



Procedure Number	VQ.D.PREA.01.A	Rev. No. 01
Procedure Name	Prison Rape Elimination Act (PREA)	
Operations	Domestic	
Department	Prison Rape Elimination Act (PREA)	
Effective Date	11/15/2024	

1. Policy

1.1. VQ.D.PREA.01 Prison Rape Elimination Act (PREA)

2. Definitions

2.1. See Prison Rape Elimination Act Policy.

3. Procedure

3.1. Employee Education, Training, and Background Check Requirements

3.1.1. Employee/Applicant Background Checks and References

3.1.1.1. All candidates for employment complete a comprehensive background analysis that is verified by the State of Delaware Department of Services for Children, Youth & Their Families. The criminal history unit informs VQ of the candidate's eligibility status prior to any job offer.

3.1.1.2. Human Resources will make diligent efforts to contact all prior employers to determine whether the prospective employee has any history of substantiated allegations of sexual abuse or resignation during a pending investigation of an allegation of sexual abuse.

3.1.1.2.1. VisionQuest sends out service letters to previous employment.

3.1.1.3. All potential employees will sign a statement of Affirmation in which they acknowledge that they have never been involved in any sexual misconduct or harassment incidents.

3.1.1.4. VisionQuest considers any incidents of sexual abuse or sexual harassment in determining whether to hire or promote anyone or to enlist the services of any contractor who may have contact with youth.

3.1.1.5. VisionQuest 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.

3.1.2. Education and Training

3.1.2.1. All employees will receive PREA related training as part of their initial orientation training and prior to any regular or significant contact with youth.

- 3.1.2.2. Lesson Plans and Materials: All lesson plans or materials utilized for training on sexual assault and abuse shall be approved by the PREA Coordinator.
- 3.1.2.3. Documentation: Documentation confirming training for all employees and non-employees is maintained by the facility.
 - 3.1.2.3.1. All program employees shall receive instruction related to this procedure and the following critical points:
 - 3.1.2.3.1.1. VisionQuest's zero tolerance for sexual abuse or sexual harassment.
 - 3.1.2.3.1.2. How employees should fulfill their responsibilities under VisionQuest's sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.
 - 3.1.2.3.1.3. Youth's right to be free from sexual abuse or sexual harassment.
 - 3.1.2.3.1.4. The youths' right to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing the breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks including viewing via video camera.
 - 3.1.2.3.1.4.1. This requires staff of the opposite gender to announce their presence when entering a youth's housing unit/area where residents are likely to be showering, performing bodily functions, or changing clothing.
 - 3.1.2.3.1.5. The right of youth and employees to be free from retaliation for reporting sexual abuse or sexual harassment.
 - 3.1.2.3.1.6. The dynamics of sexual abuse or sexual harassment in confinement.
 - 3.1.2.3.1.7. The common reactions of sexual abuse or sexual harassment victims.
 - 3.1.2.3.1.8. How to detect and respond to signs of threatened and actual sexual abuse or sexual harassment.
 - 3.1.2.3.1.9. How to avoid inappropriate relationships with youth.
 - 3.1.2.3.1.10. How to communicate effectively and professionally with juveniles, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming youth.
 - 3.1.2.3.1.11. How to comply with relevant laws related to mandatory reporting of sexual abuse or sexual harassment to outside authorities.
 - 3.1.2.3.1.12. Relevant laws regarding the applicable age of consent.
 - 3.1.2.3.1.13. All employees shall receive refresher training on these subjects every year as part of their annual training requirements. In the event an employee is reassigned from a facility housing the opposite gender, the employee will receive additional training regarding the treatment and supervision issues specific to that gender.
 - 3.1.2.3.1.14. PREA Compliance Manager, Investigator(Supervisor) and Victim Support Personnel: Specialized training is provided for employees who respond to incidents of sexual abuse or sexual harassment. This training includes facility policy, procedure, crime scene management, elimination of

contamination, evidence collection protocol for confinement settings, techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, and the criteria and evidence required to substantiate a case.

- 3.1.2.4. Volunteer, Contractor and other non-employees who have contact with Juveniles will receive the following training(s):
 - 3.1.2.4.1.1. Volunteers and Contractors will be trained on their responsibilities under VisionQuest's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.
 - 3.1.2.4.1.2. VisionQuest's Zero Tolerance policy regarding sexual abuse and sexual harassment.
 - 3.1.2.4.1.3. How to report related incidents.
 - 3.1.2.4.1.4. Training for non-employees may be tailored to reflect the extent of time they are in the facility and their access to youth.
- 3.1.2.4.2. Medical and Mental Healthcare Personnel:
 - 3.1.2.4.2.1. In addition to the training for non-employee personnel described above, all medical and mental healthcare practitioners who work regularly in the facility shall be trained in:
 - 3.1.2.4.2.1.1. How to detect and assess signs of sexual abuse or sexual harassment.
 - 3.1.2.4.2.1.2. How to preserve physical evidence of sexual abuse.
 - 3.1.2.4.2.1.3. How to respond effectively and professionally to victims of misconduct.
 - 3.1.2.4.2.1.4. How and to whom to report allegations or suspicions of sexual abuse or sexual harassment.
- 3.1.3. Specialized Training for Investigations
 - 3.1.3.1. VisionQuest shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its internal investigators have received training in conducting such investigations in confinement settings that includes:
 - 3.1.3.1.1. Specialized training shall include techniques for interviewing juvenile sexual abuse victims
 - 3.1.3.1.2. Proper use of Miranda and Garrity warnings
 - 3.1.3.1.3. Sexual abuse evidence collection in confinement settings
 - 3.1.3.1.4. The criteria and evidence required to substantiate a case for administrative action or prosecution referral.

3.2. Youth Education

- 3.2.1. During the intake process, youth shall receive information explaining, in an age-appropriate fashion, 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.
- 3.2.2. All youth admitted into a VisionQuest facility, shall receive comprehensive age-appropriate education about sexual abuse or sexual harassment upon intake but no later than 24 hours from intake.
 - 3.2.2.1. If transferred from another VisionQuest facility, they will be educated, to the extent that the policies of the new facility differ from those of the previous facility.

- 3.2.3. This information shall address:
 - 3.2.3.1. VisionQuest's zero tolerance for sexual abuse or sexual harassment of a minor
 - 3.2.3.2. Age-appropriate education regarding a youth's rights to be free from sexual abuse and sexual harassment.
 - 3.2.3.3. What constitutes sexual abuse or sexual harassment.
 - 3.2.3.4. VisionQuest's program for prevention of sexual abuse or sexual harassment.
 - 3.2.3.5. Methods of self-protection.
 - 3.2.3.6. How to report sexual abuse or sexual harassment and retaliation.
 - 3.2.3.7. Protection from retaliation.
 - 3.2.3.8. Treatment and counseling.
 - 3.2.3.9. The youths' right to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing the breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks including viewing via video camera.
- 3.2.4. VisionQuest will ensure that appropriate provisions shall be made as necessary for youth not fluent in English, and youth with disabilities (including, for example, youth who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) so that all youth have an equal opportunity to participate in or benefit from all aspects of the program's efforts to prevent, detect, and respond to sexual abuse and harassment.
 - 3.2.4.1. Visionquest will have these documents and information in the language the child understands.
- 3.2.5. VisionQuest shall ensure Information regarding these topics will be approved and made available by the PREA Coordinator and included in the youth orientation materials, and on information boards and posters in visitation, medical and housing areas.
- 3.2.6. VisionQuest shall maintain documentation of resident participation in these education sessions.

3.3. Screening for Risk of Sexual Victimization and Abusiveness

- 3.3.1. All youth admitted into a VisionQuest residential program are screened for potential vulnerabilities or tendency to act out sexually aggressive behavior.
 - 3.3.1.1. Within 24 hours of arrival at the facility they will be screened using the RAD intake form and the Primary Health Assessment.
 - 3.3.1.2. Within 72 hours they will be screened using the Vulnerability Assessment Instrument and reviewing available court records and case files.
 - 3.3.1.3. Information provided on these reports will assist staff in assigning appropriate housing, bed, work, education and program assignments with the goal of keeping residents safe and free from sexual abuse.
- 3.3.2. Youth identified as potential or confirmed victims of sexual assault or as having a tendency to act out with sexually aggressive behavior shall be considered for High-Risk Supervision or placement in a unit or other appropriate setting where they are housed in a single room without being housed with a roommate.
 - 3.3.2.1. During the screening process, any youth who have struggled with ISB behaviors or have been deemed sexually aggressive are not typically referred or accepted to the RAD program.
 - 3.3.2.2. In the event that the program does have a high risk youth, youth would be assigned to one to one supervision.

- 3.3.2.3. This arrangement will only be used when less restrictive measures have been considered and continue until an alternative means of keeping all youths safe.
- 3.3.2.4. VQ does not employ the use of restraints or confinement.
- 3.3.2.5. If the program cannot keep a youth safe from himself or others, the program will seek to have the youth removed and placed in a higher level of care for their safety and the safety of others.
- 3.3.2.6. Youth who are determined as a potential risk will not be singled out, however they will be closely monitored by the staff and their behavior will be evaluated throughout their stay.

3.4. Additional Screening and Assessments

- 3.4.1. Youth identified as high risk with a history of sexual behavior or who have been identified as at risk for sexual victimization will be assessed by a mental health or other qualified health professional within 14 days of the intake screening.
 - 3.4.1.1. Such youth will also be monitored by mental health services.
- 3.4.2. If a youth is identified as a sexual predator or as a victim/potential victim, the youth shall be re-evaluated for appropriate housing, available programs, monitoring and counseling.
- 3.4.3. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners, other staff as necessary, to inform treatment plans, supervision and management decisions, including housing, bed, work, education and program assignments or as required by Federal, State or local law.
- 3.4.4. Employees shall obtain consent from youth over the age of 18 years old before reporting information about prior sexual victimization that did not occur in an institutional setting.
- 3.4.5. Youth will be periodically assessed through individual sessions, outpatient counseling sessions, multi-disciplinary team meetings and at any other time when the need is presented.

3.5. Referrals for Special Housing and Program Placement

- 3.5.1. Transgender or intersex youth's personal view regarding their own safety shall be given serious consideration.
- 3.5.2. Special housing or program assignments for transgender or intersex youth will be made on a case-by-case basis.
- 3.5.3. Any employee may make a referral for particular housing, bed or other assignments based on their observation of the youth's behavior or at the youth's request, with concerns that a youth may be at significant risk of sexual victimization and not solely based on youth's sexual identification or status as an indicator to increase the likelihood of being sexually abused.
- 3.5.4. This referral shall be documented on a memo to the program's Chief Administrator and then placed in the youth's file. This memo will contain reason for the concern for the youth's safety and why no other means of separation can be arranged.
- 3.5.5. VisionQuest does not use isolation as a means of special housing or placement. .
- 3.5.6. Youth receiving modified living arrangements or placed in individual units will not be denied their Youth Rights or access to daily program activities such as education services and large muscle exercise.
- 3.5.7. Placement in modified housing and/or programming will be reviewed every 30 days. Placement and programming for transgender and intersex youth will be assessed twice a year to review any threats to safety experienced by the youth.

3.6. Supervision and Monitoring

- 3.6.1. Program Administrators, Supervisors, and Compliance Manager will conduct and document unannounced rounds to identify and deter staff sexual abuse or sexual harassment.
 - 3.6.1.1. Unannounced rounds will be conducted twice a month and rotated amongst each shift.
 - 3.6.1.2. Staff are prohibited from alerting other staff members that such supervisory rounds are occurring unless such announcement is related to the legitimate operational functions of the facility.
- 3.6.2. For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct or treatment of youth or employees who reported the sexual abuse and residents who suffer sexual abuse to see if there are changes that may suggest possible retaliation by youth or employees and shall act promptly to remedy any such retaliation.
- 3.6.3. The program will monitor the following actions
 - 3.6.3.1. Disciplinary reports
 - 3.6.3.2. Housing
 - 3.6.3.3. Program changes
 - 3.6.3.4. Negative performance reviews or reassignments of staff
- 3.6.4. The program shall continue such monitoring beyond 90 days, if the initial monitoring indicates a continuing need.

3.7. Reporting Sexual Abuse or Sexual Harassment

- 3.7.1. All employees and non-employees are mandatory reporters and required to immediately report to the Program Administrators, Supervisors, Compliance Manager or PREA Coordinator any knowledge, suspicion, or information regarding sexual abuse or sexual harassment involving a youth and/or any retaliation or neglect in violation of this procedure. All employees must also follow the Child Abuse and Neglect Reporting policy.
- 3.7.2. All incidents of sexual assault, contact or abuse must be reported to the appropriate state Child Protective Services agency.
 - 3.7.2.1. Apart from reporting to the PREA Coordinator, staff are prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decision in order to maintain confidentiality.
- 3.7.3. Medical and mental health practitioners are also required to report sexual abuse to the PREA Compliance Manager and state Child Protective Services agency. Such practitioners shall be required to inform residents at the initiation of services of their duty to report and the limitations of confidentiality.
- 3.7.4. A youth may report sexual abuse or sexual harassment to any staff member or non-staff member.
 - 3.7.4.1. A youth may request to contact the Child Protective Services Agency for that geographic location.
- 3.7.5. Any staff member or non-youth, who receive a report of sexual abuse or sexual harassment, whether verbally or in writing, shall immediately notify their Supervisor and the PREA Compliance Manager and complete an event report.
- 3.7.6. The PREA Compliance Manager shall be notified when a youth has been identified as a potential and/or confirmed victim or aggressor and ensure this information is entered into the appropriate youth's Health and Safety Assessment or another appropriate document.
- 3.7.7. Confidentiality and Notifications
 - 3.7.7.1. Apart from reporting to the PREA Coordinator, staff are prohibited from revealing any information related to a sexual abuse report to anyone

other than to the extent necessary to make treatment, investigation, and other security and management decision on order to maintain confidentiality.

- 3.7.2. Upon receiving any allegation of sexual abuse, the PREA Compliance Manager or designee shall promptly report the allegation to the alleged victim's parents or legal guardians, unless the facility has official documentation showing the parents or legal guardians should not be notified.
- 3.7.3. If a juvenile court retains jurisdiction over the alleged victim the PREA Compliance Manager or designee shall also report the allegation to the juvenile's attorney or other legal representative of record in compliance with state regulations.

3.8. Exhaustion of Administrative Remedies

- 3.8.1. Although the regular statute of limitations defenses applies to allegations, the program does not impose a time limit on when a youth may submit a grievance regarding an allegation of sexual abuse.
- 3.8.2. Youth are not required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse or sexual harassment.
- 3.8.3. A youth who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint; and
- 3.8.4. Such a grievance shall not be referred to a staff member who is the subject of the complaint.

3.9. Third Party Involvement

- 3.9.1. Third parties, including fellow residents, staff members, family members, attorneys and outside advocates may file requests for administrative remedies relating to sexual abuse on behalf of a youth. Third parties may contact the program directly, use the posted website hotline, contact state police or call **DE Child Abuse Hotline directly at 800-292-9582.**
- 3.9.2. The program will document if a youth declines third party assistance in filing a grievance of sexual abuse.
- 3.9.3. Parents and legal guardians may file a grievance regardless of if the youth has declined their assistance.
- 3.9.4. Youth will be informed of the extent of monitoring to occur during communication between parties prior to receiving any outside services.
- 3.9.5. Prior to being given access to outside support services, youth will be informed by the PREA Compliance Manager of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State or local law.

3.10. Reporting to and from Other Confinement Facilities

- 3.10.1. Upon receiving an allegation that a youth was sexually abused or sexually harassed while confined at another program, the administrator of the program shall notify the administrator of the program where the alleged abuse occurred and shall also notify the Child Protective Services agency of that state.
- 3.10.2. Notification shall be provided as soon as possible and within state reporting requirements but no later than 72 hours.
- 3.10.3. The facility shall document that it has provided such notification.
- 3.10.4. Allegations received by other agencies/facilities are investigated in accordance with PREA standards.

3.11. Program Response to a Sexual Abuse or Sexual Harassment Allegation

- 3.11.1. When VisionQuest learns that a resident is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the resident. The PREA Coordinator shall direct the program's response to all allegations of sexual abuse or sexual harassment, including prompt assignment of a Victim Support Person, Investigator, and/or referral to medical/mental health services when warranted.
- 3.11.2. First Responder Instructions for Alleged Sexual abuse or sexual harassment:
 - 3.11.2.1. The Supervisor will ensure Separate the alleged victim and alleged perpetrator.
 - 3.11.2.1.1. An alleged victim or alleged perpetrator can be placed on a one-to-one youth to staff ratio, moved to another room in another facility (if possible), or a combination as necessary.
 - 3.11.2.1.2. In cases where the alleged victim or alleged perpetrator is an employee, there will be no contact between the employee and youth pending completion of the investigation.
 - 3.11.2.1.3. Secure the scene of the alleged assault if feasible and secure any video coverage of the alleged incident. Secure but do NOT gather evidence.
 - 3.11.2.1.3.1. Staff that do not have supervisory duties shall be required to request that the alleged victim not take any actions that could destroy physical evidence before notifying supervisory staff.
 - 3.11.2.2. The supervisor will notify the PREA Compliance Manager who will assume responsibility for handling the sexual abuse or sexual harassment allegations and who will, in consultation with the PREA Coordinator, decide whether to notify law enforcement.
 - 3.11.2.2.1. Cases involving alleged sexual acts will be reported to law enforcement.
 - 3.11.2.3. If within 120 hours of the alleged incident, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
 - 3.11.2.4. If within 120 hours of the alleged incident, advise the victim and make efforts that the alleged perpetrator do not shower or otherwise clean themselves, or if the assault was oral, not to eat, drink, brush their teeth, chew gum or otherwise take any action that could damage or destroy evidence.
 - 3.11.2.5. In all cases of alleged abuse, assault or other sexual acts or contact, arrangements shall be promptly made to have the alleged victim transported and examined at a local hospital by a Sexual Assault Nurse Examiner (SANE) or other qualified medical practitioner.
 - 3.11.2.6. Allegations of sexual abuse or sexual harassment shall be treated with discretion and, to the extent permitted by law, and confidentiality. Individuals who fail to keep allegations of sexual abuse or sexual harassment confidential are subject to discipline.

3.12. Emergency Medical and Mental Health Services

- 3.12.1. Alleged victims of sexual abuse shall receive timely, unimpeded access to qualified emergency medical treatment that have SANEs/SAFEs and crisis intervention services, the nature and scope of which are to be determined by medical and mental health practitioners.
 - 3.12.1.1. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, the PREA Compliance Manager shall take preliminary steps to protect the victim from harm and shall

immediately notify the appropriate medical and mental health practitioners.

- 3.12.2. Alleged victims of sexual abuse shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis where medically appropriate.
- 3.12.3. Treatment services are provided to the alleged victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Community based programs will work in collaboration with the youth's placing agency to coordinate treatment services.
- 3.12.4. The program maintains a copy of memorandums of understanding (MOU) or other agreements with community service providers that are able to provide youth with emotional support services related to sexual abuse.

3.13. Ongoing Medical and Mental Health Care

- 3.13.1. The program offers medical and mental health evaluation and, as appropriate, treatment to all youth who have been victimized by sexual acts.
 - 3.13.1.1. If necessary, the evaluation and treatment of such victims shall include follow-up services, treatment plans, and referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
- 3.13.2. Alleged victims of vaginal penetration sexual abuse will be offered pregnancy tests.
 - 3.13.2.1. If pregnancy results from conduct specified in above paragraph b, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
- 3.13.3. Alleged victims of sexual abuse shall be offered tests for sexually transmitted infections as medically appropriate.
- 3.13.4. Treatment services including a victim advocate will 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.
- 3.13.5. Community based programs will work in collaboration with the youth's placing agency to coordinate treatment services. Victims will receive medical and mental health services consistent with the community level of care. When the youth is discharged, appropriate referrals will be given to obtain or sustain this level of care.
- 3.13.6. The program shall attempt to conduct a mental health evaluation of all known youth-on-youth abusers as soon as possible but within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

3.14. Victim Support Person

- 3.14.1. If requested by a victim of alleged sexual abuse, a victim advocate, qualified agency staff member or qualified community-based organization staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.
- 3.14.2. This will be completed as soon as possible, but no later than the next business day.
- 3.14.3. This person will consult with the investigator on the case and aid the alleged victim as is appropriate based on their training.
- 3.14.4. The victim support person may sit in on administrative interviews of the victim but may not in any manner obstruct or interfere with the course of the investigation.

3.15. Investigations

- 3.15.1. All reports of sexual abuse or sexual harassment, sexual contact or sexual abuse must be considered credible and promptly investigated criminally and/or administratively without regard to whether:

- 3.15.1.1. The youth who are named in the allegation are in custody or not.
- 3.15.1.2. Staff members named in the allegation are currently employed or not.
- 3.15.1.3. The report of the allegation was made in a timely manner or not.
- 3.15.1.4. The youth reporting the allegation is known to have made past false allegations.
- 3.15.1.5. The source of the allegation recants the allegation.
- 3.15.1.6. The employee receiving the complaint believes or does not believe the allegations.
- 3.15.1.7. The source of the report is from a third party or anonymous source.
- 3.15.2. Investigations will only be conducted by those individuals who have received the appropriate training in sexual abuse investigations.
- 3.15.3. The Investigator is responsible for conducting and fully documenting the investigation in accordance with program policy and procedure.

3.16. Investigation Process

- 3.16.1. The program initiates an administrative investigation of an allegation of sexual abuse or sexual harassment immediately following the report to determine the immediate measures that need to be taken for the safety of the alleged victim and/or other residents.
- 3.16.2. The program will complete the administrative investigation and documentation in a timely manner, but this may be delayed upon the direction of authorized legal entities to prevent conflict to their own ongoing investigation.
- 3.16.3. No standard higher than the preponderance of the evidence will be considered in determining whether allegations of sexual abuse or sexual harassment are substantiated.
- 3.16.4. VisionQuest does not rely upon any truth telling device as a condition to proceed with an investigation.
- 3.16.5. DE Child Abuse Hotline will have a representative from the Institutional Abuse Investigative Unit (IAIU) interview the youth, ensure their safety and conduct an investigation. The Department of Family Services (DFS) will notify the appropriate law enforcement agency if they determine a criminal investigation is warranted and pursue prosecution.
- 3.16.6. VisionQuest will also contact law enforcement to report all allegations of sexual abuse or sexual harassment so that a criminal investigation can be conducted (unless the allegation does not involve potentially criminal behavior)
- 3.16.7. The Office of Child Care Licensing (OCCL) will be contacted by the Office of Institutional Abuse so they can decide to conduct a licensing investigation to determine regulatory violations.
- 3.16.8. Programs shall cooperate with external investigators and endeavor to remain informed about the progress of the investigation.
- 3.16.9. VisionQuest will consider all existing information and any that has been requested and can be provided by external investigators, to inform the youth of the outcome of the investigation, respond accordingly and develop an appropriate corrective action plan.
- 3.16.10. VisionQuest will not terminate an investigation solely because the source of the allegation recants the allegation.
- 3.16.11. Administrative investigations shall:
 - 3.16.11.1. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse
 - 3.16.11.2. 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.
- 3.16.12. VisionQuest will retain all written reports pertaining to administrative or criminal investigations of alleged sexual abuse or sexual harassment for as long as the alleged

abuser is incarcerated or employed by the agency, plus five years unless applicable state law requires a shorter period of retention.

3.17. Notification of Results to Youth

- 3.17.1. The following will be documented on the PREA Investigation – Reporting to Residents form as youth currently in a VisionQuest program are entitled to know the outcome of the investigation into their allegation as follows:
- 3.17.2. Following an investigation into an allegation of sexual abuse in the program, the PREA Compliance Manager shall inform the alleged victim whether the allegation was determined to be substantiated, unsubstantiated, or unfounded.
- 3.17.3. If the allegation involved an employee, the PREA Compliance Manager shall inform the youth whenever:
 - 3.17.3.1. The staff member is no longer assigned within the youth's unit.
 - 3.17.3.2. The staff member is no longer employed at the facility.
 - 3.17.3.3. The staff member has been indicted on a charge related to sexual abuse within the facility.
 - 3.17.3.4. The staff member has been convicted on a charge related to sexual abuse within the facility.
- 3.17.4. If the allegation involved another youth, the PREA Compliance Manager shall inform the alleged victim when the alleged abuser has been:
 - 3.17.4.1. Indicted on a charge related to sexual abuse within the facility.
 - 3.17.4.2. The alleged perpetrator has been convicted on a charge related to sexual abuse within the facility.
- 3.17.5. All such notifications or attempted notifications shall be documented in the program records and the youth's file.

3.18. Debriefing and Incident Review

- 3.18.1. Debriefing
 - 3.18.1.1. The PREA Compliance Manager shall conduct a debriefing of all incidents of sexual abuse or sexual harassment in order to assess the environmental factors, relevant issues or problem areas that could have contributed to the incident and shall implement identified improvements to increase youth safety.
- 3.18.2. Incident Review
 - 3.18.2.1. The program shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegations are substantiated and unsubstantiated but not for cases with outcomes of unfounded.
 - 3.18.2.2. The incident review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.
 - 3.18.2.3. The review team shall:
 - 3.18.2.3.1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse, 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.
 - 3.18.2.3.2. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
 - 3.18.2.3.3. Assess the adequacy of staffing levels in that area during different shifts.

- 3.18.2.3.4. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- 3.18.2.4. The review team will prepare a report of its findings that include determinations made but not limited to information presented in (i-iv) and any recommendations for improvement and submit such report to the Chief Administrator who is authorized to implement the recommendations for improvement or shall document reasons for not doing so.

3.19. Discipline/Corrective Action

- 3.19.1. Employees
 - 3.19.1.1. Disciplinary sanctions for violations of this procedure relating to sexual abuse or sexual harassment are commensurate with the nature and circumstances of the acts committed, the staff member's, volunteer's or contractor's disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories.
 - 3.19.1.2. Violation of this policy/procedure is cause for termination. The PREA Coordinator will take any action necessary to enforce this policy. Any staff member, contractor, volunteer or non-employee who violates this policy/procedure shall be prohibited from contact with youth and shall be reported to law enforcement and any relevant licensing bodies.
 - 3.19.1.3. Staff that desire to contest terminations and staff disciplinary actions may do so following the prescribed grievance procedure outlined in the Employee manual.
 - 3.19.1.4. All disciplinary actions will remain consistent with PREA regulations 115.372 and 115.376 and remain part of the staff record unless there is a determination that the allegation of sexual abuse is not substantiated.
- 3.19.2. Youth
 - 3.19.2.1. Youth are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that the youth engaged in youth-on-youth sexual abuse.

3.20. Prosecutions

- 3.20.1. Employees
 - 3.20.1.1. All terminations and resignations due to alleged violations of this policy shall be reported to law enforcement and to any relevant licensing bodies.
 - 3.20.1.2. The PREA Coordinator or designee shall work with the local district attorney's office to facilitate criminal prosecution of acts in violation of this policy or criminal law.
- 3.20.2. Youth
 - 3.20.2.1. Youth are subject to criminal prosecution only after a finding of guilt for youth-on-youth sexual abuse.

3.21. Data Collection and Tracking

- 3.21.1. The PREA Coordinator shall maintain a tracking system that records all allegations of sexual abuse or sexual harassment and their disposition.
- 3.21.2. Tracking records should include:
 - 3.21.2.1. Investigative reports
 - 3.21.2.2. Disciplinary reports
 - 3.21.2.3. Event reports
 - 3.21.2.4. Offender information

- 3.21.2.5. Case disposition.
- 3.21.3. Accurate data for every allegation of sexual abuse at the company's facilities will be maintained through the Survey of Sexual Victimization and the PREA Master Log.
 - 3.21.3.1. A set of definitions will also be available.
- 3.21.4. Incident –based sexual abuse data will be aggregated at least on an annual basis.
- 3.21.5. Data will be maintained, reviewed and collected from all available resources as needed.
- 3.21.6. An annual report will be created from the compiled data.
- 3.21.7. Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

3.22. Data Review

- 3.22.1. VisionQuest shall review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training, including:
 - 3.22.1.1. Identifying problem areas
 - 3.22.1.2. Taking corrective action on an ongoing basis
 - 3.22.1.3. Preparing an annual report of its findings and corrective actions for each facility as well as VisionQuest as a whole.
- 3.22.2. Such a report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- 3.22.3. This report shall be approved by the VisionQuest's CEO and made available to the public through its website.
- 3.22.4. Any redactions from the annual report will be limited to specific materials where publication may pose a specific threat to the safety and security of the facility. The nature of any redactions will be appropriately indicated.

3.23. Data storage, Publication and Destruction

- 3.23.1. All incident-based and aggregate data will be securely retained and maintained for at least 10 years from the initial date of collection
- 3.23.2. Aggregated sexual abuse data from all affiliated facilities will be made available to the public annually through the VisionQuest website.
- 3.23.3. All Personal identifiers will be removed from the provided data prior to its being made public.

4. Attachments

- 4.1. N/A

5. Legal/Contract Reference

- 5.1. Prison Rape Elimination Act Juvenile Facility Standards United States Department of Justice Final Rule: National Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act (PREA) 28 C.F.R Part 115 Docket No. OAG-131 RIN 1105-AB34 May 17, 2012.

6. Review/Revision History (This is to document any revisions made since the last policy review or the creation date, to keep track of changes made, who made them, etc)

Revision/Version #	Summary of Changes	Date	Signed
00	Creation	10/10/2024	Juan Alvarez, National Director of Compliance and Operations
00	Approved	10/10/2024	Kara Gouveia- Chief Operating Officer
01	Updates to 3.1.2.3.1.4. & 3.2.3.9	11/15/2024	Juan Alvarez, National Director of Compliance and Operations
01	Approval	11/15/2024	Jennifer Fletes, Vice President of Compliance