

	PREA 27.02	<b>PREA Training and Education</b>	Effective Date:	August 1, 2019
			Revised Date:	May 3, 2019

**Purpose:**

The purpose of this policy is to establish training protocols as required by the Prison Rape Elimination Act (PREA) for all staff, contractors, volunteers who have contact with inmates and educate inmates on their rights and reporting procedures regarding PREA while incarcerated at MDC.

**Field of Application:**

New Mexico, Bernalillo County, Metropolitan Detention Center.

**Policy:**

The policy of the Bernalillo County Metropolitan Detention Center (MDC) is to provide training to all staff, contractors, and volunteers who have contact with inmates, about their responsibility in prevention, detection, and responding sexual abuse, and sexual harassment, and MDC’s zero tolerance policy towards all forms of sexual abuse and sexual harassment. It is also the policy of MDC to educate inmates in accordance with the PREA standards.

**Definitions:**

Definitions used in this policy are defined in PREA Policy 27.00 [Prohibition of Sexual Abuse, Sexual Harassment, and Definitions](#).

**Responsibility:**

The requirements and processes described in this document apply to all staff members, contractors, volunteers, and inmates at MDC. Area Managers and Supervisors are responsible for, ensuring that staff members have access to up-to-date information and policies, ensuring that staff members are trained in all policy updates; and ensuring all staff members login in to PowerDMS on a regular basis and to acknowledge and/or complete items in their inbox.

**Procedure:**

**A. Staff Training**

1. All staff, who have contact with inmates shall be trained on the following topics:
  - a. MDC’s zero tolerance policy for sexual abuse and sexual harassment;
  - b. How to fulfill requirements for preventing, detecting, reporting, and responding to sexual abuse and sexual harassment as a mandatory reporter;
  - c. Inmates’ right to be free from sexual abuse and sexual harassment;
  - d. The right of inmates and employees to be free from retaliation for reporting sexual abuse harassment;
  - e. The dynamics of sexual abuse and sexual harassment in confinement;
  - f. The common reactions of sexual abuse and sexual harassment victims;
  - g. How to detect and respond to signs of threatened and actual sexual abuse;
  - h. How to avoid inappropriate relationships with inmates;
  - i. How to communicate effectively and professionally with inmates, including; lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and

- j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
2. Because MDC houses both male and female inmates, the above-listed training shall include considerations relevant to both genders.
3. MDC will provide all staff with refresher training every two years to ensure their continued education of MDC's current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the MDC will provide update notifications on current sexual abuse and sexual harassment policies.
4. MDC shall document, through staff signature or electronic verification, that staff received the training outlined in this section and on all the PREA policies, and acknowledge the need to be responsible for following the training revived and PREA policies.

#### **B. Volunteer & Contractor Training**

1. At a minimum all contractors and volunteers who have contact with inmates shall be trained on the following topics:
  - a. Their responsibilities under the MDC's sexual abuse and sexual harassment prevention, detection, and response policies and procedures; and
  - b. MDC's zero-tolerance policy regarding sexual abuse and sexual harassment and informed to report such incidents.
2. PREA training provided to volunteers and contractors shall be based on the services they provide and the level of contact they have with inmates.
3. Documentation confirming that contractors and volunteers understand the training they have received, shall be maintained by the respective staff point of contact.

#### **C. Medical & Mental Health Provider Training**

1. MDC shall ensure that all full and part time medical and mental health staff have been trained in the following:
  - a. How to detect and assess signs of sexual abuse and sexual harassment;
  - b. How to preserve physical evidence or sexual abuse;
  - c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
  - d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
2. Medical and Mental Health staff shall also receive the PREA training the MDC staff receive.
3. MDC shall maintain documentation that medical and mental health staff have received the required PREA training.

#### **D. Inmate Education**

1. During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment through the following mechanisms:
  - a. Inmate Orientation Videos;
  - b. Informational Posters; and
  - c. Inmate Handbook.

2. Within 30 days of intake, the Social Service Coordinators and/or PSU Counselors shall ensure that each inmate receives comprehensive PREA education in person, through video, and/or written material of their rights to be free from sexual abuse, sexual harassment, and retaliation for reporting such incidents.
3. MDC shall take appropriate steps to ensure that inmates who are limited in English proficiency, deaf or hard of hearing, visually impaired, who have limited reading skills or who are otherwise disabled, have equal opportunity to participate in or benefit from all aspects of MDC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.
4. MDC shall ensure that written materials are provided in formats or through methods that ensure effective communication with all inmates with disabilities.
5. MDC shall maintain documentation that inmates have received the comprehensive PREA education.

#### **E. Professional Visitors**

1. MDC ensure all professional visitors are notified of MDC's zero-tolerance policy regarding sexual abuse and sexual harassment.
2. An informational pamphlet shall be made readily available at the lobby desk or from the lobby officer.
3. Acknowledgment of being notified of MDC's zero-tolerance policy regarding sexual abuse and sexual harassment shall be obtained by signature via the attorney sign in sheet and/or MDC form 11 Visitor Log located at the lobby desk.

### **Standards & References:**

#### **A. ACA:**

1. 4-ALDF-2A-29
2. 4-ALDF-7B-8
3. 4-ALDF-7B-10

#### **B. Court Order:**

1. N/A

#### **C. Cross-Referenced Documentation:**

1. Vol 20.02 Orientation/Training, Confidentiality, and Waiver of Liability
2. PER 3.37 Consultant and Contract Personnel Adherence to Department

#### **D. Forms:**

1. N/A

#### **F. Other:**

1. PREA §115.31-§115.35