

Bridgeway Halfway House

PREA Policy and Guidelines

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Oklahoma Prison Rape Elimination Act

It is the policy of Bridgeway Halfway House (BHWH) to provide a safe, humane, and secure environment for all offenders. The agency supports and administers a program of education, prevention, detection, response, investigation and tracking of all reported acts of sexual assault and harassment. Punishment for the perpetrator is enforced.

The program includes treatment for the victim and the perpetrator and includes ongoing required support for the victim. The agency also provides education to offenders and staff regarding staff sexual misconduct and harassment.

During the admission process, all offenders are provided information about sexual assault, abuse or harassment to include: prevention/intervention, self-protection, reporting sexual assault, treatment and counseling.

For the purpose of this procedure, the term "offender" will apply to anyone in the authority, custody or care of a prison or a community based facility contracted to the Department of Corrections (DOC). The terms "staff" and "employee" includes all BRIDGEWAY employees, contract personnel, contract employers, volunteers, official visitors or other agency representatives.

This policy is in accordance with PREA Community Confinement Standards.

I. DEFINITIONS

A. General Definitions (PREA 115.5)

1. Agency - 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, offenders, or residents, including the implementation of policy as set by the governing, corporate, or non-profit authority.
2. Agency head - the principal official of an agency
3. Community confinement facility - a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community correctional facility (including re-entry centers), other than a juvenile facility, in which individuals reside as a 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.
4. Contractor - a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

5. Direct staff supervision - security staff is in the same room with, and within reasonable hearing distance of the offender.
6. DOC-Department of Corrections
7. Employee - a person who works directly for the agency or facility.
8. Exigent circumstances - any set of temporary or unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.
9. Facility - 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.
10. Facility head - the principal official of a facility.
11. Full compliance-compliance with all material requirements of each standard except *de minimus* violations, or discrete and temporary violations during otherwise sustained periods of compliance.
12. Gender nonconforming - a person whose appearance or manner does not conform to traditional societal gender expectations.
13. Inmate - any person incarcerated or detained in a prison or jail.
14. Intersex - a person whose 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.
15. Juvenile - any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.
16. LGBTQI -
 - a. Lesbian-commonly refers to a woman typically attracted to other women
 - b. Gay - commonly refers to men typically attracted sexually to other men
 - c. Bisexual - a person who is romantically or sexually attracted to more than one gender or sexual category
 - d. Questioning - Active process in which a person explores his or her own sexual orientation and/or gender identity and questions the cultural assumptions that they are heterosexual and/or gender conforming
 - e. Transgender - a person whose gender identity differs from their birth sex
 - f. Intersex - a condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns, and/or an endocrine system that does not fit typical definitions of male or female.
17. Medical practitioner - a health professional who, by virtue of education or 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.
18. Mental health practitioner - 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.

19. Offender - anyone in the authority, custody or care of a prison or a community based facility contracted to the Department of Corrections (DOC).

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

21. Prison - 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.

22. Resident - any person confined or detained in a juvenile facility or in a community confinement facility (see offender).

23. SAFE - Acronym of "Sexual Assault Forensic Examiners". Medical staff specially trained in the examination and collection of forensic evidence pursuant to a sexual assault.

24. SANE - Acronym for "Sexual Assault Nurse Examiner". Medical staff specially trained in the examination and collection of forensic evidence pursuant to a sexual assault.

25. Security (dorm) staff - employees primarily responsible for the supervision and control of offenders in housing units, recreational areas, dining areas, and other program areas of the facility.

26. Staff – employees

27. Strip search - a search that requires a person to remove or rearrange some or all clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitalia.

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

29. Transgender - a person whose gender identity (i.e. internal sense of feeling male or female) is different from the person's assigned sex at birth.

30. Unfounded allegation - an allegation that was investigated and determined not to have occurred.

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

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

33. Youthful offender - any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.

B. Definitions Related to Sexual Abuse (PREA 115.6)

1. Sexual abuse includes:

- a. Sexual abuse of an offender by another offender, and
- b. Sexual abuse of an offender by a staff member, contractor, or volunteer.

2. Sexual abuse of an offender by another offender 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 penis, vulva, or anus;
- c. Penetration of the anal or genital opening of another person, however slight, by 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.

3. Sexual abuse of an offender by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the offender:

- a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- b. Contact between the mouth and penis, vulva, or anus;
- c. 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;
- d. 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;
- e. 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;
- f. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs a-e of this section;
- g. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender; and
- h. Voyeurism by a staff member, contractor, or volunteer.

4. Voyeurism by a staff member, contractor or volunteer means an invasion of privacy of an offender by staff for reasons unrelated to official duties, such as peering at an offender who is using a toilet to perform bodily functions; requiring an offender to expose his buttocks, genitals, or breasts; or taking images of all or part of an offender's naked body, or of an offender performing bodily functions.

5. Sexual harassment includes:

- a. Repeated or unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender directed to another offender,
- b. Repeated verbal comments or gestures of a sexual nature to an offender 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.

II. PREVENTION PLANNING

A. Zero Tolerance (PREA 115.211)

1. Bridgeway maintains a zero tolerance for offender-on-offender sexual abuse or misconduct, staff sexual abuse and misconduct and sexual harassment toward offenders. Every allegation of sexual abuse, misconduct or harassment will be thoroughly investigated. PREA posters will be posted throughout the facility and will be visible to all staff, offenders, and visitors.

2. When Bridgeway staff learns an offender is subject to substantial risk of imminent sexual abuse it shall take immediate action to protect the offender. (PREA 115.262)

3. Victims of forced and/or pressured sexual acts may suffer severe physical and psychological harm and could possibly be infected with a life-threatening disease. Consequently, Bridgeway has implemented a Sexual Assault Prevention Program that includes:

a. Prevention,

b. detection,

c. response, and

d. prosecution and/or discipline of assailants.

2. The prohibited conduct herein applies to all employees, contractors, and volunteers at Bridgeway. Sexual conduct between staff and offenders is strictly prohibited and is subject to administrative disciplinary sanctions and referral for prosecution. (21 O.S. § 1111. 7) (PREA 115.276 d)

3. There shall not be any standard higher than the preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated (PREA 115.272)

4. The presumptive disciplinary sanction for staff who have engaged in sexual abuse of an offender is termination (PREA 115.276).

5. Rape and related sex crimes may also be defined by Oklahoma Statute and include, but are not necessarily limited to, the elements defined in each crime (21 O.S. § 1111, 1111.1, 886, 888, and 1123).

6. Effective November 1, 2000, sodomy committed by a state, county, municipal, or political subdivision employee or contractor, or an employee of a contractor of the state, a county, a municipality, or political subdivision of this state upon a person who is under the legal custody, supervision, or authority of a state agency, a county, a municipality, or a political subdivision of this state is defined by law as a felony (21 O.S. § 888).

7. Due to the offender's custody or supervision status, and in accordance with Oklahoma Statute 21 O.S. § 111, and this procedure, no prohibited act of sexual misconduct or sexual harassment between a staff member and an offender can have, as an affirmative defense, a claim of consent.

8. When no physical evidence is present and upon agreement between Bridgeway and Inspector General, Bridgeway may investigate allegations of offender on offender sexual assault or harassment and demonstrate compliance for zero tolerance through the misconduct process.
9. Sexual activity between offenders is not necessarily sexual assault, if consensual, and would instead constitute a rule violation.

B. PREA Coordinator (PREA 115.211)

1. Bridgeway shall designate a staff member as a Prison Rape Elimination Act (PREA) Coordinator. This staff member shall have sufficient time and authority to develop, implement, and oversee efforts to comply with PREA standards at this facility.
2. Bridgeway shall designate a staff member as the PREA Compliance Manager (PCM) with overall responsibility of coordinating facility efforts to comply with PREA standards. An alternate PCM may also be designated.
3. The PREA Coordinator, PCM, and designated staff at Bridgeway shall make recommendations regarding any treatment, counseling or special housing needed for those offenders identified as predators or victims.

C. Contracting With Other Entities for the Confinement of Offenders (PREA 115.212)

1. A public agency that contracts for the confinement of its offenders with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with PREA standards.
2. Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with PREA standards.
3. Only in an emergency in which all reasonable attempts to find a private agency, or other entity already in compliance with PREA standards have failed, may Bridgeway enter into a contract with an entity that fails to comply with PREA standards. In such a case Bridgeway shall document its unsuccessful attempts to find an entity in compliance with the standards.

D. Supervision and monitoring (PREA 115.213)

1. Bridgeway has developed a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect offenders against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, Bridgeway has taken the following into consideration:
 - a. the physical layout of the facility
 - b. the composition of the offender population
 - c. the composition of substantiated and unsubstantiated incidents of sexual abuse; and
 - d. any other relevant factors.
2. In a circumstance where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.
3. Whenever necessary, but no less frequently than once each year Bridgeway shall assess, determine, and document whether adjustments are needed to the following:
 - a. the staffing plan established pursuant to PREA Standards (PREA 115.213 (a))
 - b. prevailing staffing patterns

- c. Bridgeway's development of video monitoring systems and other monitoring technologies, and
- d. resources Bridgeway has available to continue to ensure adequate staffing levels.

E. Limits to cross gender viewing and searches (PREA 115.215)

1. Bridgeway is a male facility, and at this time only employs male staff in the dorm areas, however, in the event Bridgeway does in the future hires female staff, or has female offenders; Bridgeway staff shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.
2. In the event Bridgeway has female offenders or dorm staff, Bridgeway shall document all cross-gender strip searches and cross-gender visual body cavity searches and shall document all cross-gender pat-down searches of female offenders.
3. Bridgeway shall implement policies and procedures that enable offenders to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an area where offenders are likely to showering, performing bodily functions, or changing clothing.
4. Bridgeway staff shall not search or physically examine a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it may be determined during conversations with the offender, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.
5. Bridgeway will train dorm staff in how to conduct cross-gender pat-down searches, and searches of trans-gender and intersex offenders in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

F. Offenders with disabilities and offenders who are limited English proficient (PREA 115.216)

1. Bridgeway shall take appropriate steps to ensure that offenders with disabilities (including offenders that are deaf or hard of hearing, 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 the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps will include, when necessary to ensure effective communication with offenders who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any specialized vocabulary. Bridgeway will also ensure that written materials are provided in formats or through methods that ensure effective communication with offenders with disabilities, including offenders who have intellectual disabilities, limited reading skills, or who are blind or have low vision. Bridgeway is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in

undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act.(28 CFR 35.164)

2. Bridgeway shall take reasonable steps to ensure meaningful access to all aspects of the efforts to prevent, detect, and respond to allegations of sexual abuse and sexual harassment to offender's 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.

3. Bridgeway shall not rely on offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-responder duties under PREA 115.264, or the investigation of the offender's allegations.

G. Hiring and promotion decisions (PREA 115.217)

1. Bridgeway shall not hire or promote anyone who may have contact with offenders, and shall not enlist the services of any contractor who may have contact with offenders 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 above.

2. Bridgeway 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 offenders.

3. Before hiring new employees who may have contact with offenders, Bridgeway shall:

a. Perform a criminal background 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. Bridgeway shall either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with offenders or have in place a system for otherwise capturing such information for current employees.

5. Bridgeway shall also ask all applicants and employees who may have contact with offenders directly about previous misconduct described in paragraph (1) 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. Bridgeway shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.

6. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

7. Unless prohibited by law, Bridgeway 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

H. Upgrades to facilities and technologies (PREA 115.218)

1. When designing or acquiring new buildings, or when planning any substantial expansion or modification of existing buildings, Bridgeway shall consider the effect of the design, acquisition, expansion, or modification upon the ability to protect offenders from sexual abuse.
2. When installing or updated a video monitoring system, electronic surveillance system, or any other monitoring technology, Bridgeway shall consider how such technology may enhance the ability to protect offenders from sexual abuse.

I. Potential signs of assault.

1. All staff and offenders shall be responsible for being alert to signs of potential situations in which assaults could occur.

J. Opposite Gender Presence

1. Staff shall be aware of offender's state of undress during times offenders may be showering, changing clothes, or performing bodily functions.
2. Bridgeway staff shall ensure that an announcement is made in the dorms notifying offenders that staff or official visitors of the opposite gender will enter or be present in housing areas (use bullhorn)
3. If the gender of staff on duty in the dorm areas changes to the opposite gender, a notification will be made to offenders announcing the staff member's presence when entering housing areas (example: "female present") (PREA 115.215).
4. Bridgeway shall require staff of the opposite gender to announce their presence when entering an area where offenders are likely to be showering, performing bodily functions, or changing clothing (example: "female present") (PREA 115.215).
5. Offenders shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks (PREA 115.215).
6. Bridgeway shall ensure signage is present indicating opposite gender staffing and the offender's responsibility to be in a state of dress at all times (in the event Bridgeway hires female dorm staff).

K. Supervisory Checks

1. Bridgeway intermediate level or higher-level supervisors will conduct and document unannounced rounds during shifts to identify and deter staff sexual abuse and/or sexual harassment.

III. RESPONSIVE PLANNING

A. Evidence protocol and forensic medical examinations (PREA 115.221)

1. Investigators from DOC Office of Inspector General shall be responsible for investigating allegations of sexual abuse and shall follow a uniform evidence protocol that maximizes the

potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

2. The protocol shall be developmentally appropriate for youth where applicable, and as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults," or similarly comprehensive and authoritative protocols developed after 2011.

3. Bridgeway shall offer all victims of sexual abuse access to forensic medical examinations whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs), or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. Bridgeway shall document its efforts to provide SAFEs or SANEs.

4. Bridgeway shall attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, Bridgeway shall make available to provide these services a qualified staff member from a community-based organization or a qualified staff member. Bridgeway shall document efforts to secure services from rape crisis centers. Such rape crisis center is an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. Bridgeway may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar services.

5. As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals.

6. To the extent Bridgeway is not responsible for investigating allegations of sexual abuse; Bridgeway shall request that the investigating agency follow the requirements of paragraphs (1) through (5) of this section.

7. The requirements of paragraphs 1 through 6 of this section shall also apply to:

- a. Any State entity outside of Bridgeway that is responsible for investigation allegations of sexual abuse in community confinement facilities; and
- b. Any Department of Justice component that is responsible for investigation allegations of sexual abuse in community confinement facilities.

8. For the purposes of this policy, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

B. Policies to ensure referrals of allegations for referrals (PREA 115.222)

1. Bridgeway shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.
2. Bridgeway policy ensures that all allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. This shall be a written policy. Bridgeway shall document all such referrals.
3. Any state entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in community confinement facilities shall have in place a policy governing the conduct of such investigations.
4. Any Department of Justice Component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in community confinement facilities shall have in place a policy governing the conduct of such investigations.

IV. TRAINING AND EDUCATION

A. Employee Training (PREA 115.231)

1. Bridgeway shall conduct a comprehensive training program for all staff who may have contact with offenders in order to emphasize the zero tolerance of sexual abuse or sexual harassment, aid in the prevention of sexual abuse or sexual harassment of offender, and to promote awareness of the serious impact of sexual victimization within the correctional setting. This training will include:
 - a. Bridgeway's Zero-Tolerance policy for sexual abuse and sexual harassment;
 - b. How to fulfill their responsibilities under Bridgeway policies and procedures concerning sexual abuse and sexual harassment prevention, detection, reporting, and response;
 - c. Offender's right to be free from sexual abuse and sexual harassment;
 - d. The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual 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 offenders;
 - i. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders; and
 - j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
2. Such training shall be tailored to the gender of the offenders. Employees shall receive additional training if female offenders are introduced into the facility, or if female dorm staff is hired by Bridgeway.
3. All employees shall be trained within one year of the effective date of the PREA standards, and Bridgeway shall provide each employee refresher training every 2 years to ensure that **all** employees know Bridgeway's current sexual abuse and sexual harassment policies and

procedures. In years in which the employee does not receive refresher training, Bridgeway shall provide refresher information on current sexual abuse and sexual harassment policies.

4. Bridgeway shall document, through employee signature that employees understand the training they have received.

5. Bridgeway staff shall receive the DOC booklet "Sexual Misconduct and Harassment" (attachment A)

B. Volunteer and contractor training (PREA 115.232)

1. Bridgeway shall ensure that all volunteers and contractors who have contact with offenders have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.
2. The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents, but all volunteers and contractors who have contact with offenders shall be notified of Bridgeway's zero-tolerance policy regarding sexual abuse and sexual harassment, and informed how to report such incidents. Contractors or volunteers will also receive the DOC booklet "Sexual Misconduct and Harassment".
3. Bridgeway shall maintain documentation confirming that volunteers and contractors understand the training they have received.

C. Offender education (PREA 115.233)

1. During orientation, offenders shall receive information explaining Bridgeway's zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse or sexual harassment, their rights to be free from sexual abuse or sexual harassment, and to be free from retaliation for reporting such incidents and regarding Bridgeway policies and procedures for responding to such incidents.
 - a. PREA information is posted throughout the facility with the PREA hotlines listed:
 - b. information on how to report sexual abuse, or sexual harassment by the individual; and
 - c. information on third party reporting.
2. Bridgeway shall provide offender education in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as offenders who have limited reading skills.
 - a. All offender education shall be provided by staff;
 - b. No offender interpreters will be utilized except in exigent circumstances;
 - c. approved community or facility volunteers may be utilized.
3. Bridgeway shall maintain documentation of offender participation in these education sessions.
4. In addition to providing such education, Bridgeway shall ensure that key information is continuously and readily available or visible to offenders through posters, offender handbooks, or other written formats.
5. Offenders will also be informed of sanctions for making false allegations.
6. "Oklahoma Prison Rape Elimination Act Zero Tolerance Acknowledgements For Offenders" attachment E shall be placed in Section 3 of the offender's field file.

D. Specialized training: Investigations (PREA 115.234)

1. Investigators from the Inspector General's Office of the Department of Corrections will be contacted for sexual assault investigations in confinement settings. Specific training to conduct such investigations include, but is not limited to:

- a. Crime scene management;
- b. Elimination of contamination in accordance with OP-140125 entitled "Blood borne pathogen exposure control program;
- c. Evidence collection protocol; and
- d. Crisis intervention.

2. Department of Corrections Inspector General investigators shall have received specialized training including techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

3. DOC shall maintain documentation that Inspector General Investigators have completed the required specialized training in conducting sexual abuse investigations.

4. Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

E. Specialized training: Medical and mental health care (PREA 115.235)

1. Bridgeway uses Department of Corrections Medical and Mental Health services. DOC shall ensure that all full-, and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:

- a. How to detect and assess signs of sexual abuse and sexual harassment;
- b. How to observe physical evidence of sexual abuse;
- c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- d. How and to who to report allegations or suspicions of sexual abuse and sexual harassment.

2. If medical practitioners, employed by another entity, and operating under a Memo of Understanding with Bridgeway, conduct forensic examinations, such staff shall have received the appropriate training to conduct such examination.

3. Employers of such medical practitioners shall maintain documentation that medical practitioners have received the appropriate training to conduct such examinations.

V. SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS**A. Screening for risk of victimization and abusiveness (PREA 115.241)**

1. All offenders shall be assessed during an intake screening for their risk of being sexual abused by other offenders or sexually abusive toward other offenders.

2. Intake screening shall ordinarily take place within 72 hours of arrival at Bridgeway, using an objective screening instrument.

3. The intake screening shall consider, at a minimum, the following criteria to assess offenders for the of sexual victimization:

- a. Whether the offender has a mental, physical, or developmental disability;

- b. The age of the offender;
 - c. The physical build of the offender;
 - d. Whether the offender has been previously incarcerated;
 - e. Whether the offenders criminal history is exclusively non-violent;
 - f. Whether the offender has prior convictions for sex offenses against an adult or child;
 - g. Whether the offender is, or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
 - h. Whether the offender has previously experienced sexual victimization; and
 - i. The offender's own perception of vulnerability.
4. The intake screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Bridgeway and the Department of Corrections, in assessing offenders for the risk of being sexually abusive.
 5. Within 30 days from the offender's arrival at Bridgeway, Case Manager will reassess the offender's risk of victimization or abusiveness based upon any additional, relevant information received by Bridgeway since the offender's intake screening.
 6. An offender's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the offender's risk of sexual victimization or abusiveness.
 7. Offenders may not be disciplined for refusing to answer, or for not disclosing complete information in response to, question asked pursuant to paragraphs 3 a, 3 g, 3 h, or 3 i of this section.
 8. Bridgeway shall implement appropriate controls on the dissemination, within the facility, of responses to questions asked pursuant to this section in order to ensure that sensitive information is not exploited to the offender's detriment by staff or other offenders.

B. Use of screening information (PREA 115.242)

1. Bridgeway shall use information from the risk screening to make housing, bed, work, education, and program assignments with the goal; of keeping separate those offenders that are at a high risk of being sexually victimized from those at a high risk of being sexually abusive.
2. Bridgeway shall make individualized determinations about how to ensure the safety of each resident.
3. A transgender or intersex offender's own views with respect to his own safety shall be given serious consideration.
4. Bridgeway shall not place gay, lesbian, bisexual, transgender, or intersex offenders in dedicated housing areas solely on the basis of such identification or status, unless such placement is established with a consent decree, legal settlement, or legal judgment for the purpose of protecting such offenders.

VI. REPORTING

A. Resident reporting (PREA 115.251)

1. Bridgeway shall provide multiple internal ways for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders, or staff, for reporting sexual abuse and sexual

harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

2. Bridgeway shall also inform offenders of at least one way to report abuse or harassment to a public or private entity or office that is not a 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 offender to remain anonymous upon request.

3. Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

4. Bridgeway shall provide a method for staff to privately report sexual abuse and sexual harassment of offenders. Offenders may have direct access to the executive director for the purpose of privately reporting sexual abuse and sexual harassment.

B. Exhaustion of administrative remedies (PREA 115.252)

1. Bridgeway shall not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse.

2. Bridgeway may apply otherwise-applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.

a. Bridgeway shall not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.

b. Nothing in this section shall restrict Bridgeway's ability to defend against a lawsuit filed by a resident on the grounds that the applicable statute of limitations has expired.

3. Bridgeway shall ensure that-

a. An offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and

b. Such grievance is not referred to a staff member who is the subject of the complaint.

4. Bridgeway shall issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

a. Computation of the 90 days time period shall not include time consumed by offenders in preparing any administrative appeal.

b. Bridgeway may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. Bridgeway shall notify the offender in writing of any such extension and provide a date by which a final decision will be made.

c. At any level of the administrative process, including the final level, if the offender does not receive a response within the time allotted for reply, including any properly noticed extension, the offender may consider the absence of a response to be a denial at that level.

5. Third parties, including fellow offenders, staff members, family members, attorneys, and outside advocates, shall be permitted to assist offenders in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of offenders.

- a. If a third party files such a request on behalf of an offender, Bridgeway may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, any may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
 - b. If the offender declines to have the request processed on his behalf, Bridgeway shall document the offenders decision.
6. Bridgeway shall establish procedures for the filing of an emergency grievance alleging that an offender is subject to a substantial risk of imminent sexual abuse.
- a. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, Bridgeway shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final decision within 5 calendar days. The initial response and final decision shall document Bridgeways determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
 - b. Bridgeway may discipline an offender for filing a grievance related to alleged sexual abuse only when it can demonstrate that the offender filed the grievance in bad faith.

C. Offender access to outside confidential support services (PREA 115.253)

1. Bridgeway shall provide offenders with access to outside victim advocates for emotional support services related to sexual abuse by giving offenders mailing addresses and telephone numbers, including toll-free hotline numbers of local, State, or national victim advocacy or rape crisis organizations, and by enabling reasonable communication between residents, and these organizations, in as confidential a manner as possible.
2. Bridgeway shall inform offenders, 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.
3. Bridgeway shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide offenders with confidential emotional support services related to sexual abuse. Bridgeway shall maintain copies of agreements, or documentation showing attempts to enter into such agreements. if a MOU/agreement is entered into, the facility will provide offenders access to the contact information for the community service provider as outlined in the MOU/agreement.

D. Third party reporting (PREA 115.254)

1. Bridgeway shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident.

VII. OFFICIAL RESPONSE FOLLOWING AN OFFENDERS REPORT

A. Staff and agency reporting duties (PREA 115.261)

1. Bridgeway shall require all staff to report immediately and according to policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against offenders or staff who reported such an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
2. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.
3. Unless precluded by Federal, State, or local law medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph 1 of this section and to inform offenders of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.
4. If the alleged victim is under the age of 18, or is considered a vulnerable adult under a State or local vulnerable person's statute, Bridgeway shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.
5. Bridgeway shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the designated investigators.

B. Agency Protection duties (PREA 115.262)

1. When Bridgeway learns that an offender is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the offender.

C. Reporting to other confinement facilities (PREA 115.263)

1. Upon receiving an allegation that an offender was sexually assaulted while confined at another facility, the head of the facility that received the allegation 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. Bridgeway shall document that it has provided such notification.
4. The facility head or agency official that receives such notification shall ensure that the allegation is investigated in accordance with PREA Community Confinement Standards.

D. Staff first responder duties (PREA 115.264)

1. Upon learning of an allegation that a resident was sexually abused,, if the first staff member to respond is a dorm staff member, he shall be required to:
 - a. separate the alleged victim and abuser;
 - b. preserve and protect any crime scene until appropriate steps can be taken to collect any evidence,
 - c. If the abuse occurred within a time period (120 hours) that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical

evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

d. If the abuse occurred within a time period that still allows for the collection of physical evidence, require that the alleged abuser does not take any actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

e. Make arrangements to transport the alleged victim to the Dearing House for a SANE examination.

f. Have the alleged abuser transported to Enid Community Corrections Center (host facility), or the Kay County Detention Center (TDU).

g. Preservation of evidence in recent sexual assault assaults. If the alleged sexual assault is reported or discovered within 120 hours of the incident, in addition to the provisions in this section, the investigators, or person who is in charge in accordance with OP-140118 entitled "Emergency Care" after being informed by the Office of Inspector General that the need for a sexual assault medical forensic exam exists, will ensure that the victim is instructed to not undress prior to transport to the SANE site. The offenders clothing will be retrieved as evidence by the sexual assault nurse examiner. Transport staff shall ensure the offender is transported with facility clothing to wear after the examination.

2. If the first staff responder is not a dorm staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff.

3. Anyone that receives a report of alleged or suspected sexual abuse or harassment from an offender, whether verbally or in writing will immediately notify the supervisor and complete a "Serious Incident Database Report" (OP-050108, Attachment K-1, K-2, K-3) and the "Sexual Assault Report, Part A (attachment C)".

4. The supervisor, through his chain of command, should ensure the alleged victim and alleged suspect are physically separated, either by transfer to TDU, or Enid Community Corrections Center (host facility), through staff suspension, or other effective means. Once separated, designated staff conducts preliminary interviews with offenders regarded offender on offender alleged sexual abuse or harassment. (PREA 115.64 (a) (1), 115.77 (a), 115.82 (b)).

5. The supervisor handling the incident response shall complete the "PREA Response Checklist (Attachment H) and include with all other reports of the incident in accordance with this procedure.

6. The alleged victim will be immediately taken to medical services for initial evaluation and when any immediate first aid treatment is needed. (PREA 115.82 (a)).

7. In incidents where it is conceivable that physical evidence may exist, the Office of Inspector General will be immediately contacted for sexual assault response determination prior to offenders being transported to sexual examination sites to undergo examinations.

8. With the alleged victim's and the investigators consent, the case manager and/or victim support person may sit in on the facility or Inspector General interviews. Any notes taken by the victim

support person will be limited to the notation of emotional status and forwarded to mental health staff. Notes shall not reflect investigative information.

E. Coordinated response (PREA 115.265)

1. Bridgeway shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

F. Preservation of ability to protect residents from contact with abusers (PREA 115.266)

1. Neither Bridgeway nor any governmental entity responsible for collective bargaining on the agency's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits Bridgeway's ability to remove 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.

2. Nothing in this section shall restrict the entering into or renewal of agreements that govern:

a. The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of PREA 115.272 and 115.276; or

b. Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff members personnel file following a determination that the allegation of sexual abuse is not substantiated

G. Agency protection against retaliation (PREA 115.267)

1. Bridgeway shall establish a policy to protect all offenders and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other offenders or staff and shall designate which staff members are responsible with monitoring retaliation.

2. Bridgeway shall employ multiple protection measures, such as housing changes or transfers for offender victims or abusers, removal of alleged staff or offender abusers from contact with victims, and emotional support services for offenders or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

3. For at least 90 days following a report of sexual abuse, Bridgeway shall monitor the conduct and treatment of offenders or staff who reported the sexual abuse and of offenders who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by offenders or staff and shall act promptly to remedy any such retaliation. Items Bridgeway should monitor include any offender disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Bridgeway shall continue such monitoring beyond 90days if the initial monitoring indicates a continuing need.

4. In the case of offenders, such monitoring shall also include periodic status checks.

5. If any other individual who cooperates with an investigation expresses a fear of retaliation, Bridgeway shall take appropriate measures to protect that individual against retaliation.

6. Bridgeway's obligation to monitor shall terminate if it is determined that the allegation is unfounded.

VIII. INVESTIGATIONS

A. Active or inactive PREA;

1. Inactive PREA-Offender claims that he was violated at another facility but reports it while in the custody of Bridgeway. Contact Enid Community Corrections Center. Arrange for counseling at designated SANE location (Dearing House);
2. Active PREA-Contact Enid Community Corrections Center, separate victim and suspect (if known), secure the crime scene (and do not allow anyone to enter, including staff and offenders until after investigator releases. DO NOT allow victim to bathe, change clothes, brush teeth, eat, drink, smoke, as this could destroy physical evidence. Transport victim to SANE (Dearing House). If known suspect, secure and arrange for transportation Enid Community Corrections Center or to the Kay County Detention Center.

B. Criminal and administrative agency investigations (PREA 115.271)

1. If Bridgeway conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly.
2. Where sexual abuse is alleged, Bridgeway shall use investigators who have received special training in sexual abuse investigations (DOC Inspector General's Office) pursuant to PREA 115.234.
3. Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence, and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints of sexual abuse involving the suspected perpetrator.
4. When the quality of evidence appears to support criminal prosecution, investigators shall conduct compelled interviews only after consulting with prosecutors as to whether such compelled interviews may be an obstacle for subsequent criminal prosecution.
5. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender or staff. DOC shall not require an offender who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
6. Administrative investigations:
 - a. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
 - b. Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
7. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.
8. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.
9. Bridgeway shall retain all written reports referenced in paragraphs 6 and 7 of this section for as long as the alleged abuser is incarcerated, or employed by Bridgeway, plus 5 years.

10. The departure of the alleged abuser or victim from the employment of Bridgeway, or of the control of Bridgeway or DOC shall not provide a basis for terminating an investigation.
11. Any State entity Department of Justice component that conducts such investigations shall do so pursuant to the above stated requirements.
12. When outside agencies investigate sexual abuse, Bridgeway shall cooperate with said outside agency investigators and shall endeavor to remain informed about the progress of the investigation.

c. Evidentiary standard for administrative investigations (PREA 115.272)

1. Bridgeway and DOC shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

d. Reporting to Offenders (PREA 115.273)

1. Following an investigation into an offender allegation of sexual abuse suffered in Bridgeway or a DOC facility, the offender shall be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
2. If DOC did not conduct the investigation, the relevant information shall be requested from the investigating agency in order to keep the offender informed.
3. Following an offenders allegation that a staff member has committed sexual abuse against the offender, Bridgeway or DOC shall subsequently inform the resident (unless it was determined that the allegation was unfounded) whenever;
 - a. The staff member is no longer employed at Bridgeway;
 - b. Bridgeway learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
 - c. Bridgeway learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
4. Following an offender's allegation that he has been sexually abused by another offender, Bridgeway or DOC shall subsequently inform the alleged victim whenever;
 - a. Bridgeway learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - b. Bridgeway learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
5. All such notifications or attempted notifications shall be documented.
6. Bridgeway's obligation to report under this policy shall terminate if the resident is released from Bridgeway or DOC's custody.

IX. DISCIPLINE

A. Disciplinary sanctions for staff (PREA 115.276)

1. Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.
2. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

3. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature of the circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of Bridgeway sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

B. Corrective action for contractors and volunteers (PREA 115.277)

1. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

2. Bridgeway 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.

C. Disciplinary sanctions for offenders (PREA 115.278)

1. Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse.

2. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories.

3. The disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed.

4. Bridgeway may discipline an offender for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

5. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged contact occurred shall not constitute falsely reporting an incident, or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

6. Bridgeway prohibits all sexual activity between offenders and may discipline offenders for such activity, however, such activity shall not constitute sexual abuse if it is not coerced or is consensual.

X. MEDICAL AND MENTAL CARE

A. Access to emergency medical and mental health services (PREA 115.282)

1. Offender victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
2. Staff first responders shall take preliminary steps to protect the victim pursuant to PREA 115.262 and shall immediately transport the victim to the Dearing House or Ponca City Medical Center for SANE exam and/or treatment. DOC Medical shall be notified. Offender victims of sexual abuse while incarcerated shall be offered timely information about, and timely access to emergency sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, when and where medically appropriate.
4. 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.

B. Ongoing medical and mental health care for sexual abuse victims and abusers (PREA 115.283)

1. Bridgeway and DOC shall offer medical and mental health evaluation and, as appropriate, treatment to all offenders who have been victimized by sexual abuse in any prison.
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 another facility, or their release from custody.
3. Bridgeway or DOC shall provide such victims with medical or mental health services consistent with the community level of care.
4. Offender victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate.
5. Treatment services shall be provided to the victim without financial cost and regardless of whether the victims names the abuser or cooperates with any investigation arising out of the incident.
6. Bridgeway shall attempt to have a mental health evaluation conducted of all known offender-on-offender abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

XI. DATA COLLECTION AND REVIEW

A. Sexual abuse incident reviews (PREA 115.286)

1. Bridgeway shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
2. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.

3. The review team shall include upper-level management officials, with input for the supervisors, investigators, and medical and/or mental health practitioners.
4. The review team shall:
 - a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - b. Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;

Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;

- d. Assess the adequacy of staffing levels in that area during different shifts;
- e. Assess whether monitoring technology should be deployed, augmented or repositioned to supplement supervision by staff; and
- f. Prepare or report of findings, including but not necessarily limited to determinations made pursuant to paragraphs 4 a-e of this section, and any recommendations for improvement, and submit such report to the facility head, and PREA coordinator or compliance manager. 5. Bridgeway shall implement the recommendations for improvement, or shall document reasons for not doing so.

B. Data collection (PREA 115.287)

1. Bridgeway shall collect accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions. This information shall be forwarded to DOC at least annually.
2. The incident based data shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
3. Bridgeway shall maintain, review, and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews.

C. Data review for corrective action (PREA 115.288)

1. Bridgeway shall review data collected and aggregated pursuant to PREA 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including;
 - a. Identifying problem areas;
 - b. Taking corrective action on an ongoing basis; and
 - c. Forwarding this information to DOC.

D. Data storage, publication, and destruction (PREA 115.289)

1. Bridgeway shall ensure that data collected pursuant to PREA 115.287 is securely retained.

2. Bridgeway shall maintain sexual abuse data collected pursuant to PREA 115.287 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

XII. AUDITS AND CORRECTIVE ACTION

A. Audits of standards (PREA 115.293)

1. Bridgeway shall conduct audits pursuant to PREA 115.401-405

B. Frequency and scope of audits (PREA 115.401)

1. During the three-year period starting on August 20, 2013, and during each 3-year period thereafter Bridgeway will be audited at least once.
2. During each one-year period starting on August 20, 2013, DOC shall ensure that at least one third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited.
3. The Department of Justice may send a recommendation to DOC for an expedited audit if it has reason to believe a particular facility may be experiencing problems relating to sexual abuse. The recommendation may include referrals to resources that may assist with PREA-related issues.
4. The Department of Justice shall develop and issue an audit instrument that will provide guidance on the conduct and contents of the audit.
5. Bridgeway shall bear the burden of demonstrating compliance with the standards.
6. The auditor shall review all relevant Bridgeway policies, procedures, reports, internal and external audits, and accreditations.
7. The audit shall review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period.
8. The auditor shall have access to, and shall observe, all areas of the facility.
9. The auditor shall be permitted to request, and receive, all copies of any relevant document, including electronically stored information.
10. The auditor shall retain and preserve all documentation (including video tapes, and interview notes) relied upon in making audit determinations. Such documentation shall be provided to the Department of Justice upon request.
11. The auditor shall privately interview a representative sample of offender, staff, supervisors, and administrators.
12. The auditor shall review a sampling of any available videotapes or other electronically available data that may be relevant to the provisions be audited.
13. Offenders shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.
14. The auditor shall attempt to communicate with community-based or victim advocates that may have insight into relevant conditions in the facility.

C. Auditor qualifications (PREA 115.402)

1. An audit shall be conducted by:
 - a. A member of a correctional monitoring body that is not a part of, or under the authority of, Bridgeway or DOC (but may be part of, or authorized by Oklahoma, Kay County, or Ponca City government);
 - b. A member of an auditing entity such as an inspector general's office that is external to Bridgeway or DOC; or
 - c. Other outside individuals with relevant experience.
2. Auditors shall be certified by the Department of Justice.
3. No audit shall be conducted by an auditor who has received financial compensation from Bridgeway (except for compensation received for conducting prior PREA audits) within the three years prior to the retention of the auditor.
4. Bridgeway shall not employ, contract with, or otherwise financially compensate the auditor for three years subsequent to the retention of the auditor, with the exception of contracting for subsequent PREA audits.

D. Audits contents and findings (PREA 115.403)

1. Each audit shall include a certification by the auditor that no conflict of interest exists with respect to his or her ability to conduct an audit of Bridgeway.
2. Audit reports shall state whether policies and procedures comply with PREA standards.
3. For each PREA standard, the auditor shall determine whether the facility reaches one of the following findings:
 - a. Exceeds standard-substantially exceeds the requirement of the standard;
 - b. Meets standard-substantial compliance; complies in all material ways with the standard of the relevant review period; or
 - c. Does not meet standard-requires corrective action.
4. The audit summary shall indicate, among other things, the number of provisions Bridgeway has achieved at each grade level.
5. Audit reports shall describe the methodology, sampling sizes, and basis for the auditor's conclusions with regard to each standard provision for the facility, and shall include recommendations for any required corrective action.
6. Auditors shall redact any personally identifiable offender or staff information for the reports, but shall provide such information to Bridgeway or DOC, upon request, and may provide such information to the Department of Justice.
7. Bridgeway shall ensure that the auditor's final report is published on the DOC website, or made available to the public.

E. Audit corrective action plan (PREA 115.404)

1. A finding of "Does Not Meet Standard" with one or more standards shall trigger a 180-day corrective action period.
2. Bridgeway and the auditor shall jointly develop a corrective action plan to achieve compliance.
3. The auditor shall take necessary and appropriate steps to verify implementation of the corrective action plan, such as reviewing updated policies and procedures, or re-inspecting portions of the facility.

4. After the 180-day corrective action period ends, the auditor shall issue a final determination as to whether the facility has achieved compliance with those standards requiring corrective action.
5. If Bridgeway does not achieve compliance with each standard, it may, at its discretion and cost, request a subsequent audit once it believes that it has achieved compliance.

F. Audit appeals (PREA 115.405)

1. Bridgeway may lodge an appeal with the Department of Justice regarding any specific audit findings that it believes to be incorrect. Such appeal must be lodged within 90-days of the auditor's final determination.
2. If the Department of Justice determines that Bridgeway has stated a good cause for a reevaluation, Bridgeway may commission a re-audit by an auditor mutually agreed upon by the Department and Bridgeway.
3. Bridgeway shall bear the cost of this re-audit.

The findings of the re-audit shall be considered final.

XIII. DUTIES AND RESPONSIBILITIES

A. Employees

1. All employees shall be responsible for:
 - a. Adhering to these procedures by ensuring that their conduct does not constitute or promote sexual assault or harassment, nor in any other way violate the provisions of these procedures;
 - b. Treating all reported incidents of prohibited contact seriously and ensure that known, or suspected acts or allegations of sexual assault are reported immediately to the supervisor or higher authority and referred to the Office of Inspector General for investigation in accordance with DOC OP-040117 entitled "Investigations". Failure to report will result in employee discipline.
 - c. Staff is prohibited from revealing any information related to sexual abuse to anyone other than to the extent necessary (supervisors or official and designated state and local service agencies) for treatment, investigation, and other security and management decisions.
 - d. Providing complete cooperation and full disclosure during any inquiry or investigation into alleged acts of sexual assault, abuse, harassment, or retaliation.
 - E. Staff shall not make judgments or assumptions about the credibility of an alleged victim, suspect, or witness of sexual abuse or harassment.

f. Staff shall be observant of any contractor or vendor providing goods or services, who shall be escorted and/or visually observed by staff upon making entrance onto facility grounds and shall remain under escort and/or visual observation until they exit the facility.

B. Investigators, Case Managers, and Dorm Supervisors

1. Designated staff shall be responsible for:
 - a. Ensuring all substantiated allegations of prohibited conduct are referred appropriately for disciplinary action; 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 (115.278)

b. Ensuring that all victims who report sexual assaults are appropriately referred for medical and mental health evaluation/assessment and for crisis intervention counseling and follow-up in accordance with DOC OP-140118 entitled "Emergency Care";

c. Ensuring adequate measures are taken to provide separation between the alleged victim, and the alleged suspect, while ensuring that such separation does not represent a form of punishment for the alleged victim;

d. Ensuring all offenders or staff members found guilty of committing sexual assault are disciplined in accordance with agency procedures and will be referred for criminal prosecution by the Office of Inspector General; and

e. Ensuring that any act of sexual assault is reported appropriately through their chain of command, and ensuring that the confidentiality of victims in incidents of offender on offender sexual assault is not compromised.

C. Medical/Mental Health Staff

1. The agency (DOC) chief mental health officer ensures that each facility/district employs, or has access to, the services of a mental health professional that has a scope of practice, training, and/or experience in trauma counseling. As a contract facility, Bridgeway shall also ensure offender access to mental health services/counseling. 2. Medical and mental health staff/providers shall report sexual abuse and shall inform offenders during the initial; orientation of the staff/provider's duty to report and the limitations of confidentiality at the initiation of services.

XIV. REFERENCES

Policy/statement Number:

DOC OP-030100 entitled "Provision of Services/Offender Rights and Responsibilities"

DOC OP-030102 entitled "Offender Housing"

DOC OP-040117 entitled "Investigations"

DOC OP-040119 entitled "Intelligence"

DOC OP-050108 entitled "Use of Force Standards and Reportable Incidents"

DOC OP-050109 entitled "Reporting of Incidents"

DOC OP-060106 entitled "Non-Associations and Protective Measures"

DOC OP-100101 entitled "Training and Staff Development"

DOC OP-140114 entitled "Screening New Arrivals"

DOC OP-140118 entitled "Emergency Care"

DOC OP-140125 entitled "Bloodborne Pathogen Exposure Control Program"

DOC OP-140201 entitled "Mental Health Services Duties and Responsibilities"
MSRN 140118-01 entitled "Management of Alleged Rape/Sexual Assault"
Prison Rape Elimination Act of 2003, P.L. 108-79
Prison Rape elimination Act-Community Confinement Standards
Title 21 § 1111 Paragraph 7
Bureau Of Justice Statistics Status Report entitled "Implementing the Prison Rape
Elimination Act of 2003 addressing "How Will Rape Be Measured?" (Feb. 5,2004)
Center of Disease Control, national Center for Injury Prevention and Control, report entitled
"Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements (2002)

XV. REFERENCED FORMS (Examples of all listed forms attached) (Forms can also be located on doc.ok.gov)

DOC 090124 D "Offender Grievance Process Request to Staff"
DOC 140117 A "Request for Health Services"
DOC 030601 "Sexual Misconduct and Harassment" attachment A
DOC 030601 "Offender's Guide to Sexual Misconduct" attachment B
DOC 030601 "Sexual Assault Report-Parts A, B, and C" attachment C
DOC 030601 "Notice of Investigative Status" attachment
DOC 030601 "Oklahoma Prison Rape Elimination Act Zero Tolerance Acknowledgement for Offenders" attachment E.
DOC 030601 "Oklahoma Prison Rape Elimination Act Zero Tolerance Acknowledgment for Offenders (Spanish) attachment E-1
DOC 030601 "Oklahoma Prison Rape Elimination Act Staff Training Acknowledgement" attachment F
DOC 030601 "Oklahoma Prison Rape Elimination Act Volunteer/Contractor Training Acknowledgment" attachment G
DOC 030601 "PREA Response Checklist" attachment H
DOC 030601 "Offender Protection Against Retaliation" attachment I
DOC 030601 "Staff Protection Against Retaliation" attachment J
DOC 030601 "Sexual Abuse Incident Review" attachment K
DOC 050108 "Incident Notification Checklist" attachment H
DOC 050108 "Serious Incident Database Report-Community Corrections" attachment K-3
DOC 050109 "Incident/Staff Report" attachment A

