


Great Falls Pre-Release Services, Inc.  
1019 15<sup>th</sup> Street North Great Falls, MT 59401  
(406) 727-0944 Fax 727-0961

POLICY STATEMENT	PRISON RAPE ELIMINATION ACT OF 2003 (PREA)	
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## I. POLICY:

Great Falls Pre-Release Services, Inc. has a zero tolerance to the sexual abuse or sexual harassment of residents under their supervision. Great Falls Pre-Release Services, Inc. recognizes these residents as victims of a crime and will immediately respond to all allegations, investigate reported incidents, pursue disciplinary action, and refer for investigation and prosecution those staff and residents who perpetrate such conduct.

## II. DEFINITIONS:

Agency means the unit of a state, local, corporate, or nonprofit authority 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.

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. This includes exempt and non-exempt GFPRS, Inc. staff and members of the GFPRS, Inc. Board of Directors.

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.

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

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.

Staff means employees.

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

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.

Sexual abuse includes:

1. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
2. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes 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:
  - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
  - b. Contact between the mouth and the penis, vulva, or anus;
  - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
  - d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) - (5) of this section;
7. 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

8. Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means 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.

Sexual harassment includes:

1. 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; and
2. 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.

### III. PROCEDURES:

#### A. Staff Responsibilities

1. The PREA Coordinator is responsible for developing, implementing and overseeing efforts to comply with the PREA standards in all GFPRS, Inc. facilities.
  - a. Coordinate and develop procedures to identify, monitor, and track sexual abuse incidents occurring in the facility and programs.
  - b. Conduct audits of incidents and policy to ensure compliance with GFPRS, Inc. policy and the Prison Rape Elimination Act of 2003.
  - c. Ensure compliance with training requirements.
  - d. Ensure compliance with reporting procedures set for by the Bureau of Justice in the Prison Rape Elimination Act of 2003.
  - e. Maintain related statistics by completing the Survey of Sexual Violence after the case has been closed.
  - f. Receive reports of allegations of sexual harassment or sexual abuse that allegedly occurred at Great Falls Pre-Release, Inc. reported to other facilities.
  - g. Investigate in conjunction with the PREA Liaison all allegations of sexual harassment and initial claims of sexual abuse.
  - h. Advise staff on PREA policies and when it is necessary to solicit an investigation by the police department.
2. The PREA Liaison conducts training, investigations and assists the PREA Coordinator as needed. The Liaison will act as Coordinator in the Coordinator's absence.
3. The Executive Director, or in his absence the Director of Treatment Services, is responsible for oversight of all Prison Rape Elimination Act (PREA) related activities. The Director will:

- a. With the assistance of the Facilities Director, develop and document a staffing plan that provides for adequate levels of staffing and video monitoring to protect residents against sexual abuse.
- b. Review and approve all reports of investigation completed by the PREA Coordinator and Liaison prior to completion of the Survey of Sexual Violence survey report.

## **B. Offender Orientation and Education**

1. During orientation and within seven days of arrival, all residents will receive information about sexual abuse and sexual harassment regardless of their program status. Designated staff shall communicate the information verbally and in writing, in a manner that is clearly understood by residents, including those with limited English proficiency, deaf, visually impaired or otherwise disabled as well as residents who have limited reading abilities. Residents will be given the opportunity to review appropriate policies and/or procedures for grievances and PREA, ask questions, and receive answers. Information provided will include, but is not limited to:
  - Presentation of this policy
  - Resident Grievance procedure
  - GFPRS, Inc. zero tolerance policy
  - The right to be free from sexual abuse and sexual harassment
  - Self-protection methods
  - Prevention and intervention
  - Treatment and counseling
  - Reporting incidents
  - Protection against retaliation
  - Agency policies and procedures for responding to incidents
  - Consequences of false allegations
2. Staff will document verification of offender orientation and education on PREA by completing the Offender PREA acknowledgment forms and place them in the offender's file.
  - a. The PREA Intake Briefing Sheet will be covered within the first 24 hours of reporting aboard and before being assigned to a room. This will be read and explained by the Compliance Officer conducting the check-in.
  - b. The PREA Resident Training Certification will be conducted by the PREA Liaison during Center indoctrination (first week).
3. Additional training will be provided as required and as needed at facility/treatment management team discretion.

### **C. Offender Reporting**

#### **1. Reporting Incident**

- a. Residents who are victims of or have knowledge of sexual abuse should immediately report the incident to any staff member; or
  - b. Residents may utilize the formal grievance procedure to report sexual abuse in accordance with the facility procedure found in the resident handbook; however, residents are not required to use the formal grievance process to report allegations of sexual abuse. Staff receiving such grievances will process them as a high priority and will immediately notify the Executive Director who will begin the investigative process.
  - c. Residents who submit a report alleging sexual abuse by a staff member should not submit the report to the staff member who is the subject of the complaint. Said staff member will have no involvement in the investigation of the claim against him/her.
  - d. Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates may assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and may file requests on behalf of residents.
  - e. Residents may report sexual abuse while confined at another facility. The Executive Director of GFPRS, Inc. must contact the head of the agency or facility where the alleged sexual abuse occurred no later than 72 hours after receiving the allegation.
2. Residents are not required to file written reports; however, staff who receive verbal reports from residents are required to file written incident reports as set forth in this policy. If a resident should decline third party assistance in filing a grievance alleging sexual abuse, the agency will document the resident's decision.
  3. Additional methods for reporting incidents may be developed at the agency's discretion.
  4. All reports of sexual abuse and sexual harassment are to remain confidential to protect the victim from retaliation from both other residents and staff.
  5. Substantiated deliberately malicious or false reports by residents or other parties will result in disciplinary action or criminal charges.

### **D. Prevention**

1. All staff and residents must be alert to signs of potential situations in which sexual abuse and sexual harassment might occur and be capable of identifying the following indicators of sexual abuse and sexual harassment:
  - a. Overly friendly behavior of staff and/or residents;
  - b. The exchange of money, favors, etc.

2. Great Falls Pre-Release Services, Inc. will assess each offender within 72 hours of intake to identify and manage residents who are potentially vulnerable and potentially dangerous, to provide safe housing, adequate protection, and programmatic resources to meet their needs. Rescreening will occur within thirty days of the initial assessment.

#### **E. Intervention**

1. Staff who receive an initial report of sexual abuse must separate the victim from the alleged assailant to protect the victim and prevent further violence.
2. Staff who receive an initial report of sexual abuse are required to promptly intervene on the victim's behalf to ensure the victim receives prompt medical and psychological assistance as appropriate to his or her needs and the circumstances of the alleged offense. Victims of sexual abuse must have an assessment for potential risk of suicide.
3. In the event an active sexual assault is occurring, staff is to immediately call for back up and will follow appropriate security procedures, which include:
  - a. Separating the alleged victim from the alleged perpetrator;
  - b. Do not allow the alleged victim or abuser to take any actions that could destroy any physical evidence. (washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating);
  - c. Providing medical and mental health assistance for the alleged victim as soon as possible;
  - d. Taking reasonable measures to identify, isolate, and separate witnesses;
  - e. Securing the incident scene so items cannot be removed or introduced;
  - f. Allowing only assigned investigators to assess the scene.
4. Psychological trauma may occur in individuals such as witnesses and staff members, as well as the victim of the sexual assault. Mental health staff must be made available to support and assist those in need, i.e., Staff LCPC, Registered Nurse, etc.
5. Staff who receive a report of sexual abuse of an offender by a staff member shall take the report directly to the Executive Director.

#### **F. Services Provided for Victims**

1. Staff will coordinate available services to residents who allege that they are victims of sexual abuse.
2. Facility administration will ensure that residents who allege that they are victims of sexual abuse will have access to the following services:
  - a. Medical examination, documentation, and treatment of injuries, including testing for pregnancy, HIV and other sexually transmitted diseases. These services will be provided without financial cost to the alleged victim, regardless

of whether the victim names the abuser or cooperates with any investigation arising out of the incident;

- b. Coordinate with a qualified mental health professional for crisis intervention counseling and long term follow up; and
- c. Social, family, and peer support; and
- d. Reasonable measures taken to protect and prevent retaliation and future assaults through housing changes, emotional support services, and removal of alleged abusers from contact with the victim(s).

#### **G. Examination of Sexual Abuse Victims**

1. If the alleged sexual abuse is reported within 72 hours of the incident, staff will transport the victim to Benefis Hospital Emergency Room where a sexual assault nurse examiner (SANE) is on call 24 hours a day to treat sexual assault/rape victims and collect evidence as soon as possible. If requested by the victim, a victim advocate or qualified staff member may accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals.
2. If the alleged sexual abuse is reported more than 72 hours after the incident, the offender will be referred to "in house" health care providers who will:
  - a. Complete a patient history and conduct an examination to document the extent of physical injury to determine whether referral to another medical facility is indicated;
  - b. Offer to victims, as appropriate, prophylactic treatment and follow up care for sexually transmitted or other communicable diseases (e.g. HIV, hepatitis B). If pregnancy results, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.
  - c. Submit a report to the Executive Director regarding interactions with the patient, treatment given, and medical recommendations.
  - d. The Executive Director and/or law enforcement may request that facility and program staff transport the victim to Benefis Hospital/Great Falls Clinic for evidence collection with the victim's permission.
  - e. If the victim refuses medical or mental health attention, staff will document the refusal on the MT Department of Corrections Medical Treatment Refusal Form.

#### **H. Staff Reporting**

1. GFPRS, Inc. staff, contract employees, and volunteers who receive information, regardless of its source, concerning offender on offender sexual abuse, who observe an incident of offender on offender sexual abuse or staff on offender sexual abuse, must immediately report the information or incident directly to PREA Staff or to the Executive Director who will notify local law enforcement.
  - a. Report immediately any staff neglect or violation of responsibilities that may have contributed to the incident or retaliation.

2. The Department of Corrections considers a PREA violation a priority one incident and must be reported to the MSP Command Post at (406) 846-6059 and the Contract Manager immediately. If a Contract Manager cannot be reached, continue calling up the chain-of-command as follows until a person is reached:
  - Contract Program Manager: Office 406-444-4909, Cell 406-444-1858
  - Programs and Facilities Bureau Chief: Office 406-444-1538, Cell 406-531-2635
  - Deputy Compact Administrator: Office 406-444-4916, Cell 406-437-2668
  - PPD Administrator: Office 406-444-9610
3. If either the alleged victim or abuser is a Federal inmate, contact the Seattle/Sacramento Office RRM during duty hours: (916) 930-2002, or the after-hours Duty Officer as identified by the Duty Officer schedule provided to this facility annually.
4. In addition to the above reporting requirements, staff, contract employees, and volunteers who know or have reasonable cause to suspect that a youth offender, or vulnerable adult (determined in the intake screening process) has been abused or neglected, must immediately report the matter to the Executive Director, and to the Department of Public Health and Human Services as required by MCA 41-3-201.
5. Any employee or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete, or untruthful information with the intent to alter a report, may face disciplinary action, up to and including termination, even on a first offense.
6. Staff will complete incident reports of all incidents, including written witness statements.
7. Reports of incidents that occurred in another facility shall be forwarded to the Executive Director who shall immediately notify the head of the facility where the alleged abuse occurred and/or the proper jurisdictional agency of that offender in accordance with that agency's reporting protocols requirements. (The Federal Bureau of Prisons and/or the Department of Corrections.) Document that the facility was notified within 72 hours of receiving the allegation.
8. All reports, and any subsequent reports, will be faxed to MSP Command Post and emailed to the appropriate CEO, Contract Manager or Bureau of Prisons facility.

#### **I. Investigative Protocols of Sexual Abuse/Harassment**

1. The PREA Coordinator and PREA Liaison in conjunction with the Executive Director will conduct an initial investigation in non-emergency sexual abuse allegation cases.
  - a. Sexual Assault cases will normally be investigated by the Great Fall Police Department.



- b. As soon as it becomes apparent that any administrative investigation may result in criminal charges the investigation will cease and all case notes and evidence turned over to the Great Falls Police Department.
2. The PREA Coordinator will submit an incident report regarding the investigation. GFPRS, Inc. imposes a standard of a preponderance of evidence for determining whether allegations of sexual abuse or sexual harassment are substantiated. Preponderance of the evidence means that more than 50% of the evidence supports the allegation.
3. If there is a question as to whether an incident deemed inappropriate is covered under PREA, the Contract Manager will be contacted immediately for direction.
4. The departure of the alleged abuser or victim from employment or control of the agency does not provide a basis for terminating an investigation.
5. Great Falls Pre-Release Services, Inc. prohibits requiring residents who allege sexual abuse to submit to a polygraph examination or other truth telling device as a condition for proceeding with an investigation.

#### **J. Documentation**

1. All staff who witness or have knowledge of alleged sexual abuse must submit an incident report before the end of their shift. This includes staff that secured the incident scene, transported residents, or talked to possible witnesses. Written witness statements must be included in this report.
2. The Executive Director will ensure that employees and volunteers will report incidents and complete reports in accordance with ACCD 1.1.600 RD Priority Incident Reporting.
3. At the completion of an investigation (within 90 days), the PREA Investigator will notify the Executive Director and victim of the outcome in writing. The Sexual Assault Response Checklist (Checklist #9 in the Emergency Checklists Binder) will be utilized for this purpose.
4. If a decision has not been reached within 90 days, a 70-day extension may be granted. The resident will be notified in writing of the extension and by which date a decision will be made.
5. GFPRS, Inc. will conduct incident reviews at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The incident review team, consisting of upper level management, will meet within 30 days of the incident to identify policy, training, or other issues that indicate a need to change agency standards to better protect, detect, or respond to incidents of sexual abuse. The review process allows for input from supervisors, investigators, and medical or mental health practitioners. A report of the findings, along with recommendations for

improvement will be forwarded to the Executive Director and PREA Coordinator. GFPRS, Inc. will make such improvements or document the reasons for not doing so on the Annual Report.

#### **K. Staff Training**

1. All GFPRS, Inc. staff, contract employees, and volunteers with direct and/or incidental contact with residents will receive documented PREA training during orientation and sign a PREA Staff Training Certification sheet. Mandatory annual training sessions are required, and annually thereafter.
2. Training will include, but is not limited to:
  - a. Review of this policy, the Prison Rape Elimination Act of 2003, Transition Center Personnel Handbook and any other applicable state or federal laws.
  - b. Prevention, detection, reporting and response policies and procedures
  - c. Zero tolerance policy for sexual abuse and sexual harassment;
  - d. Recognition of sexual abuse, predatory residents, potential victims, and/or staff involvement;
  - e. Facility procedures on sharing confidential information; and
  - f. Reporting procedures; and
  - g. The staff's right to be free from retaliation.
3. GFPRS, Inc. will provide specialized training for staff that respond to and/or investigate allegations of sexual abuse. Training will include crime scene management, victim sensitivity, and crisis intervention.

#### **L. Data Collection/Tracking of Sexual Assaults**

1. The PREA Coordinator or designee will complete the annual Survey of Sexual Victimization for each reported incident of sexual abuse and sexual harassment.
2. The PREA Coordinator will compile records and report statistical data to the State PREA Coordinator who will report to the Federal Bureau of Justice as required by the Prison Rape Elimination Act of 2003 annually. GFPRS, Inc. will maintain this data for at least 10 years after the initial collection, unless Federal, State, or local law requires otherwise.
3. The Executive Director will securely retain records including incident and investigative reports, offender information, case disposition, medical and counseling findings, and recommendations for post release treatment and/or counseling. These records shall be retained for as long as the alleged abuser is incarcerated or employed by GFPRS, Inc., plus five years.
4. The Facility Director will review aggregated data and identify problem areas, take corrective action, compare the current year data with prior year data, and prepare an annual report of its findings for the Executive Director to review annually.

5. The annual report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the facilities progress in addressing sexual abuse. The annual report will be made public by being placed on GFPRS, Inc.'s website with all personal identifiers removed.

**M. Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers**

1. Per PREA standard 115.283; Great Falls Pre-Release Services, Inc. shall offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
2. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
3. Great Falls Pre-Release Services, Inc. shall provide such victims with medical and mental health services consistent with the community level of care.
4. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
5. If pregnancy results from conduct specified in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
6. Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
7. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
8. Great Falls Pre-Release Services, Inc. shall 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 when deemed appropriate by mental health practitioners.

**N. Agency Protection Against Retaliation (PREA standard 115.267)**

1. Great Falls Pre-Release Services, Inc. will 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 or staff. The following staff are designated and charged with monitoring retaliation: The victim's assigned Correctional Treatment Specialist (CTS), the Screening/Disciplinary Hearings Officer (DHO), the PREA Coordinator and PREA Liaison.

2. GFPRS, Inc. 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 that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
3. For at least 90 days following the report of sexual abuse, GFPRC, Inc. will monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation. Items the Center should monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The Center shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. In the case of residents, such monitoring shall also include periodic status checks.
4. If any other individual who cooperates with an investigation expresses fear of retaliation, the Center shall take appropriate measures to protect the individual against retaliation. GFPRC, Inc.'s obligation to monitor shall terminate if it is determined that the allegation is unfounded.

**O. Reporting to Residents (PREA standard 115.273)**

1. Following an investigation into a resident's allegation of sexual abuse suffered in an agency facility, Great Falls Pre-Release Services, Inc. (GFPRS) shall inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. If GFPRS did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the resident.
2. Following a resident's allegation that a staff member has committed sexual abuse against the resident, GFPRS shall subsequently inform the resident (unless it has been determined that the allegation is unfounded) whenever:
  - a. The staff member is no longer posted with the resident's unit;
  - b. The staff member is no longer employed at the facility;
  - c. The staff member has been indicted on a charge related to sexual abuse within the facility; or
  - d. GFPRS learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
3. Following a resident's allegation that he or she has been sexually abused by another resident, Great Falls Pre-Release Services, Inc. shall subsequently inform the alleged victim whenever:
  - a. GFPRC learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility; or
  - b. GFPRC learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

4. All such notifications or attempted notifications shall be documented.
5. The obligation to report under this PREA standard shall terminate if the resident is released from the Great Falls Pre-Release Services, Inc.'s custody.

**P. Residents with disabilities and/or limited English proficient (PREA standard 115.216)**

Great Falls Pre-Release Services, Inc. will take appropriate steps to ensure that residents with disabilities (including, for example, residents who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of GFPRS, Inc.'s effort to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with residents who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities, including residents who have intellectual disabilities, limited reading skills, or who are blind or have low vision.

GFPRS, Inc. will take reasonable steps to ensure meaningful access to all aspects of the Center's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to residents who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

GFPRC, Inc. will not rely on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under 115.264, or the investigation of the resident's allegations.

GFPRS, Inc. staff needing translator services for communicating with assigned residents will forward their request to the Executive Director via the PREA Staff who will make specific recommendations for local service through the Montana School for the Deaf & Blind's (located in Great Falls) Interpreter Registry.

**Q. Hiring and Promotion Decisions (PREA Standard 115.217)**

1. Great Falls Pre-Release Services, Inc. shall not hire or promote anyone who may have contact with residents, and shall not enlist the services of any contractor, who may have contact with residents, who:
  - a. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C., 1997);

- b. Has 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; or
    - c. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph A.2. of this section.
2. Great Falls Pre-Release Services, Inc. shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.
3. Before hiring new employees, who may have contact with residents, Great Falls Pre-Release Services, Inc. shall:
  - a. Perform a criminal background records check; and
  - b. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
4. Great Falls Pre-Release Services, Inc. shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with residents.
5. Great Falls Pre-Release Services, Inc. shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees.
6. Great Falls Pre-Release Services, Inc. shall also ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph A of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. Great Falls Pre-Release Services, Inc. shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
7. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
8. Unless prohibited by law, Great Falls Pre-Release Services, Inc. shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

**R. Disciplinary Sanctions of Residents (PREA Standard 115.278)**

1. Residents shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following criminal finding of guilt for resident-on-resident sexual abuse.
2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.
3. The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.
4. Great Falls Pre-Release Services, Inc. does not offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse. Offending residents shall receive immediate recommendation for transfer to a facility designed to address such interventions.
5. Great Falls Pre-Release Services, Inc. may discipline a resident for sexual contact with staff only upon finding that the staff member did not consent to such contact.
6. For the purpose of disciplinary action, a report of sexual abuse 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 evidence sufficient to substantiate the allegation.
7. Great Falls Pre-Release Services, Inc. prohibits all sexual activity between residents and may discipline residents for such activity. Great Falls Pre-Release Services, Inc. will not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

**S. Corrective Action for Contractors and Volunteers (PREA Standard 115.277)**

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.
2. Great Falls Pre-Release Services, Inc. shall take appropriate remedial measures and shall consider whether to prohibit further contact with residents, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

**IV. CLOSING**

Questions concerning this policy should be directed to the PREA Coordinator or Executive Director.