

	PREA 27.03	<b>PREA Reporting</b>	Effective Date:	July 16, 2020
			Revised Date:	May 27, 2020

**Purpose:**

The purpose of this policy is to establish methods for staff, contractors, volunteers, and inmates to report any allegation and/or suspicion of sexual abuse, sexual harassment, and retaliation, both internally and externally.

**Field of Application:**

New Mexico, Bernalillo County, Metropolitan Detention Center.

**Policy:**

The policy of the Bernalillo County Metropolitan Detention Center (MDC) is to provide multiple avenues for staff, contractors, volunteers, and inmates to report any allegation and/or suspicion of sexual abuse, sexual harassment, and retaliation. This includes methods for third party and anonymous reporting.

**Definitions:**

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

**Responsibility:**

The requirements and processes described in this document apply to all staff members 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. Reporting Procedures for Inmates**

1. Inmates may report an allegation and/or suspicion of sexual abuse, sexual harassment, and retaliation by other inmates, staff, contractors, or volunteers by:
  - a. **PREA Report Hotline** – Any inmate may make a confidential report of sexual abuse, sexual harassment, and retaliation to the Contact Center on a twenty-four (24) hour hotline by dialing 1-\*727 or 2-\*727 for Spanish. All calls are confidential and free of charge. The Contact Center will forward all allegation to the PREA Administrator.
  - b. **PREA Crisis Hotline** – Any inmate may contact the Rape Crisis Center on a twenty-four (24) hour hotline by dialing 1-\*797 or 2-\*797 for Spanish. The calls are confidential and free of charge.
  - c. **Verbal Complaint** – Any inmate may verbally inform any staff, contractor, or volunteer of any allegation and/or suspicion of sexual abuse, sexual harassment, or retaliation. A verbal report is a formal notification and the staff, contractor, or volunteer shall proceed as directed in the PREA Response policy [add link to response policy].
  - d. **Written Complaint** – Any inmate may file a written complaint to any staff,

contractor, or volunteer of any allegation and/or suspicion of sexual abuse, sexual harassment, or retaliation. A written complaint is a formal notification and the staff, contractor, or volunteer shall proceed as directed in the PREA Response policy [add link to response policy].

- e. **P3 Tips App** – Any inmate can submit a report using the P3 Tips app on the tablets to the Albuquerque Metro Crime Stoppers. The inmate use of the P3 Tips app on the tablets shall not be monitored by MDC. The reports sent through the P3 Tips App are confidential and can be submitted anonymously.
- f. **Tablet Report** – Any inmate may report any allegation and/or suspicion of sexual abuse, sexual harassment, or retaliation on the tablet using the PREA inmate request function. The PREA office receive these inmate request and shall generally respond within 24 hours.
- g. **Grievances** - An inmate may file a written complaint of sexual abuse, sexual harassment or retaliation through the inmate grievance system, the process is described in the policy RGT13.09: Grievance Procedure [insert link to grievance policy]. Grievance/Administrative remedies shall not be utilized to resolve any PREA allegation and the following procedures shall be followed if a PREA allegation is submitted through a grievance:
  1. All PREA allegation received through a grievance shall be forwarded to the PREA Captain and the PREA Administrator as soon as possible once the Grievance Coordinator receives the grievance not exceeding three business days.
  2. The PREA Captain, PREA Administrator and/or designee shall close the grievance out by stating, “Grievance procedures are not utilized to resolve a PREA allegation and the investigation procedures shall be utilized to resolve the allegation”.
  3. The PREA Captain, PREA Administrator and/or designee shall ensure the response and investigation procedures are initiated as soon as possible not to exceed twenty-four hours.

## B. Reporting Procedures for Staff, Contractors & Volunteers

1. Any staff, contractor, or volunteer who receives any information, from any source, concerning sexual abuse, sexual harassment, or retaliation or who observes an incident of sexual abuse, or sexual harassment or retaliation is required to make a report via the following:
  - a. **Confidential Hotline** - Any staff, contractor, volunteer or member of the public may make a confidential report of sexual abuse, sexual harassment or retaliation of inmates, arrestees, or offenders through the twenty-four (24) hour hotline at 505-468-PREA (7732) or via MDC PREA webpage at: <https://www.bernco.gov/metropolitan-detention-center/prison-rape-elimination-act.aspx>
  - b. **Verbal Notification** - Any staff, who received a PREA allegation shall make an immediate verbal report directly to their immediate supervisor or PREA Unit. Contractors and volunteers may report to the nearest Correctional Officer.
  - c. **Written Notification** - Any staff, contractors or volunteers who receive a PREA allegation shall submit a written report documenting any/all

information received or observed that concerns the allegation before the end of the shift or tour of duty.

### C. Third Party Reporting

1. Third party reporting shall include reporting by fellow inmates, staff, family members, attorneys, and outside advocates. Third parties shall be permitted to assist inmates, arrestees, and offenders in filing requests for administrative remedies relating to allegations of sexual abuse, sexual harassment or retaliation and shall also be permitted to file such request on behalf of the inmate by the following methods:
  - a. **Confidential Hotline** -Third party reporting of sexual abuse, sexual harassment or retaliation of inmates can be made through the twenty-four (24) hour hotline at 505-468-PREA (7732) or via MDC PREA webpage at: <https://www.bernco.gov/metropolitan-detention-center/prison-rape-elimination-act.aspx>
  - b. **Verbal Notification** - A third party may report information on behalf of an inmate to any staff of any allegation and/or suspicion of sexual abuse, sexual harassment, or retaliation. A verbal report is a formal notification and the staff shall proceed as directed in the PREA Response policy [add link to response policy].
  - c. **Written Notification** - A third party may submit a written report on behalf of an inmate by providing any information received or observed that concerns sexual abuse, sexual harassment or retaliation to the Chief of Corrections, the PREA Administrator, or the highest ranking official on duty.
2. MDC's public web site shall provide information on how to report sexual abuse, assault, and retaliation on behalf of an inmate.

### D. Reporting to Other Confinement Facilities

1. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Chief of Corrections shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
2. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
3. The Chief of Corrections shall document that he or she has provided such notification.
4. When MDC receives, a notification from another agency of alleged sexual abuse that occurred in MDC it shall ensure that the allegation is investigated in accordance with PREA Policy 20.08 - Investigations.

### E. Inmate Access to Outside Confidential Support Services.

1. MDC shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by provide the inmates the mailing address and a toll-free hot line to the Rape Crisis Center of Central New Mexico.
  - a. MDC shall enable reasonable communication between inmates and the Rape Crisis Center of Central New Mexico, in as confidential a manner as possible.
2. MDC shall inform inmates, prior to giving them access, 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.

### **Standards & References:**

**A. ACA:**

1. N/A

**B. Court Order:**

1. N/A

**C. Cross-Referenced Documentation:**

1. RGT13.09: Grievance Procedure

**D. Forms:**

1. N/A

**F. Other:**

1. PREA §115.51-§115.54
2. PREA §115.61
3. PREA §115.63