

PREA Stakeholder Work Group

Date: August 18, 2015

Attendees: Beth Schubach, Rick Torrance, Ned Newlin, Jason Altig, Carrie Trogdon-Oster, Marta Keagle, Deanna Randall-Secrest, Stephen Long, Chandra Brady, Whatcom County Jail, Franklin County Jail, Wendy Peterson, Wendy Jones, Bob Balkema, John Di Croce, Andrea Piper-Wentland, and Kelley Amburgey-Richardson

Welcome and Introductions with New Participants: Mr. Newlin shared that many jails were invited to attend because each facility is very different and he thought it would be helpful for our process to hear from many types. A large number of jail representatives joined the meeting in person and remotely, and introduced themselves. Mr. Altig and Ms. Trogdon-Oster also joined the meeting remotely from work release facilities.

Updates & Follow-up

WCSAP

Ms. Amburgey-Richardson shared general feedback about PREA inmate orientation and staff education materials that corrections participants provided to WCSAP.

- It was helpful to see what inmates/residents and staff are learning
- There were great examples in all materials about commitment to zero tolerance and how to convey information about PREA to inmates/residents and staff
- Clear that inmates/residents are receiving information about PREA at multiple times in variety of formats during their incarceration/detention
- Inmate materials contain great information about reporting methods, protection from retaliation, and inmate rights. This would be a great place to include information about the right to access a victim advocate and to have prompt medical care following a sexual assault.
- Staff materials contained lists of resources. Please include WCSAP in your resources (www.wcsap.org) and your local community sexual assault program. If you don't know what program is closest to you, contact WCSAP or look on this page of our website: www.wcsap.org/find-help
- WCSAP is available to review materials from other jail participants as well

Ms. Amburgey-Richardson provided an update about the upcoming training WCSAP is putting on with Just Detention International:

- WCSAP will be hosting two in person meetings, one for corrections staff and one for advocates. The dates are November 9th and November 10th. A "Save the Date" with more information will be shared soon.
- WCSAP will be able to support attendance of both advocates and some correctional facility staff with travel scholarships

Ms. Amburgey-Richardson shared information about Crime Victims Compensation that had been requested by jails:

- Researched payment responsibility for a forensic rape exam when the sexual assault occurred in a jail facility and consulted with CVC staff
- The CVC statute and policies prohibit payment for the exam or other claims when the assault occurred in a correctional facility (See RCW 7.68.060)
- Maty Brimmer at CVC is available to speak with correctional facilities about questions regarding this. She can be contacted at: 360.902.6707 or via email at brin235@lni.wa.gov

Jails

Mr. Newlin and Ms. Schubach from DOC shared information about the forthcoming PREA Toolkit for jails that is in development:

- There is a subcommittee working on a toolkit for sharing with facilities that will address and provide comprehensive guidance on all PREA Standards
- The goal is to provide guidance for jails to support PREA standard implementation success
- The goal date to roll out to jails is mid-September. The materials will be shared out via a central email system and be followed up with reminder emails.
- The WASPC conference will be held in November and the toolkit will be highlighted there as well. WASPC will be available for support to jails in answering questions about the tool kit.

DOC

Ms. Schubach shared updates about the DOC reporting hotline and the confidential hotline at OCVA:

- DOC has been working on addressing phone security on both hotlines, which were recently breached by inmates who identified a method to access an external line through the system
- Currently, DOC facilities are conducting tests of the confidential hotline to ensure that an IPIN is not required and that calls are not recorded

OCVA

Mr. Torrance shared:

- Additional information about the phone system issue. It will hopefully be resolved soon.
- About a recent national justice conference he attended which addressed the impacts of incarceration to communities of colors and the need for rehabilitative programming

Purpose of the Meeting

WCSAP shared that information gathered will be used to inform the November trainings, web content on the WCSAP website, and a fact sheet for advocates.

- Hope to collect as many voices from respective fields to inform the training and other resources
- Thank you to all the jails for participating today to assist with that information gathering

Participants from jails highlighted a hoped goal of identifying how to best partner with sexual assault programs near them. Information shared about where facilities are in terms of inmate access to confidential sexual assault advocacy services included:

- Spokane County Jail - they are a mental health facility and mental health staff get inmates connected with various local advocacy programs. That facilitated connection is beneficial because mental health staff and advocates have a common language. There is not access to a confidential hotline established or a direct relationship with their local program for advocacy services at this time.
- Participants identified a challenge regarding prosecution of cases of sexual assault that occur in facilities. Support from an advocate may be able to help persons understand the system which may result in better/more frequent prosecution.
- SCORE - has a relationship with the local community sexual assault program. One issue noted was an over utilization of the phone line from inmates who were not seeking advocacy services.
- Yakima – built their own phone line as a creative solution to address potential volume and hotline abuse concerns.
- Implementation of access to advocacy services may look different in small facilities. In a small jail with no reported sexual assaults over the past 25 years,

where inmates usually stay only a day, readiness and response feel different and may have a varying level of priority across institutions.

- Community sexual assault programs can offer in-service training support to correctional facilities about sexual violence and advocacy services. At SCORE, their advocacy program partners trained 100 officers with positive feedback. In-service training opportunities can be explored with your local program.

WCSAP and OCVA shared related information:

- We can't have as standardized an approach with the jails because they are not a state agency like DOC. Where it is possible, there can be consistency. One example of this is in allowing access to advocacy services for inmates who have experienced sexual assault at any time in their lives, not just if it was in a facility. This is helpful for public safety and for confidentiality (e.g. an inmate meeting with an advocate does not necessarily indicate an assault in facility).
- Funding considerations associated with advocacy service provision were reviewed. Advocates may use limited state dollars for such services, and OCVA has a mechanism for advocates to indicate services were provided to an incarcerated person so approved funds are used. Advocates cannot use federal funds due to a VOCA restriction regarding serving incarcerated persons.

Group Discussion: Access to Victim Advocacy Services for Incarcerated Survivors

Ms. Schubach and Ms. Piper-Wentland shared how a phased approach to implementation of access to advocacy services was helpful to DOC and community sexual assault program planning:

- Phase 1 – hotline, Phase 2 – support at the forensic exam, Phase 3 – in person advocacy services at correctional facility
- Helped build a mutual understanding of each other's work and roles
- An inmate receiving services after a sexual assault helps with wellbeing and increases general facility safety
- Allowed for learning what worked and what didn't work so those lessons could be applied to the next phase in the system
- Provided the opportunity to take tours of each other's facilities and build readiness and relationships as a foundation for partnership
- Allowed time to run table top exercises that identified issues before they came up in an actual sexual assault case

Participants shared where their facilities are at in terms of the phased approach and other PREA implementation progress:

- Kitsap - Phases 1 and 2, have access to a confidential phone line established and would utilize advocate in a forensic exam response situation.
- Yakima - Phases 1 and 2, moving toward phase 3. Follow-up is happening with their community sexual assault program partners.
- Work Release – shared the differences between in person advocacy for work release and prison facilities. Work release inmates can access advocacy services in community. More discussion about this will take place at next meeting.
- Whatcom County – is in a continuing collaboration with the community sexual assault program. They are willing to come in and train corrections staff, they have asked for funding support to provide advocacy services.
- Clallam County – Phases 1 – 3. They have had a grant and worked extensively with JDI. Partnership with community sexual assault program is well-established and beneficial to both agencies.
- Franklin County - had cases that included a forensic exam and an advocate was called to attend the exam. No phone access at this time.
- Spokane - Largest facility on the eastside. Does not have a hotline established or a partnership with community sexual assault program yet, although facility mental health makes referrals. Advocates have responded to forensic exams.
- External reporting entity requirement - many are using the local police department, some jails are trying to partner with each other to satisfy this standard. In most cases, community sexual assault programs will not be an appropriate entity to fulfill this role due to confidentiality obligations.

Facility Concerns and Considerations

Participants shared what thoughts and/or concerns they have about providing access to community sexual assault advocates and what topics would be helpful to cover at the November training:

- Helps to establish that the advocate is partner, not a contractor or a volunteer. Both entities are responsible for result and can trust each other.
- How to partner with the agency in their community effectively
- Making sure advocates understand inmate manipulation
- Making sure agencies have clear policies for identifying and addressing conflicts of interest when they arise (e.g. a victim in jail has perpetrated against another agency client) while still responding to advocacy needs of victim in jail

- Advocates understanding they will need to undergo security screening and orientation class prior to entering facility. Screening can take up to a month. They will also be escorted once in facility.
- Retaliation – PREA requires monitoring to ensure victims who report are not retaliated against. Participants would like training on how to identify retaliation to best protect victims and respond to it effectively.

Forensic Exam Response

Ms. Amburgey shared information specific to the forensic exam response component of advocacy:

- In community, a victim arrives at the hospital and the hospital calls the advocate to respond. Whichever advocate is on call responds to the hospital.
- With DOC facilities, DOC calls the PREA-trained advocate to respond to the hospital and gives them an idea of arrival time. This is worked out with the hospital so hospital does not also call an advocate as part of regular community response.
- Jails and their community sexual assault program partners will need to determine what the best approach is in their community

Phone Access Considerations

Participants discussed phone-specific issues:

- How to ensure calls are as confidential as possible. There is a possibility of talking to vendors about options for having call not be recorded, not require IPIN, as DOC has done. There are 6 – 8 major telephone vendors for corrections nationally, so other states will be contacting them too.
- Deaf inmates in jails do have access to a TTY, they would not have to specify who they are calling to obtain access, but would have to request to use the machine.
- Jail participants shared that their phone calls are limited in duration and that duration varies by facilities. Advocates will need to be aware that the phone is going to be cut off. If it were otherwise, would undermine confidentiality by outing inmate as calling advocacy hotline (only number that does not cut off).

Next Steps

- WCSAP will send a survey to Mr. Newlin to distribute to jails with specific questions related to access to advocacy services. Similar surveys will be created for other facility types.

- WCSAP will follow-up with JRA, jails, DOC, and work release as needed with specific feedback about PREA orientation materials
- Facilities will share Save the Date for November training when provided by WCSAP
- Facilities will follow-up with WCSAP to share any topics they think should be included in November training for corrections

Next Meeting: September 21st from 9 – 11:30am at Department of Commerce