Facility Director.

RRC Casa Alborada's WEBSITE: <https://voapr.affiliate-master.bytejam.dev/>  
Email address: [prea@voapr.org](mailto:prea@voapr.org)

## PROCEDURES

### A. PREVENTION PLANNING

#### **Zero Tolerance of Sexual Abuse and Sexual Harassment. (115.211)**

RRC Casa Alborada is committed to having ZERO tolerance toward all forms of sexual abuse and sexual harassment through prevention, detection, and responding to such conduct and in doing so; it is the policy of RRC Casa Alborada to:

1. Provide training to staff, volunteers/students, contractors, and residents.
2. Provide guidelines to help prevent sexual abuse and sexual harassment.
3. Address the safety and treatment needs of resident victims of sexual abuse and sexual harassment.
4. Investigate and document all incidents involving sexual abuse and sexual harassment.
5. Discipline and/or terminate those found in violation of RRC Casa Alborada's rules and regulations, policies, PREA Regulation, Code of Ethics, Puerto Rico local, state, and/or federal laws or statutes regarding sexual abuse and sexual harassment.
6. Create an atmosphere of zero tolerance concerning sexual abuse and sexual harassment.
7. Sexual conduct between staff and residents; volunteers/students, contractors, and residents, regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions.

#### **PREA Coordinator. (115.211)**

The Chief Executive Officer (CEO) of VOAPR RRC Casa Alborada will appoint a PREA Coordinator for the facility, with sufficient time and authority to develop, implement, and oversee RRC Casa Alborada's efforts to comply with the PREA standards.

Dr. Jerry C. Martinez, was appointed the PREA Coordinator on *March 4, 2016*.

**Attachment 1: PREA Coordinator Appointment Letter**  
**Attachment 2: Staffing Plan/Organizational Chart**  
**Attachment 36: PREA Coordinator Position Description**

#### **Contracting with other entities for the confinement of residents. (115.212)**

RRC Casa Alborada is responsible for the confinement of inmates (residents) through an awarded contract with the Federal Bureau of Prisons (FBOP). This contract includes inmates from the BOP, and it includes former inmates from the U.S. Probation Office (USPO) of the District of Puerto Rico. As part of the contractual agreement, RRC Casa Alborada is committed to adopt and comply with the PREA standards.

## Attachment 53: Statement of Work RRC Casa Alborada

### **Supervision and monitoring. (115.213)**

RRC Casa Alborada will develop and implement a staffing plan that provides adequate levels of staffing to protect residents against sexual abuse.

The Facility Director will ensure the staffing plan is followed and that key staff is accessible to residents to assist the residents with their reentry and programming. In addition, they are in a safe environment free of sexual abuse and sexual harassment.

At least annually, the Facility Director will coordinate a yearly meeting with the administration staff, to include the QI/ACA/PREA Coordinator. During the yearly meeting, the following areas will be reviewed for the upcoming year:

1. Staffing plan,
  - a. During the review it will ensure the residents have an appropriate level of access to key staff (Case Managers and the Employment Placement Specialists).
  - b. The Resident Monitor schedule will include Female shift assignments,
  - c. The RRC Casa Alborada is a co-ed program housing both male and female offenders in a six-floor building.
  - d. Male residents may not have access to the female floor and the fraternization between them is prohibited.
  - e. Staff will be accessible to residents seven days a week, morning, afternoon, and night shifts to assist in the resident's reentry and programming.
  - f. The number of the staff will be in accordance with the number of the offenders residing in the facility but will include at least one female and one male dedicated to the supervision of the offenders.
  - g. In emergencies, deployed staff have handheld radios to maintain communication and alert others about any incident, including sexual abuse or sexual harassment.
  - h. Any staff changes to the Resident Monitor schedule must keep this requirement in mind. If a female Resident Monitor requests a schedule change, the scheduling change can only be approved if at least one female Resident Monitor remains on duty.
2. Video monitoring program for the upcoming year.
  - a. All components of RRC Casa Alborada's physical plant (including "blind spots" or areas where staff or residents may be isolated).
  - b. The composition of the resident population.
  - c. Programs occurring on a particular shift.
  - d. Any findings of inadequacy from internal or external oversight bodies.
  - e. Findings and recommendations of sexual abuse incident review reports or other findings reflecting on facility security and resident safety.
  - f. Length of time residents spend in the facility.
  - g. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and

h. Other relevant factors.

Video monitoring will be available in every floor of the Center.

The Facility Director, Deputy Director and Senior Resident Monitor has access to these cameras and remote viewing capabilities. Resident Monitors stationed in the Control Room also have access to the video feed throughout the facility. Access to the video is limited to only RRC Casa Alborada staff.

An annual report will be prepared by the PREA Coordinator through the Facility Director/ Business Manager. The annual report should state if the staffing plan is adequate and provides a safe environment free of sexual abuse and sexual harassment for inmates and staff. A copy will be provided for the PREA and ACA files.

The established and approved staffing plan will not be altered without consultation with the CEO VOAPR.

The Resident Monitors will make unannounced rounds to identify and deter staff sexual abuse and sexual harassment. The rounds are completed on all three shifts. RRC Casa Alborada staff are prohibited from alerting other staff members that unannounced rounds are occurring. The rounds are documented in the daily shift log in the database SecureManage system.

Attachment 2: Staffing Plan/Organizational Chart

Attachment 3: Shift Assignment (Resident Monitor & Case Managers)

Attachment 4: Video Monitoring Program (2023/2024 Bi-annual review)

Attachment 5: Annual PREA Report

Attachment 40: Staff Roster

Attachment 45: Maintenance of the Video Monitoring Program

### **Limits to Cross Gender Viewing and Searches. (115.215)**

RRC Casa Alborada will limit the cross-gender viewing and search.

The Facility Director will ensure that no cross-gender strip searches or visual body cavity searches are conducted in RRC Casa Alborada and that pat searches are conducted by staff of the same gender as the resident is being searched.

1. Strip searches and visual body cavity searches of any resident are prohibited.
2. Resident Monitors of the same sex will conduct daily rounds and counts. If needed, staff of the opposite sex will make the daily rounds and counts, announcing their presence when entering to the residents housing units.
3. The handicapped accessible room with a private shower, located on the first floor of the building will be available for cross-gender residents or other situations when a resident may need closer supervision or housing separation from the general population.
4. RRC Casa Alborada will not restrict female residents from access to regularly available programming at the facility or other outside community activities to comply with this provision.

5. In the event of exigent circumstances, RRC Casa Alborada will document all cross-gender strip searches, cross-gender visual body cavity searches, and will document all cross-gender pat-down searches of female residents.
6. The documentation will be included in the daily shift log in the database SecureManage system. Notification in writing will be provided to the PREA Coordinator and the Facility Director.
7. Residents are provided with a reasonably private bathing and restroom environment in accordance with safety and security needs. All residents are allowed to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing their breasts, buttocks, or genitalia.
8. To protect the privacy of residents during instances of showering, undressing, or performing bodily functions, staff of the opposite gender will announce their presence when entering a resident housing unit. If a Case Manager of the opposite gender is assigned to the housing unit, he/she will announce their presence each time they enter the housing unit.
9. RRC Casa Alborada does not conduct cross-gender pat-down searches, and searches of transgender and intersex residents, unless there is an extreme circumstance and it is authorized by the FBOP Residential Reentry Manager (RRM).
10. RRC Casa Alborada will not search or physically examine a transgender or intersex resident for the sole purpose of determining the resident's genital status. If a resident's genital status is unknown, it may be determined during conversations with the resident, by reviewing medical records, or if necessary, by learning that information as part of a broader medical examination conducted in private by a contract medical practitioner.
11. The agency shall train security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex residents, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Attachment 41: 2023 Memo from Director Cross Gender Viewing & Searches  
Attachment 41: 2024 Memo from Director Cross Gender Viewing & Searches

### **Residents with Disabilities and Limited English Proficiency. (115.216)**

RRC Casa Alborada will ensure that residents with disabilities and residents who are limited in English/Spanish proficient have an equal opportunity to participate in or benefit from all aspects of the agency's effort to prevent, detect and respond to sexual abuse and sexual harassment.

1. Residents with disabilities and limited in English/Spanish will be integrated into all programs, services, and activities.
2. Residents will be provided an orientation packet of materials within 3-5 days of arrival. The written materials will be provided in English and Spanish, and a staff member is available to assist them in understanding the content if a literacy problem exists.
3. The Facility Director will ensure that staff members are bilingual in Spanish/English to provide quality services and assistance to the residents.

4. Residents will receive assistance from staff interpreters, telephonic interpreters, videos, use of written materials, etc. to ensure that they understand the information being provided.
5. RRC Casa Alborada has two Case Managers on board with Master's in Counseling in Rehabilitation from the University of Puerto Rico. Casa Alborada also has an MOU for students from the Master's in Counseling in Rehabilitation Program to provide services as needed and for them to complete their volunteer, practicum, and internship at Casa Alborada. In addition, we have a working relationship with the Administration of Vocational Rehabilitation to ensure the availability of a professional interpreter for a victim with disabilities of sexual assault and sexual abuse.
6. RRC Casa Alborada also has two Case Managers on board with Master's in Clinical Social Work from the University Ana G. Mendez and Interamerican University. Casa Alborada also has an MOU for students from the Master's in Clinical Social Work Program to provide services as needed and for them to complete their volunteer, practicum, and internship at Casa Alborada.

RRC Casa Alborada will not rely upon resident interpreters, resident readers, or other types of residents for staff safety. The performance of the first responder duties will provide information to the allegation.

#### **Attachment 6: PREA Resources Directory (Resources, Bilingual Staff, Professional Staff)**

#### **Hiring and promotion decisions. (115.217)**

RRC Casa Alborada will not hire or promote anyone who may have had inappropriate contact with residents and will not enlist the services of any contractor, interns and volunteers who may have engaged in any incident of sexual abuse or sexual harassment.

The Facility Director in assistance with the Human Resource/Business Manager will ensure that all new employees, contractors, students, and volunteers who may have contact with residents, have not been convicted or engaged in sexual abuse and or sexual harassment. In instance of a promotion, the Facility Director will ensure that the employee has not been convicted or engaged in any sexual misconduct or inappropriate behavior.

RRC Casa Alborada will provide a safe and secure environment, free from the threat of sexual abuse and sexual harassment for all residents, employees, prospective employees, contractors, students, and volunteers.

1. RRC Casa Alborada has ZERO tolerance for sexual violence, sexual abuse, or sexual harassment of any kind.
2. The Facility Director will ensure all prospective employees, students, volunteers and contractors (Magic Kitchen) that will provide daily service at the facility, are submitted for a criminal background record check prior to working with federal residents.
3. If a volunteer or contractor who provide services in community corrections contract facilities, such as RRC Casa Alborada, under the direct observation and supervision and of paid contract, employees do not need to undergo any background checks.
4. The PREA Coordinator will provide PREA training to all staff, students, volunteers



and contractors.

5. The training will include the PREA Law, Mission, Definitions of sexual abuse and sexual harassment, reporting procedures, repercussions, self-declaration, certification of receiving, understanding and opportunities to ask questions about the training.
6. RRC Casa Alborada will conduct a criminal background check every five years on current employees who may have contact with residents. Employees have an affirmative duty to disclose any misconduct as identified in the Employee Standards of Conduct.
7. For new hires, contractors (Magic Kitchen), students and volunteers, RRC Casa Alborada will include in written applications or interviews inquiries about a current or previous sexual misconduct, sexual harassment, or inappropriate behavior.
8. For in-house promotions, RRC Casa Alborada will include in job interviews inquiries about a current or previous sexual misconduct, sexual harassment, or inappropriate behavior.
9. Omissions regarding current or previous sexual misconduct, conviction, civil or administrative adjudications, which become known after hiring or promotion will be grounds for termination.
10. RRC Casa Alborada will provide information on sustained allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer as part of the application process, provided the law does not prohibit the dissemination of the information.
11. All staff at RRC Casa Alborada being considered for promotion, will provide a Puerto Rico (P.R.) Good Conduct certificate, and will complete the self-reporting PREA form that includes the following questions:
  - a. I have not engaged in sexual abuse activities,
  - b. I have not been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse,
  - c. I have not been civilly or administratively adjudicated to have engaged in the activity described in statement a and b of this section.
  - d. I have not committed, been accused or been convicted of sexual violence, sexual abuse, and/or sexual harassment.
12. The Human Resources/Business Manager will be responsible for the safekeeping of the all the employee, volunteers, students, contractor's files.

Attachment 7: Memorandum – New Hires New Promotions Staff

Attachment 37: Memorandum – New Contract Staff (Magic Kitchen)

Attachment 38: Memorandum – 5 Year Background Investigation - Staff

Attachment 40: 2024 Staff Roster

Attachment 42: Memorandum – New Volunteers Students

Attachment 44: Self-reporting PREA Form (Promotions)

## **Upgrades to Physical Plant and Technologies. (115.218)**

1. Currently at RRC Casa Alborada, there are **33** cameras as part of the Video Surveillance Program. Prior to any substantial expansion or modification of the physical plant, the Facility Director with the PREA Coordinator will consider the effects of the expansion or modification on the ability to protect residents from sexual abuse.
2. Whenever necessary, but no less frequently than once each year, the Deputy Director and the PREA Coordinator conducts a PREA assessment of the facility to identify blind spots and/or areas that can be improved. The assessment includes a review floor by floor (6 floors) including the rooftop and the basement.
3. RRC Casa Alborada's deployment, upgrades, and maintenance of video monitoring systems (video surveillance program) and other monitoring technologies; and
4. The compliance of physical plant and technologies will be included in the yearly report for the Facility Director, CEO of VOAPR and the FBOP RRM.

Attachment 4: Video Monitoring Program

Attachment 5: Annual PREA Report

Attachment 45: Maintenance of the Video Monitoring Program

## **B. RESPONSIVE PLANNING**

### **Evidence protocol and forensic medical examinations. (115.221)**

RRC Casa Alborada is committed to operating a safe and secure facility through promoting ZERO tolerance towards sexual abuse and harassment. All instances of sexual abuse or harassment will be referred to the appropriate authorities (P.R. Police Department and Federal Bureau of Prisons) for investigation and victims will be afforded all available support and resources at the facility and in the community.

To ensure the collection and preservation of evidence from any crime scene, including the scene of a sexual assault or sexual abuse, the Facility Director will ensure staff understand their roles regarding intervening in a sexual assault, collecting incident information, securing the scene, and providing access to a full range of support services to the victim(s).

Upon their arrival at the scene of a sexual assault, first responder(s) are defined as the staff member(s) who initially arrive and responds to a disclosure of a sexual abuse event and will provide support and protection to the victim by:

1. Assessing the situation to ensure that it is safe to intervene.
2. Separating the resident victim(s) and the alleged perpetrator(s) to prevent further harm or injury.
3. Secure the scene through ordering all residents and staff not involved directly in the incident to remove themselves from the area after identifying all residents and staff in the areas as possible witnesses or possibly abettors. The residents not involved in the incident will report to the first floor.

- a. Ensure any physical evidence at the scene remains secure and undisturbed for examination by law enforcement investigators.
4. Inform the resident victim(s) about the staff's role, including obtaining basic information to support an investigation.
5. Resident victims of sexual assault or any resident who reports being the victim of a sexual assault will be afforded emergency medical and mental health treatment in accordance with procedures identified in RRC Casa Alborada VOARRCPR Policy 4C-03 Emergency Medical, Dental and Mental Health Care, to ensure the resident has access to twenty-four-hour emergency medical, and mental health care.
6. The staff will contact the 911 system for ambulance services and provide emergency first aid in preparation for transfer to Pavia Hospital, Doctor's Center Hospital or Presbyterian Hospital for medical treatment and any forensic examination needed. Staff will inform the paramedics of the resident's condition and relevant medical history.
7. This information is documented in the daily shift log in the database SecureManage system.
8. The health care professionals at Pavia Hospital, Doctor's Center Hospital or Presbyterian Hospital will be responsible for collecting and preserving any forensic evidence for the law enforcement investigators.
9. RRC Casa Alborada will provide emergency and follow up medical treatment and/or mental health counseling services at no cost to the resident victim, including on-going treatment(s) as approved by the FBOP RRM or USPO.
10. RRC Casa Alborada established contact with several Rape Crisis Centers in Puerto Rico, including the Puerto Rico Rape Center "Centro de Ayuda a Víctimas de Violación (CAVV)", tel. (787) 765-2285 (24 hours a day/7 day a week) located at Puerto Rico 1, San Juan, PR 00918, to ensure a continuum of community services will remain available to the victim of sexual assault and sexual abuse. See the PREA Resource Directory.
11. The PREA Coordinator will identify a team of victim advocate, qualified community-based organization staff and qualified staff members at Casa Alborada.

As requested by the resident victim, the victim advocate, or a qualified community-based organization staff member and a qualified staff member at Casa Alborada will accompany and support the resident victim through the forensic medical examination process and investigatory interviews and will provide emotional support, information, crisis intervention, and referrals as needed.

1. RRC Casa Alborada is not responsible for investigating allegations of sexual abuse or sexual harassment. The Facility Director will contact the FBOP RRM or USPO and request authorization for the PREA Coordinator to complete a fact-finding preliminary assessment of the incident. Depending on the outcome of the assessment the FBOP RRM can initiate an administrative and if needed a criminal investigation.
2. As part of the hospital's protocol, they will contact the Puerto Rico Police Department, report the incident, and complete an investigation.

Attachment 6: PREA Resources Directory

Attachment 8: Preliminary Assessment Form

Attachment 32: BOP Medical and Mental Services Coverage

**Policies to ensure referrals of allegations for investigation. 115.222**

RRC Casa Alborada is committed to operating a safe and secure facility through promoting an environment of zero tolerance of sexual abuse and sexual harassment. All instances of sexual abuse or sexual harassment will be referred to the appropriate authorities for investigation and victims will be afforded all available support and resources at RRC Casa Alborada and in the community.

All instances of sexual assault, sexual misconduct or inappropriate behavior must be documented and immediately reported to supervisory staff or directly to the Facility Director. The Facility Director will ensure notifications are made to the BOP RRM, CEO VOAPR, USPO, local Law Enforcement authorities, and the PREA Coordinator.

After initial reporting of the incident, the FBOP RRM will direct the next appropriate actions to be carried out. RRC Casa Alborada staff will complete a fact-finding Preliminary Assessment to validate the allegation.

In the instance of Sexual Misconduct or Inappropriate Behavior,

1. Upon notification of any alleged allegation of sexual misconduct or inappropriate sexual behavior of staff or residents, the Facility Director will seek direction from the FBOP RRM on what is to be the appropriate actions to be carried out. As specified in the BOP contract, no investigation will be conducted by RRC Casa Alborada staff without specific direction from the FBOP RRM.
2. The PREA Coordinator will also be informed and will complete a fact-finding preliminary assessment and prepare a report (email) for the Facility Director.
3. If the alleged allegation is not valid, the PREA Coordinator will counsel and review the PREA program with the residents or staff involved. The Facility Director will send the report with the fact-findings to the FBOP RRM.
4. If the alleged allegation is valid, the Facility Director will immediately report the allegation and the PREA Coordinator’s fact-finding report to the FBOP RRM, local Law Enforcement authorities (as appropriate), the CEO VOAPR and the PREA Coordinator.
5. The PREA Coordinator will create a “Preliminary Assessment Summary”. The summary will be by calendar year and reviewed at the PREA training with line staff and at the PREA yearly meeting with management. The summary form will have the date of the incident, resident reporting alleged incident, gender, incident and fact-finding summary and conclusion of validated or non-validated.

Instances of Sexual Assault,

1. Upon notification (report or observation) of any alleged sexual assault of a staff member or resident, the witnessing staff member will report the incident

- through their chain of command (immediate supervisor or on-call-staff) to the Facility Director. The report will occur after separating the victim and assailant(s), securing the scene, and summoning emergency services if needed.
2. The Facility Director will immediately report the allegation to local law enforcement (if not previously reported by staff), to the FBOP RRM, the CEO VOAPR and PREA Coordinator.
  3. Once reported to the FBOP RRM, criminal allegations are ordinarily referred by the FBOP RRM to the Department of Justice, Office of Inspector General.
  4. The Facility Director will ensure the FBOP RRM is routinely informed of the results/status of any on-going local law enforcement investigation of sexual assault or sexual abuse within RRC Casa Alborada.
  5. The PREA Coordinator will create a “Sexual Assault Summary”. The summary will be by calendar year and reviewed at the PREA training with line staff and at the PREA yearly meeting with management. The summary form will have the date of the incident, resident reporting alleged incident, gender, incident, referral information and updates as received by FBOP RRM, USPO or local law enforcement.

Attachment 6: PREA Resources Directory

Attachment 8: Preliminary Assessment Form

Attachment 46: Memorandum of Understanding – Puerto Rico Police Department

Attachment 47: 2023/2024 Sexual Assault Summary

Attachment 48: Sexual Assault Protocols Pavia Hospital

Attachment 49: RRC Casa Alborada’s Responsive Plan

## **C. TRAINING AND EDUCATION**

### **Employee Training. (115.231)**

RRC Casa Alborada supports the development of staff through a thorough orientation program and on-going staff training. The Facility Director will ensure all new staff are provided training both during New Employee Orientation and during Annual Training regarding PREA specific issues.

The PREA Coordinator will ensure that all employees who have resident contact receive training in the following topics.

1. RRC Casa Alborada’s ZERO tolerance policy toward sexual abuse and sexual harassment.
2. How to fulfill their responsibilities under the facility’s sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.
3. Resident’s rights to be free from sexual abuse and sexual harassment environment.
4. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment.
5. The dynamics of sexual abuse and sexual harassment in confinement.

6. The common reactions of sexual abuse and sexual harassment victims.
7. How to detect and respond to signs of threatened and actual sexual abuse.
8. How to avoid inappropriate relationships with residents.
9. How to report sexual abuse or sexual harassment.
10. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming resident; and
11. How to comply with relevant laws related to mandatory reporting of sexual abuse to administrative staff and outside authorities.
12. All components set forth in this policy.

Training is encompassed for male and female residents.

The PREA Coordinator will provide PREA training to all new employees during their New Employee Orientation.

The PREA Coordinator will provide refresher training during annual training to ensure that staff are knowledgeable and understand the requirements set forth in this policy.

The PREA Coordinator will provide PREA updates and statistics during the monthly staff meetings.

All employees at RRC Casa Alborada are required to acknowledge in writing that they understand the training they have received. The Zero Tolerance – Sexual Abuse and Sexual Training attendance form will be kept by the PREA Coordinator.

The Facility Director will ensure all staff training is documented in the individual staff participant's file (Human Resources file).

**Attachment 9: PREA Training Lesson Plan**

**Attachment 10: Staff Training Form**

**Attachment 11 Staff Training Summary**

### **Volunteer and Contractor Training. (115.232)**

All volunteers and contractors who have contact with residents will receive training regarding their responsibilities as they pertain to the PREA policy.

The PREA Coordinator will ensure that all the students, volunteers and contractors who have resident contact receive training in the following:

1. RRC Casa Alborada has a ZERO tolerance policy towards sexual abuse and sexual harassment.
2. How to fulfill their responsibilities under the facility's sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.
3. Resident's rights to be free from a sexual abuse and sexual harassment environment.

4. The right of residents, employees, students, and contractors to be free from retaliation for reporting sexual abuse and sexual harassment.
5. The dynamics of sexual abuse and sexual harassment in a confinement environment.
6. How to avoid inappropriate relationships with residents.
7. How to report sexual abuse or sexual harassment.
8. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming resident.
9. How to comply with relevant laws related to mandatory reporting of sexual abuse to administrative staff and outside authorities.
10. All components set forth in this policy.

All staff, unescorted contractors, students and volunteers, will sign an acknowledgment that they have received training and understand workplace rules and regulations, Standards of Conduct (if applicable), Drug Free Workplace requirements (if applicable), PREA requirements and other relevant material.

Attachment 9: PREA Training Lesson Plan

Attachment 12: Volunteer/Student Handbook

Attachment 13: Contractor (Magic Kitchen) Training Form

Attachment 50: Volunteer/Student Training Summary

Attachment 51: Contractor (Magic Kitchen) Training Summary

## **Resident Education (115.233)**

### **1. INTAKE AND RESIDENT SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS**

RRC Casa Alborada has a comprehensive resident intake process to introduce and explain the programs and services available, including the facility's PREA program.

Immediately upon arrival, the resident intake process is initiated. Part of the intake program consists of informing the newly arrived resident of Casa Alborada's sexual abuse/sexual harassment prevention policies, including ZERO tolerance, reporting suspicions, incidents, rights to be free from sexual abuse/sexual harassment environment, free from retaliation for reporting sexual abuse and sexual harassment and the response processes/procedures.

The Resident Monitor will complete a brief intake screening for risk of victimization and abusiveness for housing purposes. During the intake screening, the residents will respond to the following questions:

- a. Have you been a victim of sexual violence in a prison or jail?
- b. Have you been convicted of sexual violence in prison or jail?

If the resident responds "no" to the questions, the Resident Monitor will continue with the intake process.



If the resident responds “yes” to the questions, the Resident Monitor will contact the PREA Coordinator and the Facility Director.

**2. CASE MANAGER AND RESIDENT SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS**

Within 72 hours of the resident’s arrival, a Case Manager will complete a Screening for Risk of Sexual Victimization and Abusiveness (PREA Assessment). During the assessment, the Case Manager explains the RRC Casa Alborada’s ZERO tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions and their right to be free from sexual abuse or sexual harassment environment. The assessment includes, at a minimum, the following criteria with scores to assess residents for risk of sexual victimization and abusiveness:

*Risk of Sexual Victimization*

- a. Whether the resident is a victim of past sexual abuse; (3 points)
- b. If the male resident is shorter than 5' 6" and weighs less than 140 lbs.; (1 point)
- c. If the female resident is shorter than 5' 0" and weighs less than 100 lbs.; (1 point)
- d. If the resident is either younger than age 22 or older than age 64; (1 point)
- e. If the resident has a mental disability; (1 point)
- f. If the resident has a physical disability; (1 point)
- g. If the resident has a developmental disability; (1 point)
- h. If it is the residents first time incarcerated; (1 point)
- i. If the resident's criminal history is exclusively nonviolent; (1 point)
- j. If the resident has prior convictions for sex offenses against an adult; (2 points)
- k. If the resident has prior convictions for sex offenses against a child; (2 points)
- l. If the resident identifies as any of the following: gay, lesbian, or bisexual; (3 points)
- m. If the resident identifies as either of the following: transgender or intersex; (3 points)
- n. If the resident appears to be, or do you think the resident would be perceived by others to be, any of the following: gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (1 point)
- o. If the resident perceives themselves to be vulnerable to sexual abuse; (1 point)

*Risk of Sexual Abusiveness*

- p. If the resident has been convicted of sexual abuse in the community; (3 points)
- q. If the resident has been found to have committed sexual abuse in a correctional or residential facility; (3 points)
- r. If the resident has been convicted of one or more violent offenses; (2 points)
- s. If the resident has been found to have committed violence in a correctional or residential facility; (2 points)



- t. If there is documented gang activity in the resident's history or if the resident has self-admitted gang affiliation; (1 point)
- u. If the resident has past discriminatory behavior toward people who identify as gay, lesbian, bisexual, transgender, intersex, or gender non-confirming; (1 point)

At the end of the assessment and depending on the responses provided by the resident, the PREA designations are:

1. Resident exhibits past sexual victimization.  
*This designation is triggered when the resident answers "YES" to question 1 under the "Risk of Victimization".*
2. Resident exhibits a possible risk of sexual victimization.  
*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization" section are 3 or more.*
3. Resident exhibits past sexually abusive.  
*This designation is triggered when the resident answers "YES" to question 1 and/or 2 under the "Risk of Sexual Abusiveness".*
4. Resident exhibits a possible risk of being sexually abusive  
*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Abusiveness" section are 3 or less.*
5. Resident exhibits a possible risk of sexual victimization and possible risk of being sexually abusive.  
*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization and Risk of Abusiveness" section are 3 or more.*
6. Resident has NO housing restrictions based on potential sexual victimization or potential sexual abusiveness concerns.  
*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization and Risk of Abusiveness" section are 2 or less.*

The Case Manager will concur or not with the initial housing assignment. The resident and Case Manager will sign the PREA assessment. The PREA Coordinator will review the assessment. The assessment is located in the database SecureManage system, PREA section, Resident form and PREA screening.

### **3. INITIAL ORIENTATION – RESIDENT'S HANDBOOK**

Within 3-5 working days after the resident's arrival, all residents receive a formal orientation regarding the programs and services provided at RRC Casa Alborada. During the orientation, residents will be provided a written orientation packet of materials including the Resident's Handbook that include a training overview of the Prison Rape Elimination Act (PREA) and its purpose.

The training overview includes the following topic:

- a. PREA law.
- b. RRC Casa Alborada's ZERO tolerance to sexual abuse and sexual harassment.
- c. Definitions of sexual abuse and sexual harassment.
- d. Reporting methods.
- e. Free of retaliation.
- f. Free to be free of sexual abuse and sexual harassment.
- g. Repercussions for sexually abusing or sexually harassing another resident.
- h. Signed certification-acknowledging receipt of training.

The PREA Training Acknowledgement Form will be completed and filed in the resident's file located in the Case Manager's office.

These materials are provided in English and Spanish, and a staff member will assist the resident in understanding the content of the material, if a literacy problem exists.

Additionally, if a disability affects the resident's capability to understand the material, staff will refer them to the Case Managers trained in Counseling in Rehabilitation or trained as Clinical Social Workers or identify a resource in the community to assist them in ensuring the materials can be presented in a format understandable to the resident.

#### **4. CASE REVIEW – 30 DAY ASSESSMENT**

Every 10-14 days (includes 30 days), the residents will meet with their respective Case Managers for a case review. During each case review, a PREA re-assessment is completed in the Individualized Program Plan in the database SecureManage system. The document is located in the Case Management section, IPP section, Individualized Program Plan Summary and Individualized Program Plan (IPP). The questions asked are:

- a. The resident states there are or there are no changes in the response provided in the first PREA assessment completed during the first case review.
- b. Since the last case review, the resident states there have been or there has been no events of sexual abuse or sexual harassment.

If the response is "no" to both questions, the Case Manager will continue with the case review. If the response is "yes" to one of the questions, after the case review is completed, the Case Manager will contact the PREA Coordinator and Facility Director. This communication will be documented in the comment area of the PREA section in the IPP.

#### **5. PUBLIC ANNOUNCEMENT AT RRC CASA ALBORADA**

Twice a week, the Resident Monitor will make a PREA related announcement in the control center and document the announcement in the daily log. The announcement is provided in English and Spanish.

English:

“Attention Residents: The Prison Rape Elimination Act, better known as PREA is a federal law approved in 2003, which seeks to eliminate sexual abuse and sexual harassment in correctional facilities and community centers such as Residential Reentry Center like RRC Casa Alborada.

You have the right to live in a free environment of victimization by sexual abuse and sexual harassment and to report any incident without repercussions.

To report an incident, please contact Facility Director Ninoshka Caballero or PREA Coordinator, Dr. Jerry Martinez. You can write an email to [prea@voapr.org](mailto:prea@voapr.org). You can also report an incident in writing by depositing the letter or note in the PREA mailbox located by the snacks and soda machine. Thank you and have a good day!”

Spanish:

“Atención residentes: El programa de la ley *Prison Rape Elimination Act*, mejor conocido como PREA, es una ley federal aprobada en 2003, que busca eliminar el abuso sexual y el acoso sexual dentro de las facilidades correccionales y las medias casas.

Usted tiene el derecho de vivir libre de victimización por abuso o acoso sexual y de comunicar cualquier incidente de forma segura y privada sin represalias.

Para reportar un incidente comuníquese con la directora Ninoshka Caballero o con el Coordinador de PREA, el Dr. Jerry Martinez. También puede reportar un incidente escribiendo al correo electrónico [prea@voapr.org](mailto:prea@voapr.org) o escribiendo una nota y depositándola en el buzón de PREA ubicado al lado de las máquinas de refrescos. Muchas gracias y buen día!

## **6. FAMILY ORIENTATION**

Once a month, or as needed, family members and visitors will also receive information regarding RRC Casa Alborada’s program, to include basic PREA training, especially how to report any sexual abuse or sexual harassment behavior.

## **7. POSTERS – BULLETIN BOARDS**

In addition to the above education, the PREA Coordinator ensures materials supporting Casa Alborada’s ZERO tolerance approach is readily available around the facility in printed posters posted on bulletin boards located in every floor of the building. This material is available in both Spanish and English languages. The printed posters also contain information on reporting sexual abuse and sexual harassment.

Reporting options include:

- a. Reporting any concerns directly to RRC Casa Alborada Facility Director
- b. Reporting any concerns to the RRC Casa Alborada PREA Coordinator
- c. Reporting any concerns to the resident's individual Case Manager
- d. Reporting concerns electronically to email: [prea@voapr.org](mailto:prea@voapr.org)
- e. Reporting any concerns to:
  - Residential Reentry Manager
  - Federal Bureau of Prisons Miami Residential Reentry Office
  - 401 North Miami Avenue
  - Miami, FL 33128
  - (412) 395-4783
- f. Reporting concerns to the local Puerto Rico Police Department:
  - (787) 724-5959 or (787) 343-2020
- g. Contacting "Centro de Ayuda a Víctimas de Violación" (787) 765-2285
- h. Reporting their concerns to the Rape, Abuse, and Incest National Network (RAINN): 1 800-656-4673 or online website: [www.rainn.org](http://www.rainn.org)
- i. Reporting their concerns through placing a note in the PREA mailbox by the soda and snack machines on the first floor.

Attachment 14: Initial Intake Screening Form (Resident Monitor)

Attachment 15: Screening for Risk of Sexual Victimization and Abusiveness Form (Case Manager)

Attachment 16: Resident Training Form

Attachment 17: Resident Handbook

Attachment 18: Individualized Program Plan (30-day assessment)

Attachment 19: Family Orientation Agenda

Attachment 20: PREA Posters (English and Spanish)

Attachment 52: Individualized Program Plan (First Review)

### **Specialized Training – Investigations. (115.234)**

RRC Casa Alborada will adhere to the requirements of the contract with the FBOP RRM and USPO and will support the effort of local Law Enforcement authorities in the investigation and resolution of all incidents of sexual assault and sexual abuse that should occur in the facility or to residents and staff of RRC Casa Alborada.

The Facility Director will ensure all incidents of sexual abuse, sexual harassment or sexual related misconduct are immediately reported to the CEO VOAPR, FBOP RRM, USPO, PREA Coordinator and local Law Enforcement Authorities, if applicable. Once reported, the Facility Director will ensure all employees understand that no local staff investigation will proceed without specific written guidance/direction from the FBOP RRM.

The FBOP contract, through the Statement of Work, does not provide RRC Casa Alborada the authority to independently investigate criminal acts and no investigation can be undertaken by RRC Casa Alborada staff without FBOP RRM approval.

Additionally, RRC Casa Alborada staff does not have the technical/professional expertise and training to administer these specialized investigations.

Ordinarily, investigations of sexual abuse, sexual harassment and sexual misconduct of staff or residents will be investigated by FBOP RRM Office or FBOP Office of Internal Affairs staff or local Law Enforcement Authorities if the behavior violates local or federal law.

Attachment 46: Memorandum of Understanding – Police Department of Puerto Rico

Attachment 56: Police PREA Risk form

Attachment 57: Police Protocol reporting sexual assault

Attachment 58: Police protocol sexual assault collection kit

Attachment 59: Police protocols transgender victims

Attachment 60: Police protocol PREA prevention in the cells

Attachment 61: Police Zero tolerance policy

### **Specialized Training – Medical and Mental Health Practitioners. (115.235)**

RRC Casa Alborada is committed to ensuring that all residents have access to community-based medical care and mental health treatment. The Facility Director will ensure all staff and volunteers are trained in responding to a medical or mental health emergencies and how to notify emergency professionals.

RRC Casa Alborada staff does not have the training and/or expertise to provide medical or mental health treatment, RRC Casa Alborada does not employ staff with these skills. RRC Casa Alborada must rely upon professional assistance from the local community when confronted with these situations.

RRC Casa Alborada staff is only trained in basic life sustaining methods and to recognize warning signs of some mental crisis/conditions.

Attachment 6: PREA Resources Directory

Attachment 32: BOP Medical and Mental Health Services Coverage

Attachment 54: 2023 Annual Training – CPR/First Aid Sign-up Form

Attachment 55: Memorandum of Understanding Health Pro-Med

## **D. SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS**

### **Screening for Risk of Victimization and Abusiveness. (115.241)**

RRC Casa Alborada has a resident intake process that includes a risk assessment and screening to ensure the identification, prevention and response towards sexual victimization or sexual abusiveness characteristics.

The Facility Director with assistance of the PREA Coordinator will ensure that all residents will be assessed by case management staff for the risk of being sexually abused or sexually harassed by other residents or being abusive towards other residents.

1. The risk assessment and screening information begins before the resident's arrival to Casa Alborada with the review of referrals by the Facility

Director for potential sexual victimization or predator characteristics. In instances of identified sexual victimization or predator characteristics, the Facility Director will notify key staff, including the PREA Coordinator or the assigned Case Manager for further assessments.

2. At the resident's arrival at RRC Casa Alborada, a Resident Monitor will complete a brief intake screening for risk of victimization and abusiveness for housing purposes. During the intake screening, the residents will respond to the following questions:
  - a. Have you been a victim of sexual violence in a prison or jail?
  - b. Have you been convicted of sexual violence in prison or jail?
3. If during the intake screening the resident responds "yes" to one of the questions, when the screening is finalized, the Resident Monitor will contact the PREA Coordinator and the Facility Director. This information is documented in the daily shift log in the database SecureManage system.
4. In instances of victim or predator identification, a written report will be immediately forwarded to Facility Director and PREA Coordinator.
5. The Resident Monitor will provide the following special housing assignments:
6. Room assignments: Male victims will be accommodated on the 1<sup>st</sup> floor handicap room or 5<sup>th</sup> floor, section C; Male predators will be assigned 4<sup>th</sup> floor, section C. Female victims will be assigned 1<sup>st</sup> floor handicap room or 2<sup>nd</sup> floor, section B.
7. If during the intake screening the resident responds "no" to both questions, the Resident Monitor will provide a housing assignment. The intake screening form is in the database SecureManage system, Intake section and Resident Forms section.
8. A private interview using the PREA Screening Tool for Risk of Sexual Victimization and Abusiveness will be administered by the Case Managers, within the first seventy-two (72) hours of the resident's arrival. During the interview, the Case Manager explains the RRC Casa Alborada's ZERO tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions and their right to be free from a sexual abuse or sexual harassment environment.

The assessment includes, at a minimum, the following criteria with scores to assess residents for risk of sexual victimization and abusiveness:

*Risk of Sexual Victimization*

1. Whether the resident is a victim of past sexual abuse; (3 points)
2. If the male resident is shorter than 5' 6" and weighs less than 140 lbs.; (1 point)
3. If the female resident is shorter than 5' 0" and weighs less than 100 lbs.; (1 point)
4. If the resident is either younger than age 22 or older than age 64; (1 point)
5. If the resident has a mental disability; (1 point)
6. If the resident has a physical disability; (1 point)

7. If the resident has a developmental disability; (1 point)
8. If it is the residents first time incarcerated; (1 point)
9. If the resident's criminal history is exclusively nonviolent; (1 point)
10. If the resident has prior convictions for sex offenses against an adult; (2 points)
11. If the resident has prior convictions for sex offenses against a child; (2 points)
12. If the resident identifies as any of the following: gay, lesbian, or bisexual; (3 points)
13. If the resident identifies as either of the following: transgender or intersex; (3 points)
14. If the resident appears to be, or do you think the resident would be perceived by others to be, any of the following: gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (1 point)
15. If the resident perceives themselves to be vulnerable to sexual abuse; (1 point)

*Risk of Sexual Abusiveness*

16. If the resident has been convicted of sexual abuse in the community; (3 points)
17. If the resident has been found to have committed sexual abuse in a correctional or residential facility; (3 points)
18. If the resident has been convicted of one or more violent offenses; (2 points)
19. If the resident has been found to have committed violence in a correctional or residential facility; (2 points)
20. If there is documented gang activity in the resident's history or if the resident has self-admitted gang affiliation; (1 point)
21. If the resident has past discriminatory behavior toward people who identify as gay, lesbian, bisexual, transgender, intersex, or gender non-confirming; (1 point)

At the end of the assessment and depending on the responses provided by the resident, the PREA designations are:

1. Resident exhibits past sexual victimization.  
*This designation is triggered when the resident answers "YES" to question 1 under the "Risk of Victimization".*
2. Resident exhibits a possible risk of sexual victimization.  
*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization" section are 3 or more.*
3. Resident exhibits past sexually abusive.  
*This designation is triggered when the resident answers "YES" to question 1 and/or 2 under the "Risk of Sexual Abusiveness".*
4. Resident exhibits a possible risk of being sexually abusive

*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Abusiveness" section are 3 or less.*

5. Resident exhibits a possible risk of sexual victimization and possible risk of being sexually abusive.

*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization and Risk of Abusiveness" section are 3 or more.*

6. Resident has NO housing restrictions based on potential sexual victimization or potential sexual abusiveness concerns.

*This designation is triggered when the cumulative score of the resident's responses in the "Risk of Sexual Victimization and Risk of Abusiveness" section are 2 or less.*

The Case Manager will concur or not with the initial housing assignment. The resident and Case Manager will sign the PREA assessment. The PREA Coordinator will review the assessment. The assessment is located in the database SecureManage system, PREA section, Resident form and PREA screening.

If needed and based on the information provided, the Case Manager will complete and submit a mental health referral to the FBOP Southeast Drug Treatment Specialist or USPO.

If the outcome of the risk assessment and staff observations indicate an unacceptable level of risk by having a resident in a community setting, a written report will be immediately forwarded to the FBOP RRM or USPO, outlining the concerns and suggesting alternative placement options.

The Case Manager will complete the reassessment of the risk of victimization and abusiveness during each case review with the resident. During the case, review a note will be placed in the Individual Progress Plan (IPP) Summary.

Residents will not be disciplined for refusing to answer, or for not disclosing complete information in response to questions regarding:

- a. Whether or not the resident has a mental, physical, or developmental disability.
- b. Whether or not the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming.
- c. Whether or not the resident has previously experienced sexual victimization.
- d. The resident's own perception of vulnerability.
- e. Residents identified as high risk with a history of sexually assaultive behavior will be identified, monitored, and counseled, if necessary.



Every 10-14 days (includes 30 days), the residents will meet with their respective Case Managers for a case review. During each case review, a PREA risk screening reassessment is completed in the Individualized Program Plan (IPP) in the database SecureManage system. The assessment is to know if the resident's risk of being sexually abused by other residents or if the resident there is risk of sexually abusing other residents. The document is in the Case Management section, IPP section, Individualized Program Plan Summary and Individualized Program Plan. The questions asked are:

- a. The resident states there are no changes in the response provided in the first PREA assessment completed during the first case review.
- b. Since the last case review, the resident states there have been no events of sexual abuse or sexual harassment.

If the response is "no" to both questions, the Case Manager will continue with the case review. If the response is "yes" to one of the questions, after the case review is completed, the Case Manager will contact the PREA Coordinator and Facility Director. This communication will be documented in the comment area of the PREA section in the IPP.

A resident's risk level is assessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the detainee's risk of sexual victimization or abusiveness.

To ensure that resident's responses to questions are not exploited to the resident's detriment by staff or other residents, staff at RRC Casa Alborada ensures that the information is only disseminated to those persons with a need to know (confidentiality).

Attachment 14: Initial Intake Screening Form (Resident Monitor)

Attachment 15: Screening for Risk of Sexual Victimization and Abusiveness Form (Case Manager)

Attachment 18: Individualized Program Plan (30-day assessment)

Attachment 21: Director's Acceptance/Denial Letter

Attachment 32: BOP Medical and Mental Health Services Coverage

Attachment 52: Individualized Program Plan (First Case Review)

### **Use of Screening Information. (115.242)**

RRC Casa Alborada has a resident intake process that includes a risk assessment and screening to ensure the identification, prevention and response towards victimization or abusiveness characteristics.

The Resident Monitors complete a risk screening on the arrival of all new residents for housing assignments and the Case Managers complete a full PREA assessment within 72 hours of a new resident's arrival. The Case Managers use the information obtained from both risk screening and PREA assessments to concur with the initial housing assignment and making an informed decision regarding housing, bed, work, and education with the goal of

keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive. These decisions are made on a case-by-case basis.

1. In deciding whether to assign a transgender or intersex resident to a housing unit for male or female residents, and in making other housing and programming assignments, staff at RRC Casa Alborada will consider on a case-by case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems.
2. Housing unit assignments for transgender or intersex residents are not based solely on the identity documents or physical anatomy of the resident. A transgender or intersex resident's own view with respect to his or her own safety will be given serious consideration.
3. The handicapped accessible room with shower, located on the first floor will be available to house transgender or intersex residents. They will be given the opportunity to shower separately from other residents.
4. RRC Casa Alborada will not place lesbian, gay, bisexual, transgender, or intersex residents in dedicated units or sections solely based on such identification or status, unless such placement is in a dedicated facility unit or section established in connection with a consent decree, legal settlement, or legal judgement for protecting such residents.
5. Room assignments: Male victims will be accommodated on the 1<sup>st</sup> floor handicap room or 5<sup>th</sup> floor, section C; Male predators will be assigned 4<sup>th</sup> floor, section C. Female victims will be assigned 1<sup>st</sup> floor handicap room or 2<sup>nd</sup> floor, section B.

Attachment 14: Initial Intake Screening Form (Resident Monitor)

Attachment 15: Screening for Risk of Sexual Victimization and Abusiveness Form (Case Manager)

Attachment 18: Individualized Program Plan (30-day assessment)

Attachment 52: Individualized Program Plan (First Case Review)

## **E. REPORTING**

### **Resident reporting. (115.251)**

RRC Casa Alborada ensures mechanisms are available to residents to voice their concerns and report sexual abuse and sexual harassment situations. The PREA Coordinator will ensure that all residents are aware of the PREA's reporting processes and options to address any sexual abuse or sexual harassment occurred with the referring authority.

RRC Casa Alborada provides multiple internal ways for residents to privately report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

The reporting options are:

1. Reporting any concerns directly to RRC Casa Alborada Facility Director.

2. Reporting any concerns directly to RRC Casa Alborada PREA Coordinator.
3. Reporting any concerns directly to the resident's individual Case Manager.
4. Reporting any concerns electronically to email: [prea@voapr.org](mailto:prea@voapr.org).
5. Reporting their concerns through placing a note in the PREA mailbox by the snacks and soda machines on the first floor.
6. A resident will not be requested to submit a grievance to a staff member who is the subject of the complaint.
7. By a third person, family member, outside source, etc.

RRC Casa Alborada will also inform residents of at least one way to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request.

Puerto Rico Police Department – General Complaints  
 Contact: (787) 343-2020

Puerto Rico Police Department – Sexual Abuse and Assaults Unit  
 Contact: (787) 793-1234, extensions. 2556, 2557, 2559, 2560

Federal Bureau of Prisons  
 Residential Reentry Manager  
 Residential Reentry Management Office, 401 North Miami Avenue, Miami, FL 33128  
 Contact: (412) 395-4743

Federal Bureau of Prisons  
 National PREA Coordinator, REENTRY Services Division  
 400 First St. NW, Room 4027, Washington, DC 20534

Staff abuse of inmates:  
 Federal Bureau of Prisons, Office of Internal Affairs  
 320 First St. NW, Room 600, Washington, DC 20534

Reporting their concerns to the Rape Crisis Center sponsored by P.R. Department of Health (Centro de Apoyo a Víctimas de Violación).  
 Contact: (787) 765-2285 and (787) 765-2412

Reporting their concerns to the Rape, Abuse and Incest National Network (RAINN).  
 Contact: 1 (800) 65604673 or online website: [www.rainn.org](http://www.rainn.org)

Staff will accept reports made verbally, in writing, anonymously, and from third parties of sexual abuse, sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

Staff will promptly relay such information to the Facility Director and PREA Coordinator. Staff will also be required to submit the information in the daily log in the database SecureManage system.

Staff members, family members and other residents will be allowed to assist residents in reporting an allegation of sexual abuse or sexual harassment.

If an anonymous report is received by email, incident report or by a note, the PREA Coordinator and Facility Director will notify the FBOP RRA to activate the investigation process and report the incident to the VOA CEO or USPO for further action.

In the instance of a report of sexual abuse or sexual harassment, the RRC Casa Alborada staff will:

1. Protect and respect the privacy and confidentiality of the victim,
2. Ensure his/her security,
3. Protect the victim from retaliation.

The methods to report sexual abuse or sexual harassment apply also to staff members.

Attachment 14: Initial Intake Screening Form (Resident Monitor)

Attachment 15: Screening for Risk of Sexual Victimization and Abusiveness Form (Case Manager)

Attachment 16: Resident Training Form

Attachment 17: Resident Handbook

Attachment 18: Individualized Program Plan (30-day assessment)

Attachment 19: Family Orientation Agenda

Attachment 20: PREA Posters (English and Spanish)

Attachment 52: Individualized Program Plan (First Review)

### **Exhaustion of administrative remedies. (115.252)**

The Facility Director will provide different options for residents to report sexual abuse and sexual harassment and no resident will be required to use an informal grievance process or have to attempt informal resolution of an alleged sexual abuse incident.

RRC Casa Alborada will accept reports regarding an allegation of sexual abuse and sexual harassment with no limit of time.

RRC Casa Alborada residents and staff have the right to report an incident with no retaliation. The residents and staff can report the incident to:

1. Residential Reentry Administrator (FBOP RRA)
2. The Facility Director,
3. The PREA Coordinator,
4. A Case Manager,
5. Any staff at the RRC Casa Alborada,
6. In writing and depositing a note in the PREA mailbox located on the first floor by the snack machines,
7. In writing and sending an email to [prea@voapr.org](mailto:prea@voapr.org)
8. By a third person,

9. A resident is not required to submit a grievance to a staff member who is the subject of the complaint.

Fellow residents, staff members, family members are allowed to assist residents in filing requests for administrative remedies relating to sexual abuse allegations. If the residents decline to have this assistance, the agency will document it.

If a resident desires or believes their issues are related to specific procedures or staff actions, they may file a grievance with the Residential Reentry Manager located in the Miami Residential Reentry Office, Federal Bureau of Prisons, 401 North Miami Avenue, Miami, FL 33128, (412) 395-4743.

After receiving a report of a sexual abuse or sexual harassment incident, the Facility Director and PREA Coordinator will initiate the responsive plan. The Facility Director will contact the BOP Residential Reentry Manager and the CEO/President of VOA RRC PR.

RRC Casa Alborada will follow-up with the FBOP RRM for a final decision on the merits of the portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

RRC Casa Alborada or FBOP RRM will notify the resident in writing of any extension and provide a date by which a decision will be made.

RRC Casa Alborada will contact with the FBOP RRM for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. If RRC Casa Alborada receives an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, the agency will immediately forward the grievance, or any portion thereof that alleges the substantial risk of imminent sexual abuse, to the FBOP. If corrective action may be taken, RRC Casa Alborada or the FBOP RRM shall provide an initial response within 48 hours, and shall issue a final agency decision within five (5) calendar days. The initial response and final agency decision shall document the agency's determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

A resident may only be disciplined for filing a grievance to alleged sexual abuse or sexual harassment upon a finding and demonstration that the resident filed the grievance in a bad faith.

The Deputy Director will keep a table with all the grievances submitted each year, including the grievances with sexual abuse and sexual harassment allegations.

At the annual meeting, the Facility Director, Deputy Director and PREA Coordinator will analyze the grievances submitted during the year to identify trends, problem operations or areas and initiate corrective action as needed.

The annual review will be documented and maintained for review by the VOAPRRRC President/CEO and the FBOP RRM.

Attachment 17: Resident Handbook  
Attachment 19: Family Orientation Agenda  
Attachment 20: PREA Posters (English and Spanish)  
Attachment 39: 2023/2024 PREA Grievances Report

### **Resident access to outside confidential support services. (115.253)**

RRC Casa Alborada ensures mechanisms are available to residents to voice their concerns, report sexual abuse and sexual harassment incidents and have access to community support services.

The PREA Coordinator will ensure that all residents have access to local community services related to sexual abuse and sexual harassment.

Residents will be provided information on the network of available community resources during the orientation program within the first five days of their arrivals. *See PREA Resources Directory.*

Residents will have access to a network of outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline 411, Sexual Abuse and Sexual Harassment - Prevention and Intervention numbers, or national victim advocacy or rape crisis organizations. Staff will ensure that residents are allowed reasonable communication between these organizations and agencies, in as confidential a manner as possible.

RRC Casa Alborada will protect and respect privacy and confidentiality. Residents will be informed about the confidentiality process and its limitations regarding investigation and law process before referring them to the resources.

Residents will be informed prior to having access to the above resources, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

RRC Casa Alborada will develop working relationships with emotional support services related to sexual abuse.

RRC Casa Alborada will maintain agreements with community service providers who are able to provide residents with confidential emotional support services related to sexual abuse and will maintain copies of agreements or documentation showing attempts to enter into such agreements.

Attachment 6: PREA Resources Directory  
Attachment 22: Memorandum of Understanding ASPIRA (STDs)  
Attachment 55: Memorandum of Understanding Health Pro-Med

### **Third-Party Reporting. (115.254)**

RRC Casa Alborada and PREA Coordinator will ensure that all residents and third-parties, such as family members, volunteers, contractors and others are aware of the PREA reporting process and options to address any sexual abuse or sexual harassment with the referring authority.

RRC Casa Alborada brochures will include an overview of the PREA law, Zero Tolerance Policy and ways to report sexual abuse and sexual harassment.

RRC Casa Alborada will provide to family members and visitors brochures of the Center with an overview of PREA law purpose, Zero Tolerance Policy and the ways to report sexual abuse and sexual harassment:

1. Reporting by email: [prea@voapr.org](mailto:prea@voapr.org).
2. Reporting to the Administration at Casa Alborada, including the Facility Director and PREA Coordinator.
3. Reporting directly to the staff.
4. RRC Casa Alborada established a mailbox accessible to the residents, staff and contractors located by the soda and snack machines on the first floor.
5. During the Initial Orientation, the Case Managers provide the residents with a copy of the Resident's Handbook. The handbook has information for third party reporting.
6. During the Family Orientation, the family members are educated on the PREA Law, third party reporting and email address.
7. Puerto Rico Police Department – General Complaints, (787) 343-2020.
8. Puerto Rico Police Department – Sexual Abuse and Assaults Unit, (787) 793-1234, extensions. 2556, 2557, 2559, 2560.
9. Federal Bureau of Prisons, Residential Reentry Manager, Residential Reentry. Management Office, 401 North Miami Avenue, Miami, FL 33128, (412) 395-4743.
8. Reporting their concerns to the Rape, Abuse and Incest National Network (RAINN): 1 800 656 4673 or online website: [www.rainn.org](http://www.rainn.org).
9. Reporting their concerns to the Rape Crisis Center sponsored by P.R. Department of Health (Centro de Apoyo a Víctimas de Violación). (787) 765-2285 and (787) 765-2412.
10. Coordinadora Paz Para la Mujer, Inc., Apartado 193008, San Juan, PR 00919, (787) 281-7579, [www.pazparalamujer.org](http://www.pazparalamujer.org)

#### Resources in the United States

Domestic Violence Hotline	1-800-799-SAFE (7233)	1-800-787-3224 (TTY)
Sexual Assault Hotline	1-800-656-HOPE (4673)	
Strong Hearts Native Helpline	1-844-762-8483	
Teen Dating Abuse Helpline	1-866-331-9474	1-866-331-8453 (TTY)
Victim Hotline	1-855-4-Victim (855-484-2846)	

Attachment 16: Resident Training Form

Attachment 17: Resident Handbook

Attachment 19: Family Orientation Agenda

Attachment 20: PREA Posters (English and Spanish)

## **F. OFFICIAL RESPONSE FOLLOWING A RESIDENT REPORT**

### **Staff and agency reporting duties. (115.261)**

Staff will be required to report immediately any knowledge, suspicion, or information regarding; an incident of sexual abuse or sexual harassment that occurred at RRC Casa Alborada; retaliation against residents or staff who report such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

The Facility Director in coordination with the PREA Coordinator will ensure a responsive plan is in place and which communicates to all staff the requirement to immediately report all incidents of sexual abuse, sexual harassment, retaliation, staff neglect or violation of responsibilities related to ensuring the safety of residents. The PREA Coordinator will ensure that all employees understand the responsive protocol and reporting procedures.

Apart from reporting to the Facility Director or the PREA Coordinator, staff will maintain confidential and not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in RRC Casa Alborada policies, to make treatment, investigation, and other security and management decisions.

1. Staff will report information related to sexual abuse through their chain-of-command and in addition to any necessary reporting to meet investigative and treatment requirements will not reveal this information to others.
2. Staff is required to immediately intervene, challenge and/or report any inappropriate behavior of residents and other staff in order to promote a safe and professional workplace.
3. The staff will protect and respect the privacy and confidentiality of the victim and will ensure his/her security and protect the victim from retaliation by not revealing any information related with sexual abuse report to anyone other than identified by their superiors.
4. All instance of sexual misconduct, inappropriate behavior or retaliation must be documented and immediately reported to supervisory staff or directly to the Facility Director.
5. Upon notification of any alleged sexual misconduct or inappropriate behavior of staff, the Facility Director will immediately report the allegation to the CEO VOAPR, FBOP RRM, USPO and Puerto Rico Police Department, if applicable.
6. If the alleged victim is 18 years old or under, the PREA Coordinator will notify the Puerto Rico's state agency: Puerto Rico Family Department.
7. RRC Casa Alborada accepts and appropriately responds to reporting of allegations of sexual abuse and sexual harassment from anonymous sources and other third-parties.
8. Any employee who has a question concerning possible misconduct is instructed to request advice from their supervisor, PREA Coordinator or the Facility Director.



Attachment 11: Staff Training Summary

Attachment 46: Memorandum of Understanding Police Department of Puerto Rico

Attachment 49: RRC Casa Alborada's Responsive Plan

### **Agency Protection Duties. (115.262)**

RRC Casa Alborada is committed to providing a safe and secure residential program for all staff and residents. The Facility Director will ensure all staff understand and have internalized the steps necessary to protect the safety of residents.

In conjunction with the PREA Coordinator, the Facility Director will ensure all staff have received training in action steps necessary to protect the safety of a resident perceived to be vulnerable or who actually is vulnerable to sexual abuse or sexual harassment.

If staff at RRC Casa Alborada learns that a resident is subject to a substantial risk of imminent sexual abuse, they will take immediate action to protect the resident.

1. The staff member will separate the alleged resident victim and the alleged resident abuser.
2. The staff member will contact immediately the PREA Coordinator. The PREA Coordinator will complete a Preliminary Assessment Form and provide a report to the Facility Director. The Facility Director will report the information to the CEO VOAPR, the FBOP RRM and USPO.
3. Staff is required to immediately intervene, challenge and/or report any inappropriate behavior of residents and other staff in order to promote a safe and professional workplace.
4. All instances of sexual misconduct or inappropriate behavior must be documented and immediately reported to supervisory staff, PREA Coordinator or directly to the Facility Director.
5. Any employee who has a question concerning necessary actions to protect a resident from the imminent threat of sexual abuse or sexual harassment must request advice from their supervisor, PREA Coordinator or the Facility Director.

Attachment 8: Preliminary Assessment Form

Attachment 11: Staff Training Summary

Attachment 49: RRC Casa Alborada's Responsive Plan

### **Reporting to Other Confinement Facilities. (115.263)**

RRC Casa Alborada is committed to ensuring all residents are free from sexual abuse and sexual harassment during their entire period of incarceration, including the time prior to their arrival at RRC Casa Alborada.

The Facility Director in conjunction with the PREA Coordinator will ensure procedures are in place to report allegations of sexual abuse or sexual harassment that may have occurred to residents at other confinement facilities prior to their arrival to the program.

Upon receiving an allegation that a resident was sexually abused or sexually harassed while confined at another facility:

1. The Resident Monitor will contact the PREA Coordinator.
2. The PREA Coordinator will interview the victim resident.
3. The PREA Coordinator will inform the Facility Director of the information provided by the resident victim.
4. The Facility Director will notify the Warden of the facility where the alleged abuse occurred.
5. The resident victim will be housed in the first-floor room unless the resident victim feels comfortable being housed in a regular housing unit.

Such notification is provided as soon as possible, but not later than seventy-two (72) hours after receiving the allegation.

RRC Casa Alborada will document all the notifications.

When another agency notifies the Facility Director or PREA Coordinator of an allegation of sexual abuse or sexual harassment that occurred at RRC Casa Alborada, they would ensure that the allegation is investigated or an investigation is initiated in accordance with the PREA standards.

Once informed, the Facility Director will immediately report the allegation to the Chief Executive Officer, VOAPR CEO, to the FBOP RRM and USPO, (as required by the contract).

In concurrence with direction provided by the FBOP RRM, CEO VOAPR or USPO, the Facility Director will notify the head of the facility or appropriate office/agency where the alleged abuse occurred.

Attachment 8: Preliminary Assessment Form

Attachment 14: Initial Screening Form by Resident Monitor

Attachment 47: 2023/2024 Sexual Assault Summary

Attachment 62: Memorandum Reporting from Other Confinement Facilities

#### **Staff first responder duties. (115.264)**

RRC Casa Alborada is committed to operating a safe and secure residential program and will ensure staff understand their roles and responsibilities to manage incidents of sexual assault.

The Facility Director in coordination with the PREA Coordinator will ensure a responsive plan is in effect that guides the actions of staff in responding to incidents of sexual abuse. The PREA Coordinator will ensure all employees at RRC Casa Alborada understand the responsive protocol.

Staff is required to immediately intervene, challenge and/or report any inappropriate behavior of residents and other staff in order to promote a safe and professional workplace.

Upon learning of an allegation that a resident was sexually abused, the first staff member to respond to the scene will:

1. Notify Control Center and ask for assistance,
2. Provide support and protection to the victim by separating the alleged resident victim and the alleged resident abuser to prevent further harm or injury,
3. Assess the situation to ensure that it is safe to intervene,
4. Use supportive non-judgmental language when communicating with the victim,
5. Inform the victim about the staff's role, including getting only basic information for the investigator, such as: Who was there? What happened? Where did the incident occur? When? First responder will NOT ask for details,
6. Offer access to emergency medical, and mental health care at any time.

The first responder will secure, preserve and protect the crime scene until the outside law enforcement authorities arrive to collect any evidence.

7. Instruct the alleged resident victim and to the alleged abuser to not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, showering, urinating, defecating, smoking, drinking, or eating until an investigator is available to collect evidence,
8. Help the alleged victim to complete the RRC Casa Alborada's PREA Incident Report-01.
9. Document what is seen, heard and observed at the scene.

Alert a supervisor.

10. Notify the Facility Director, the PREA Coordinator, the Deputy Facility Director, and the Senior Resident Monitor.
11. Report the incident to Puerto Rico Police Department for further investigation (if applicable) and only with the concurrence of the Facility Director.
12. A staff member of the same sex, if approved, will accompany the victim to seek medical assistance at the local emergency room.

The staff first responder will complete Casa Alborada's PREA Incident Report-02 with copies to the Facility Director and PREA Coordinator.

Attachment 8: Preliminary Assessment Form

Attachment 46: Memorandum of Understanding Police of Puerto Rico

Attachment 63: PREA Incident Report 01

Attachment 64: PREA Incident Report 02

### **Coordinated Response. (115.265)**

After an alleged incident of sexual abuse has been reported and the first responder staff have completed their duties, RRC Casa Alborada will approach the incident with a coordinated multi-disciplinary team. The team will include staff first responders, medical and mental health practitioners from one of the local hospitals in the area, law enforcement investigators, RRC Casa Alborada PREA Coordinator and Facility Director.

1. The Facility Director will make all required notifications to CEO VOAPR, FBOP RRM or USPO.
2. The staff at RRC Casa Alborada will call the emergency system 911 and make sure the resident victim is transported to the closest emergency room of Hospital Pavia, Doctor's Hospital or Presbyterian Hospital for a full medical and mental health evaluation by a medical and mental health practitioner
3. RRC Casa Alborada staff will work closely with the paramedic staff and share all the necessary information related to the incident and the victim resident.
4. The resident perpetrator, if known will be separated and housed in the handicap room located on the first floor. A referral for immediate removal from RRC Casa Alborada will be submitted to the FBOP RRM or USPO. If the referral is approved, the resident perpetrator will be re-designated to the Metropolitan Detention Center (MDC) in Guaynabo, Puerto Rico. Contact: (787) 749-4480. The Facility Director and PREA Coordinator will work closely with the Warden at MDC Guaynabo.
5. The Facility Director and the PREA Coordinator will coordinate an after-action meeting to go over the events.

#### **Attachment 8: Preliminary Assessment Form**

#### **Preservation of ability to protect residents from contact with abusers. (115.266)**

RRC Casa Alborada is committed to ensuring a safe and secure environment for all residents and staff.

There is no bargaining unit in Volunteers of America PR, Inc., RRC Casa Alborada. The Facility Director will contact the CEO VOAPR and Human Resource/Business Manager and request an immediate removal from the facility of any alleged staff sexual abusers from contact with residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

#### **Attachment 24: Memorandum Staff Investigations**

#### **Agency protection against retaliation. (115.267)**

RRC Casa Alborada established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents, staff or administrative office.

RRC Casa Alborada provides emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with the investigations. These individuals will be monitored for at least ninety (90) days or longer if the initial monitoring indicates a continuing need.

RRC Casa Alborada will establish a Retaliation Monitor. The Facility Director, Deputy Director or PREA Coordinator will be designated to monitor staff member and residents that report retaliation complaints or events. The staff member designated cannot be involved in the

case. In addition, created a “Retaliation Monitor Form” to use for documenting 30, 60 and 90-day monitoring contact and pertinent comments regarding contacts with staff or residents.

RRC Casa Alborada will employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse or sexual harassment, the *Retaliation Monitor* at Casa Alborada will monitor the conduct and treatment of residents or staff who reported the sexual abuse or sexual harassment and of residents who were reported to have suffered sexual abuse or sexual harassment. The Retaliation Monitor will report if there are changes that may suggest possible retaliation by residents or staff, and will act promptly to remedy any such retaliation.

The items RRC Casa Alborada will monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. RRC Casa Alborada will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

In the case of residents, such monitoring will also include periodic status checks. If any other individual who cooperates with an investigation expresses a fear of retaliation, RRC Casa Alborada will respond appropriately to protect that individual against retaliation.

The Retaliation Monitor at RRC Casa Alborada will terminate monitoring if the FBOP RRM or USPO determines that the allegation is unfounded.

Attachment 23: Mental Health BOP

Attachment 25: Retaliation Monitor Form

Attachment 32: BOP Medical and Mental Health Services Coverage

Attachment 55: Memorandum of Understanding Health Pro Med

## **G. INVESTIGATIONS**

### **Criminal and administrative agency investigations. (115.271)**

RRC Casa Alborada is committed to operating a safe and secure facility through a ZERO tolerance culture towards sexual abuse and sexual harassment. All instances of sexual abuse and sexual harassment will be referred to the FBOP RRM or USPO for investigation.

The Facility Director will ensure practices are in place to report all allegations of sexual abuse or sexual harassment to the FBOP RRM or USPO. This includes all third-party and anonymous allegations.

1. RRC Casa Alborada will not conduct its own investigations of sexual abuse. The contract with the FBOP requires all allegations of sexual abuse and sexual harassment to be reported and no investigation can be undertaken without the FBOP RRM approval and

- direction. RRC Casa Alborada has no authority, under the contract, to independently investigate criminal acts.
2. The FBOP contract also prohibits administrative investigations without Federal Bureau of Prisons concurrence.
  3. RRC Casa Alborada will document and report all sexual abuse and sexual harassment incidents as per the contract with the FBOP RRM and USPO. RRC Casa Alborada and the FBOP or USPO will cooperate with the Puerto Rico Law Enforcement authorities' investigations; this includes providing copies of incidents reports, victims and witnesses written reports, and reports of actions taken by the facility to protect the victim, and any after action reports requested.
  4. The retention of documents will meet contract requirements and all reports and documents related to any allegations of sexual harassment or sexual assault will be maintained until expiration of the contract at which point these documents will be turned over to the FBOP or USPO, if requested.
  5. RRC Casa Alborada will routinely request updates and information from the FBOP RRM or USPO on any investigation of sexual abuse or sexual harassment that occurred in its facility.
  6. RRC Casa Alborada will provide updates at the staff meetings and annual training.

Attachment 8: Preliminary Assessment Form

Attachment 46: Memorandum of Understanding Police of Puerto Rico

Attachment 53: RRC Casa Alborada Statement of Work

### **Evidentiary standard for administrative investigations. (115.272)**

RRC Casa Alborada expects to make no determinations of whether a sexual abuse or sexual harassment occurred because of the contract requirements. However, should RRC Casa Alborada be authorized to substantiate whether sexual assault or sexual harassment did occur, it will use the standard of a preponderance of the evidence. The PREA Coordinator will complete a preliminary assessment and provide a written report to the Facility Director.

The Facility Director will send the report to CEO VOAPR, FBOP RRM or USPO.

Attachment 8: Preliminary Assessment Form

Attachment 53: RRC Casa Alborada Statement of Work

### **Reporting to residents. (115.273)**

RRC Casa Alborada is committed to ensure that residents are kept informed regarding the status of any allegation of sexual abuse or sexual harassment.

The Facility Director will ensure all residents involved in an allegation of sexual abuse and sexual harassment are informed of the outcome of the investigations upon approval from the investigating authority to release the information that the allegation was substantiated, unsubstantiated, or unfounded.

Based on the BOP contract, RRC Casa Alborada staff are not authorized to conduct the investigation. The Facility Director or PREA Coordinator will make a request to the FBOP

RRM or USPO to complete a Preliminary Assessment. Based on the information, the FBOP RRM will send a trained investigator, while the Facility Director will inform the Puerto Rico Police Department. After receiving relevant information, the victim resident will be informed.

Following a resident victim's allegation that a staff member has committed sexual abuse or sexual harassment against the resident, RRC Casa Alborada will subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever:

1. The staff member is on administrative leave;
2. The staff member is no longer employed at RRC Casa Alborada;
3. RRC Casa Alborada learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
4. RRC Casa Alborada learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Following a resident victim's allegation that he or she has been sexually abused or sexually harassed by another resident, RRC Casa Alborada will subsequently inform the alleged resident victim whenever:

1. RRC Casa Alborada learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
2. RRC Casa Alborada learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
3. The resident finished the RRC program or finished his sentence.

RRC Casa Alborada will document all such notifications or attempted notifications.

Attachment 8: Preliminary Assessment Form

Attachment 46: Memorandum of Understanding Police of Puerto Rico

Attachment 53: RRC Casa Alborada Statement of Work

## **H. DISCIPLINE**

### **Disciplinary sanctions for staff. (115.276)**

RRC Casa Alborada is committed to ensure a safe and secure environment for residents and will take appropriate disciplinary action when staff violate standards of conduct and fail to follow established laws and procedures.

The Facility Director in conjunction with Human Resource staff will ensure appropriate disciplinary policies are in place, up to and including termination, for staff that violate RRC Casa Alborada's sexual abuse or sexual harassment policies.

1. Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse or sexual harassment.
2. Disciplinary sanctions for violations of policies related to sexual abuse or sexual harassment (other than engaging in sexual abuse) shall be commensurate with the



nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable violations by other staff with similar histories.

3. All terminations for violations of RRC Casa Alborada sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the FBOP RRM, Law Enforcement agencies (unless the act was clearly not criminal), and to any other relevant licensing body.

Attachment 26: Memo from Facility Director and Human Resource/Business Manager – Staff Disciplinary

Attachment 67: Staff Handbook

### **Corrective action for contractors and volunteers. (115.277)**

RRC Casa Alborada is committed to ensure a safe and secure environment for residents and will take appropriate disciplinary action when a contractor or volunteer/students violates the standards of conduct and fails to follow established laws and procedures.

The Facility Director will ensure any contractor or volunteer (students) who engages in sexual abuse or sexual harassment shall be prohibited from contact with residents and shall be reported to the FBOP RRM and law enforcement agencies, unless the activity is clearly not criminal, and to relevant licensing bodies.

1. RRC Casa Alborada shall take appropriate remedial measures, and shall consider whether to prohibit further contact with residents after consultation with FBOP RRM staff, in the case of any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer/students.

Attachment 12: Volunteer/Student Handbook

Attachment 27: Memo from Facility Director and Human Resource/Business Manager – Contractors and Volunteers Disciplinary

### **Disciplinary sanctions for residents. (115.278)**

RRC Casa Alborada is committed to ensure a safe and secure environment for residents and has established formal disciplinary procedures and sanctions for resident-on-resident sexual abuse.

The Facility Director will ensure procedures are in place to take appropriate formal disciplinary action following an administrative finding that a resident violated prohibited acts, including engaging in resident-on-resident sexual abuse, sexual harassment or following a criminal finding of guilt for resident-on-resident sexual abuse or sexual harassment.

1. The sanctions shall be commensurate with the FBOP Program Statement 5270.09 Inmate Discipline and consider the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offense by other residents with similar histories.
2. The disciplinary process shall consider whether the resident's mental disabilities or



mental illness contributed to his or her behavior in determining the type of sanction, if any, should be imposed.

3. Formal sanctioning for disciplinary infractions of this nature will remain with the FBOPs' Discipline Hearing Officer, according to Statement of Work requirements.
4. Participation in interventions designed to address and correct underlying reasons or motivations for abuse will be considered and the resident may be required to participate in these interventions as a condition of continued residence at RRC Casa Alborada.
5. A resident may only be disciplined for sexual contact with a staff member upon a finding that the staff member did not consent to the contact.
6. For the purpose of disciplinary action, a report of sexual abuse or sexual harassment made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish sufficient evidence to substantiate the allegation.
7. RRC Casa Alborada prohibits all sexual activity between residents and residents will be subject to disciplinary sanctions for this conduct. If it is determined, the sexual activity was coerced and constitutes sexual abuse and sexual harassment disciplinary action will be initiated.

**Attachment 28: Memo from Facility Director and Human Resource/Business Manager - Residents**

**Attachment 29: Disciplinary sanctions for residents**

## **I. MEDICAL AND MENTAL CARE**

### **Access to emergency medical and mental health services. (115.282)**

RRC Casa Alborada is committed to ensuring all resident victims have immediate and unimpeded access to emergency medical care and crisis intervention services.

The Facility Director will ensure procedures are in place to ensure any resident victim of sexual abuse shall receive timely, unimpeded access to emergency medical care and crisis intervention services.

1. The nature and scope of the medical care and crisis intervention services will be determined by medical and mental health practitioners.
2. RRC Casa Alborada staff responding to a report of sexual abuse will take preliminary steps to protect the victim and immediately notify emergency medical services (911) and mental health practitioners, the Facility Director, PREA Coordinator and law enforcement authorities.
3. Further notifications (referring authority, etc.), as required by the situation, will be addressed as needed by Management staff.
4. Resident(s) who have been the victim of sexual assault will be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with standards of care delivered in the local community hospital as approved by the FBOP RRM or USPO.
5. Treatment shall be provided to the victim without financial cost and regardless of

whether the victim names the abuser(s) or cooperates with any investigation arising from the incident.

Attachment 8: Preliminary Assessment Form

Attachment 30: Sample Mental Health Referral

Attachment 31: Sample Medical Referral

Attachment 32: BOP Medical and Mental Health Services Coverage

### **Ongoing medical and mental health care for sexual abuse victims and abusers. (115.283)**

RRC Casa Alborada is committed to ensuring all residents have appropriate medical and mental health evaluation and treatment.

The Facility Director will ensure all residents who have been victimized by sexual abuse or sexual harassment in any prison, jail, lockup or juvenile facility are offered medical and mental health evaluation and, as appropriate, treatment.

1. The evaluation and treatment of victims shall include, as appropriate and with approval from the FBOP RRM or USPO, follow-up services, treatment plans, when necessary, referrals for continued care following their transfer to other facilities or release from custody.
2. RRC Casa Alborada will provide, with approval from the FBOP RRM or USPO, victims with medical and mental health services consistent with the community level of care.
3. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
4. If pregnancy results from sexually abusive vaginal penetration while incarcerated, the victim will receive timely and comprehensive information about timely access to all lawful pregnancy related medical services.
5. Resident victims of sexual abuse while incarcerated will be offered tests for sexually transmitted infections as medically appropriate.
6. Treatment services, as approved by the FBOP RRM or USPO, will be provided to the victim without financial cost and regardless whether the victim names the abuser or cooperates with any investigation arising out of the incident.
7. RRC Casa Alborada will attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment deemed appropriate by mental health practitioners and approved by the FBOP RRM or USPO.

Attachment 8: Preliminary Assessment Form

Attachment 30: Sample Mental Health Referral

Attachment 31: Sample Medical Referral

Attachment 32: BOP Medical and Mental Health Services Coverage

## **J. DATA COLLECTION AND REVIEW**

### **Sexual abuse incident reviews. (115.286)**

RRC Casa Alborada is committed to ensuring a safe environment for staff and residents, to these end critical reviews will be conducted following any sexual abuse incident.

RRC Casa Alborada will ensure a critical incident review is conducted at the conclusion of every sexual abuse investigation, including whether the allegation has not been substantiated, unless the allegation has been determined to be unfounded.

RRC Casa Alborada will ordinarily review the case within 30 days of the conclusion of the investigation.

RRC Casa Alborada will establish an Incident Review Team. The Incident Review Team will include upper-level management, with input from line supervisors. Information from non-RRC Casa Alborada investigators, medical and or mental health practitioners will be solicited and considered, if made available.

The Incident Review Team at Casa Alborada will be composed of the following:

1. Deputy Director (Chairperson)
2. PREA Coordinator
3. Case Manager
4. Resident Monitor
5. \*Clinical member of Hospital Pavia, Doctor's Hospital or Presbyterian Hospital.
6. \*Mental Health practitioner from Health ProMed (CRB member) or Consultores Psicológicos (Contract Psychologist team).

\*These entities will be officially requested to participate in the review, but if they are not available the team members will move forward and complete the review.

The Incident Review Team will:

1. Consider whether the allegation or investigation indicates a need to change RRC Casa Alborada's policy or practice to better prevent, detect, or respond to sexual abuse;
2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at RRC Casa Alborada;
3. Examine the area in RRC Casa Alborada where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
6. The PREA Coordinator will prepare a report of its findings, including but not necessarily limited to determinations made pursuant to above paragraphs of this section, and any recommendations for improvement, and submit such report to the Facility Director. A final report will be sent to CEO VOAPR, FBOP RRM or USPO.

RRC Casa Alborada will implement the recommendations for improvement, or documents its reasons for not doing so.

Attachment 8: Preliminary Assessment Form

Attachment 47: 2023/2024 Sexual Assault Summary

### **Data collection. (115.287)**

RRC Casa Alborada is committed to on-going program evaluation and review of program data to continually improve program performance.

#### Monthly Reports

On a monthly basis, the PREA Coordinator will review all the incoming Screening for Risk of Sexual Victimization and Abusiveness forms prepared by the Case Managers.

The review process includes:

1. Pull the list of residents that arrived the previous month at RRC Casa Alborada.
2. Identify if the residents assigned are a “show” or a “no show”.
3. Identify the number of male and female residents that arrived.
4. Verify all the questions on the assessment were completed correctly.
5. Verify all the designations were appropriately assigned.
6. Verify the residents and case managers signed the assessment.
7. Tally all the designations.
8. Identify deficiencies and inform the appropriate case manager through email for corrections.
9. Prepare a monthly report for the Facility Director’s signature. The report will include the number of male and female residents that arrived, the number of residents that were a no show, tally of all the designations and a table by percentages of the designations.

#### Yearly report

The Facility Director will ensure a system is in place to collect accurate, uniform data regarding every allegation of sexual abuse at RRC Casa Alborada using a standardized instrument and sex of definitions, using as a guide the Survey of Sexual Violence (SSV) conducted by the Department of Justice (DOJ) as a guide.

1. RRC Casa Alborada will aggregate the incident-based sexual abuse data annually and will include data from incident reports, investigation files, and sexual abuse incident reviews.
2. RRC Casa Alborada will submit this data to the FBOP RRM during the yearly review in January.
3. RRC Casa Alborada is contracted by the FBOP and is not required to submit the Survey of Sexual Violence (SSV) to the Department of Justice. The FBOP is required to submit the SSV on a yearly basis.

Attachment 5: Annual PREA Report

Attachment 33: PREA Monthly Reports

## Attachment 34: PREA Yearly Statistics Summary

### Data Review for Corrective Action. (115.288)

RRC Casa Alborada is committed to on-going program evaluation and review of program data to continually improve program performance.

At least annually, the Facility Director will coordinate a yearly meeting with the Regional Director, Deputy Director, Human Resource/Business Manager, Senior Resident Monitor and the PREA Coordinator. The team will assess the data in order to identify potential improvements in sexual abuse prevention, detection, and response policies, practices and training. In addition, including identifying problem areas, taking corrective action, and preparing an annual report addressing annual aggregate data, corrective actions, progress in addressing sexual abuse, and other topics as needed. The PREA Coordinator will prepare the annual meeting minutes and report.

The areas to be reviewed are:

#### PREA Administration

1. PREA Report
  1. Deficiencies
  2. Observations from auditor
2. PREA Staffing
3. PREA Training
4. Significant Incident Summary Report

#### Human Resources

5. Staffing plan
6. Staff coverage
7. Legal activities

#### Contractors

#### Volunteers/Students

#### Residents

8. Projection Statistics
9. New Projections and Releases

#### Budget

#### Contracts with BOP and USPO

#### Upgrades, Improvements and Maintenance to Physical Plant and Technologies

#### Memorandum of Understanding (MOUs)

10. Education
11. Health
12. Social Services

#### PREA Training

#### PREA Assessments

#### Disciplinary Action

#### Prevention Plan

#### Responsive Plan

Grievances  
Forms  
Operations Manual – General Policies and Procedures  
Review of Manuals  
Website

Attachment 5: Annual PREA Report  
Attachment 33: PREA Monthly Reports  
Attachment 34: PREA Yearly Statistics Summary

### **Data storage, publication, and destruction. (115.289)**

1. The PREA Coordinator has all the PREA related documents in a locked filing cabinet on the sixth floor.
2. The data is securely stored and treated as privileged information.
3. The annual report will be provided to the FBOP RRM for publishing at their discretion.
4. Data will not be made public, unless it has been cleared of all personal identifiers.
5. RRC Casa Alborada maintains sexual abuse and sexual harassment data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

Attachment 5: Annual PREA Report  
Attachment 33: PREA Monthly Reports  
Attachment 34: PREA Yearly Statistics Summary

## **ACCREDITATION HISTORY**

RRC Casa Alborada will go through PREA accreditation every three years.

RRC Casa Alborada was accredited for the first time in December 2015. It was re-accredited in December 2018 and 2021.

RRC Casa Alborada is scheduled for its second re-accreditation in December 2024.

Attachment 68: PREA Final Reports (2015, 2018, 2021)

## **ATTACHMENTS**

Attachment 1: PREA Coordinator Appointment Letter  
Attachment 2: Staffing Plan and Organizational Chart  
Attachment 3: Shift Assignment (Resident Monitor & Case Managers)  
Attachment 4: Video Monitoring Program  
Attachment 5: Annual PREA Report  
Attachment 6: PREA Resources Directory  
Attachment 7: Memorandum – New Hires New Promotions  
Attachment 8: Preliminary Assessment Form

Attachment 9: PREA Training Lesson Plan  
Attachment 10: Staff Training Form  
Attachment 11: Staff Training Summary  
Attachment 12: Volunteer/Student Handbook  
Attachment 13: Contractor Magic Kitchen Training Form  
Attachment 14: Initial Intake Screening Form (Resident Monitor)  
Attachment 15: Screening for Risk of Sexual Victimization and Abusiveness Form (Case Manager)  
Attachment 16: Resident Training Form  
Attachment 17: Resident Handbook  
Attachment 18: Individualized Program Plan (30-day assessment)  
Attachment 19: Family Orientation Agenda  
Attachment 20: PREA Posters (English and Spanish)  
Attachment 21: Director's Acceptance/Denial Letter  
Attachment 22: Memorandum of Understanding ASPIRA (STDs)  
Attachment 23: Mental Health services by BOP  
Attachment 24: Memorandum Staff Pending Investigations  
Attachment 25: Retaliation Monitor Form  
Attachment 26: Memorandum Staff Disciplinary  
Attachment 27: Memorandum Contractors and Volunteers Disciplinary  
Attachment 28: Memorandum Resident Disciplinary  
Attachment 29: Disciplinary sanctions for residents  
Attachment 30: Sample Mental Health Referral  
Attachment 31: Sample Medical Referral  
Attachment 32: BOP Medical and Mental Health Coverage  
Attachment 33: PREA Monthly Reports  
Attachment 34: PREA Yearly Statistics Summary  
Attachment 35: Casa Alborada Brochure  
Attachment 36: PREA Coordinator Position Description  
Attachment 37: Memorandum 2024 New Contractors (Magic Kitchen Staff)  
Attachment 38: Memorandum Staff 5 Year Background Investigations  
Attachment 39: 2023/2024 PREA Grievances Report  
Attachment 40: 2024 Staff Roster  
Attachment 41: Memorandum Cross Gender View and Searches  
Attachment 42: Memorandum 2024 Volunteers/Students  
Attachment 43: 2023/2024 Retaliation Monitor Report  
Attachment 44: Self Report PREA Form (Promotions)  
Attachment 45: Maintenance Video Monitoring Program  
Attachment 46: Memorandum of Understanding – Police Department of Puerto Rico  
Attachment 47: 2023/2024 Sexual Assault Summary  
Attachment 48: Sexual Assault Protocols Pavia Hospital  
Attachment 49: RRC Casa Alborada's Responsive Plan  
Attachment 50: Volunteer/Student Training Summary  
Attachment 51: Contract Staff (Magic Kitchen) Training Summary  
Attachment 52: Individualized Program Plan (First Case Review)  
Attachment 53: Statement of Work RRC BOP  
Attachment 54: 2023 Annual Training – CPR/First Aid Sign-up Form  
Attachment 55: Memorandum of Understanding Health Pro-Med

Attachment 56: Police PREA Risk form  
Attachment 57: Police protocol reporting sexual assault  
Attachment 58: Police protocol sexual assault collection kit  
Attachment 59: Police protocols transgender victims  
Attachment 60: Police protocol PREA prevention in the cells  
Attachment 61: Police zero tolerance policy  
Attachment 62: Complaints received from outside agencies  
Attachment 63: Incident Report 01  
Attachment 64: Incident Report 02  
Attachment 65: PREA Informational Center Sixth Floor  
Attachment 66: Lesson Plan Initial Orientation  
Attachment 67: Staff Handbook  
Attachment 68: PREA Final Reports  
Attachment 69: Less Than 30 days at RRC  
Attachment 70: Admissions Nov 2023 to Oct 15, 2024  
Attachment 71: Open  
Attachment 72: Open  
Attachment 73: 2023 - 2024 Staffing Deviation  
Attachment 74: Escort & Searches Procedures Memorandum  
Attachment 75: Transgender Offender Manual  
Attachment 76: Email Requesting Services Women's Bureau

## **ABBREVIATIONS**

ACA: American Correctional Association

AIC: Adult in custody

CAVV: Centro de Ayuda Víctimas de Violación (Center for Rape Victims)

CEO VOAPR: Chief Executive Officer, Volunteer of America Puerto Rico

FBOP RRM: Federal Bureau of Prisons, Residential Reentry Manager

IPP: Individual Progress Plan

LGBTTIQ+: Lesbian, Gay, Bisexual, Transgender, Transexual, Intersex, Queer, plus

MDC PR: Metropolitan Detention Center, Guaynabo, Puerto Rico

MOU: Memorandum of Understanding

PREA: Prison Rape Elimination Act

RAINN: Rape, Abuse, and Incest National Network

RRC: Residential Reentry Center



USPO: United States Probation Officer

VOA: Volunteers of America

## DEFINITIONS

### General definitions

*Abusive Sexual Contact:* Any allegation of contact to sexually exploit an inmate without his/her consent, or of one who is unable to consent or refuse, and intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any inmate, excluding contact incidental to a physical altercation.

*Agency* means the unit of a State, local, corporate, or nonprofit authority, or of the Department of Justice, with direct responsibility for the operation of any facility that confines inmates, detainees, or residents, including the implementation of policy as set by the governing, corporate, or nonprofit authority.

*Agency head* means the principal official of an agency.

*Allegation:* Any event that has been reported to a staff person, contractor, or volunteer but which has not yet been verified or investigated.

*At Risk:* Resident who exhibit characteristics consistent with potential victims or perpetrators of sexually abusive behavior.

*Code of silence* is an informal institutional or organizational culture that says members of this group will not inform on or give evidence or testimony against other members of the group, even though actions of the other members may involve breaches of policy or even the criminal law. Also referred to as the “Code of Blue”.

*Community confinement facility* means a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center or other community correctional facility (including residential re-entry centers). Other than a juvenile facility, in which individuals reside as part of a term of imprisonment or as a condition of pre-trial release or post-release supervision, while participating in gainful employment. Employment search efforts, community service, vocational training, treatment, educational programs, or similar facility approved programs during nonresidential hours.

*Contractor* means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

*Employee* means a person who works directly for the agency or facility.

*Exigent circumstances* mean any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

*Facility* means a place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals.

*Facility head* means the principal official of a facility.

*Full compliance* means compliance with all material requirements of each standard except for *de minimis* violations, or discrete and temporary violations during otherwise sustained periods of compliance.

*Gender nonconforming* means a person whose appearance or manner does not conform to traditional societal gender expectations.

*Inmate* means any person incarcerated or detained in a prison or jail.

*Intersex* means a person who is sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

*Intimacy*: Any behavior not deemed as sexual contact or sexual abuse of a resident including kissing, touching parts of the body not defined under sexual abuse or other related acts including, but not limited to, sending/receiving personal letters/cards/gifts or receiving phone calls from a detainee. Intimate relationships between staff and residents are prohibited.

*Jail* means a confinement facility of a Federal, State, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility.

*Medical practitioner* means a health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified medical practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

*Mental health practitioner* means a mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified mental health practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

*Non-Consensual Sexual Act*: Any allegation of contact of any inmate without his/her consent, or of one who is unable to consent or refuse. Contact between the penis and vagina or penis and anus, including penetration, however slight; or contact between the mouth and the penis, vagina, or anus; or penetration of the anal or genital opening of another by a hand, finger or other object.

*Pat-down search* means a running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.

*Prison* means an institution under Federal or State jurisdiction whose primary use is for the confinement of individuals convicted of a serious crime, usually in excess of one year in length, or a felony.

*Prison Rape Elimination Act (PREA)*: Federal legislation (Public Law No. 108-79), enacted in 2003 to provide for the analysis of the incidence and effects of prison rape in federal, state, and local correctional institutions and to provide information, resources, recommendations in addition, funding to protect individuals from prison rape.

*Reporting*: Agencies shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

*Resident* means any person confined or detained in a juvenile facility or in a community confinement facility.

*Retaliation*, occurs when an inmate or staff injures, harms or intimidates a person who has reported sexual abuse and assault, or attempts to do so, in response to the report.

*Security staff* means employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility.

*Sexual abuse*: any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse sexual contact, penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and any other intentional touching. Any attempt, threat, or request to engage in sexual activities, any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and Voyeurism by a staff member, contractor, or volunteer.

*Sexual harassment*: repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

*Sexual Victimization*: All types of nonconsensual sexual activity with other inmates (that involves contact with the penis and the vagina or anus; contact between the mouth and the penis, vagina, or anus; penetration of the anal or vagina opening of another person by a hand, finger, or other object; and rubbing of another person's penis or vagina by a hand), abusive sexual contacts with other inmates, and both willing and unwilling sexual activity with staff.

*Staff* means employees.

*Staff Sexual Misconduct*: Any verbal, physical or offensive conduct of a sexual nature by an employee, contractor, or volunteer, directed toward a resident under the care, custody, and supervision of the facility. All sexual contact between a resident and an employee, contractor, volunteer shall be considered sexual misconduct.

*Strip search* means a search that requires a person to remove or arrange some or all clothing to permit a visual inspection of the person's breasts, buttocks, or genitalia.

*Student*: An individual who is completing an internship or practicum as part of a college degree.

*Substantiated allegation* means an allegation that was investigated and determined to have occurred.

*Transgender* means a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person has assigned sex at birth.

*Trauma*: as defined by the National Association of State Mental Health Program Directors, is the experience of violence and victimization including sexual abuse, physical abuse, severe neglect, loss, domestic violence and/or the witnessing of violence, terrorism or disasters.

*Unfounded allegation* means an allegation that was investigated and determined not to have occurred.

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

*Volunteer* means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

*Voyeurism*: an invasion of privacy of an inmate, detainee or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

## **REFERENCES**

### **Community Confinement Standards**

U.S. Department of Justice Final Rule, National Standards to Prevent, Detect, and Respond to Prison Rape, Under the Prison Rape Elimination Act (PREA), 28 C.F.R. Part 115, Docket No. OAG-131, RIN 1105-AB34, May 17, 2012.

### **U.S. Department of Justice**

Office of Violence Against Women  
A National Protocol for Sexual Assault Forensics Evaluation Adults  
2<sup>nd</sup> Edition – Revised April 2013

**Federal Bureau of Prisons’ Policies & Reports**

2022 FBOP Annual PREA Report

Signed June 29, 2023

2023 FBOP Annual PREA Report

Signed June 26, 2024

Inmate Discipline

Program Statement 5270.09, CN-1

November 18, 2020

Medical Management of Transgender Inmates

Clinical Guidance December 2016

Sexually Abusive Behavior Prevention and Intervention Program

Program Statement 5324.12

Revised June 4, 2015

Transgender Offender Manual

Program Statement 5200.08

Revised January 13, 2022

**RRC Casa Alborada’s Statement of Work**

08/07, Revised 02/12

Chapter 2, Chapter 9, Chapter 10, Chapter 13

**RCC Casa Alborada Policy and Procedures**

**Security**

2A-03, Staff Requirements, revised 07/01/22, 10/01/23, 07/15/24

2A-04, 24 Hour Staff Coverage, revised 07/01/22, 10/01/23, 07/15/24

2A-05, Co-ed Facility Staff, revised 07/01/22, 10/01/23, 07/15/24

2A-07, Risk Assessment, revised 07/01/22, 10/01/23, 07/15/24

2C-04/05, Body Cavity Searches, revised 07/01/22, 10/01/23, 07/15/24

2C-06, Strip Searches, revised 07/01/22, 10/01/23, 07/15/24

**Order**

3A-01, Resident Rules and Disciplinary Regulations, revised 07/01/22, 10/01/23, 07/15/24

3A-04, Resident Intake, revised 07/01/22, 10/01/23, 07/15/24

3A-05, Resident Orientation, revised 07/01/22, 10/01/23, 07/15/24

**Program**

5A-01, Assessment of Risks and Needs, revised 07/01/22, 10/01/23, 07/15/24

5A-03/04, Individualized Response Plan, revised 07/01/22, 10/01/23, 07/15/24

5A-05, Periodic Assessment, 07/01/22, 10/01/23, 07/15/24

**Justice**

6A-04, Residents with Disabilities, revised 07/01/22, 10/01/23, 07/15/24

6A-05, Sexual Harassment and Sexual Abuse, revised 07/01/22, 10/01/23, 07/15/24

6B-01/02, Discrimination, revised 07/01/22, 10/01/23, 07/15/24

6B-03, Grievance Procedures, revised 07/01/22, 10/01/23, 07/15/24

6C-02/03, Prohibited Acts, received 07/01/22, 10/01/23, 07/15/24

**Websites**

Federal Bureau of Prisons

[www.bop.gov](http://www.bop.gov)

National PREA Resource Center

Bureau of Justice Assistance

Office Justice Programs

[www.prearesourcecenter.org](http://www.prearesourcecenter.org)

RAINN

[www.rainn.org](http://www.rainn.org)

National Sexual Assault Hotline