



# **P**riso**n** **R**ape **E**limination **A**ct

## **THE NORTH CAROLINA APPROACH**

April 2015  
Updated December 2018

## **Executive Summary**

Since 2012, NCCASA has been working diligently to progress PREA efforts across the state of North Carolina. NCCASA's goal with PREA is to ensure that all incarcerated survivors of sexual assault have the ability and access to receive victim-centered, trauma-informed services. We aim to assist rape crisis centers (RCCs) in establishing & maintaining relationships with their local correctional facilities so they can be survivors outside confidential support service. RCCs are the most well-equipped programs to provide the highest quality of service to incarcerated survivors of sexual assault.

Below you will find a detailed description of the work NCCASA has performed over the past seven years. This work includes our collaboration with the NC Department of Public Safety, trainings conducted, resources created, statewide collaborative efforts, and a timeline of our plan if we receive further funding for PREA. The work we've completed has reached hundreds of advocates across the state so they can be better equipped to serve incarcerated survivors of sexual assault.

The work presented below has increased the knowledge and understanding about PREA to advocates. We have also reached many correction personnel to help explain the purpose of PREA and how their local rape crisis centers are there to help and what services they can provide. We will continue to educate and provide technical assistance on issues regarding PREA on the national and state level. Through national partnerships, such as those with Just Detention International (JDI) and the PREA Resource Center (PRC), NCCASA continues to stay up to date on topics regarding PREA, specifically those that concern access to confidential services for incarcerated survivors of sexual assault.

The following information is a detailed guide on the work we've completed and the work we plan to continue doing in the upcoming years.

## **Background**

In 2003, the US Congress unanimously passed the Prison Rape Elimination Act (PREA), which President George W. Bush signed into law on September 4, 2003. Its purpose is to analyze the prevalence and effects of prison sexual assault, and to provide institutions with resources for the prevention and intervention of prison rape. The Act also created the National Prison Rape Elimination Commission, which developed PREA standards for enforcement of prison rape elimination. These standards were finalized in August 2012, and were immediately applicable to the Federal Bureau of Prisons.

The North Carolina Coalition Against Sexual Assault (NCCASA) received its first presentation on PREA at its biennial conference in 2007. In 2012, after the finalization of the PREA standards, NCCASA submitted a PREA proposal to the, then, North Carolina Department of Corrections. However, due to administrative consolidation of the department under the Department of Public Safety (DPS) that same year, these proposals failed to gain traction.

In 2013 North Carolina began the process of building a collaborative administrative and programmatic framework for PREA compliance in the state. Though the process has not always been seamless, below is a chronological annotation to develop statewide outside confidential victim services for incarcerated victims between NCDPS and NCCASA, in accordance with the National Standards to Prevent, Detect, and Respond to Prison Rape under the Prison Rape Elimination Act (§115.53, 253, 353 c):

- October 2011 – First documented PREA correspondence from NCDPS
- November 2011 – NC PREA Administrator attended NCCASA Member Meeting
- March 2012 – Correspondence on updates with forthcoming standards
- September 2012 – Follow-up discussions

- November 2012 – Draft proposal submitted to NCDPS for review & discussion
- May 2013 – NC PREA Administrator attended Biennial conference member meeting- discussed requirements of standards
- October 2013 – Meeting to establish joint proposal for regional PREA implementation
- December 2013 – Meeting to discuss funding options, surveying RCCs & establish regular meetings
- February 2014 – Initial monthly meeting
- March 2014 – Survey Rape Crisis Centers (RCCs) understanding of PREA, ascertaining of PREA implementation, and compliance needs
- May 2014 – Established regular monthly meeting dates & webinars
- June 2014 – Proposed plan presented at membership meeting
- July 2015 – Draft of statewide MOU sent from NCCASA to NCDPS
- November 2015 – Discussion around establishing RCC hotlines begins
- January 2016 – Statewide MOU draft sent back to NCCASA with edits
- February 2016 – NCDPS approves process of adding RCC hotlines to phone bank
- March 2016 – Plan to jointly review the updated statewide MOU between NCCASA and NCDPS
- April 2016 – First regional training with NCDPS local prison staff and RCCs in central region
- June 2016 – Second regional training with NCDPS local prison staff in southwestern region
- July 2016 – NCCASA provides 31 RCC hotlines to NCDPS for their phone bank
- August 2016 – Third & fourth regional training with NCDPS local prison in southeastern and western regions. NCDPS PREA office emailed NCDPS prison staff these trainings were not mandatory, therefore attendance was optional

- October 2016 – Fifth & sixth regional training with NCDPS local prison staff in northwestern and northeastern regions
- January 2017 – NCCASA PREA Advocacy and Advisory Board (PAAB) creates inmate brochure
- March 2017 – NCDPS begins brochure distribution to prisons through their regional offices
- April 2017 – Communications between NCCASA & NCDPS become minimal
- November 2017 – NCDPS activates hotlines in all prisons so inmates can directly contact their local RCC and new NCDPS staff joins PAAB
- January 2018 – NCCASA works with NCDPS to address issues with inmate hotline
- May 2018 – NCDPS PREA Program Coordinator attends meeting with PREA Advocacy and Advisory Board (PAAB) members on updates and training ideas

### **Timeline of NCCASA Activities Since 2017**

- January 2017 - Ordered approximately 50,000 inmate brochures to be distributed across prisons in North Carolina. Brochures were also translated into Spanish and were turned into one-page flyers, as well
- September 2017 - Attended the North Carolina Jail Administrators Association Conference as an exhibitor & inmate flyer was created as requested by NCDPS
- December 2017 - Attended Just Detention International (JDI) regional training in New Orleans, LA. Statewide call was also held for RCCs in response to how to deal with the influx of inmate calls with the activation of the RCC hotline in prisons
- February 2018 - Creation of PREA TA log to better track TA requests around PREA from membership

- April 2018 - Hired PREA Coordinator. Created NC Jail Manual “The North Carolina Approach: Creating and Navigating new Relationships to Better Serve Incarcerated Survivors of Sexual Assault” and printed 200 copies
- May 2018 - In person PAAB meeting held in Raleigh, NC
- June 2018 - Provide in-person trainings on the creation and utilization of the NC Jail Manual
- July 2018 - Tour Cumberland County jail to begin development of the jail tour checklist for the PREA Resource Toolkit
- August 2018 - Sponsored PAAB Members and attended National Sexual Assault Conference, which had a tract focused on serving PREA specific communities hosted by Just Detention International
- September 2018 - Printed more resources for advocates including inmate brochure (English & Spanish), and inmate flyers. Exhibited at North Carolina Jail Administrators Association Conference

## **RCC Survey Results**

To ascertain PREA knowledge and needs, NC RCCs were asked to complete a survey. The response rate was 60% of RCCs for the survey in 2014. Responses to the survey served as PREA programmatic guidance. The survey was aimed at determining RCC’s understanding and knowledge around PREA, if any RCC’s are providing services to incarcerated victims and what kinds of services, and to see how many RCC’s have relationships with corrections in their community. Another survey was administered in 2016 that asked the same questions to determine changes over the previous 2 years and the response rate for this survey was 78% of RCCs. The full surveys are available upon request. However, the response below has been the major guiding factor.

**Please tell us what would help make your agency better equipped to provide advocacy services to this population.**

Education & Training

Funding (staff, travel, training)

MOUs

Below is a comparison of a few responses from 2014-16:

- Do you know what PREA is?
  - 53 % → 86% yes
- Does your agency currently provide advocacy services to incarcerated individuals?
  - 39% → 62% yes
- Does your agency have an MOU with any facilities to provide advocacy services with incarcerated individuals?
  - 91% → 45% no

The change of knowledge of PREA and the increased number of MOU's is in direct relation to the increased training provided by NCCASA to its members.

**Education & Training**

PREA Monthly Webinar Series was introduced in June 2014:

- June 2014 – PREA 101 - Overview of PREA, Standards, Compliance & Governor's Certification Process
- July 2014 – Understanding the Culture of Corrections in NC –Prisons
- August 2014 – Understanding the Culture of Corrections in NC – Jails
- September 2014 – Policy, Procedures, & Facility Guidelines & Maintaining Professional Boundaries w/Inmates
- October 2014 – Recap of previous webinars & Q&A

- November 2014 – Creating Culturally Competent Services – LGBTQI – Adults
- December 2014 – Creating Culturally Competent Services – LGBTQI – Juveniles

#### PREA Webinars 2015:

- October 2015 – PREA Victims Support Services 101
- November 2015 – Steps to Providing Services Behind Bars
- December 2015 – Confidentiality and Mandatory Reporting in Corrections Settings

#### PREA Webinars 2016:

- March 2016 – Training Advocates to Serve Incarcerated Survivors
- September 2016 – Where Has NC Grown in PREA? 2014 - 2016
- October 2016 – PREA Tools: Inmate Brochure & PREA Audit Report
- November 2016 – Hospital Accompaniment with Incarcerate Survivors

#### PREA Webinars 2017:

- March 2017 – PREA and Jails: What Advocates Need to Know
- May 2017 – Adapting Services for Incarcerated Survivors: Coping Skills and Safety Planning Behind Bars

To develop and foster collaboration between local prison officials and RCCs, in 2016, 6 regional trainings were conducted across the state of NC. Trainings were a day long with the first half specifically for prison staff, and the second half for both prison staff and RCCs. The first half was focused on educating local prison officials on sexual assault 101, victim advocacy, and communicating with LGBT populations. The second half of the day was spent discussing the implementation of PREA standards and how the two fields can work together to reach PREA compliance. A total of 119 individuals were trained and evaluations showed an overall feedback of 4 (very good) to 5 (excellent) for the trainings.

Since most of NC Rape Crisis Centers have jails in their jurisdictions, NCCASA is also conducted regional networking, education, and training specifically for the 96 jails/detention facilities run by elected sheriffs. The first set of trainings provided by NCCASA that focused on the relationship between jails and RCCs occurred in June 2018. The trainings were co-trained by Our VOICE, the stand alone RCC in Buncombe County, and a NCCASA PREA contractor who helped establish the relationships between Our VOICE and the Buncombe county jail. Three trainings were held in total with a fourth being postponed due to low registration. In total, 52 individuals were trained at developing relationships with jails in their communities. Since the training, many of the RCCs that attended have begun fostering relationships with the jails in their community.

### **PREA Advocacy & Advisory Board**

Recognizing the need for direct service expertise, and streamline communication to membership, NCCASA formed the Prison Rape Elimination Act Advisory & Advocacy Board (PAAB) and created a webpage for PREA education & information. PAAB Membership is formulated based on NCCASA's Training & Technical Assistance Regional Model.

**Purpose:** In Collaboration with NCCASA, Develop the Partnership, Process, and Preparation needed for PREA Implementation & Victim Advocacy Services

**Members:** Local Rape Crisis Centers, Correction Officials, Allied Professionals

**Responsibilities:** Program Development and Training Consultation

**Partnerships:** Mirror statewide approach within region

- Provide guidance to RCCs, Correction Officials, Allied Professionals and to Community Organizations
- Assist in educational & training needs that include but not limited to, workshops, roundtables, seminars, trainings, and presentations

- Create samples of standardized forms, letters, and other resource documents
- Distribute information to community at large regarding PREA
- Collect and provide NCCASA with local and regional information for the purposes of determining needs and work collaboratively with NCCASA to advocate for change
- Engage in systems advocacy as needed for individuals and groups
- Provide referrals to resources
- Attend conferences, education seminars, webinars, and trainings
- Remain current on local, regional, state, and federal resources
- Serve on boards and task forces to further PREA goals

In 2018, the PAAB was reconceptualized into a think-tank. As NCCASA moves forward with the creation of more resource materials, as detailed below, the PAAB will be utilized for the creation and development of resource tools that will be used to better serve incarcerated survivors of sexual assault. All responsibilities and partnerships will remain active, but the role of the PAAB will be directed more towards resource development.

## **Members**

NCCASA Staff

### **Region A (Western)**

Executive Director, Our VOICE, Inc.

Director of Empowerment Services, Safe, Inc. of Transylvania County

Program Director, Ashe County Partnership for Children / A Safe Home for Everyone (ASHE)

PREA Coordinator & PREA Compliance Manager, Macon County Sherriff's Office

**Region B (Northwestern)**

Sexual Assault Advocates, Orange County Rape Crisis Center

PREA Coordinator, Crossroads Sexual Assault Response & Resource Center

**Region C (Southwestern)**

Director of Sexual Trauma Resource Center & Sexual Trauma Resource Center Victim

Advocate Supervisor, Safe Alliance

Executive Director, Esther House of Stanly County

ACA Coordinator, Mecklenburg County Sheriff's Office

**Region D (Central)**

Associate Executive Director of Programs, InterACT

Sexual Assault Advocate, Durham Crisis Response Center

Executive Director, Safe of Harnett County

**Region E (Southeastern)**

Sexual Assault Coordinator, U Care Inc.

Jones County Detention Center, Chief Detention Officer

Advocacy Coordinator, Rape Crisis Center of Coastal Horizons Center

Executive Director & Sexual Assault Advocate, Families First, Inc.

Victim Resource & Advocate Coordinator, Promise Place

Executive Director, Carteret County Rape Crisis Center

**Region F (Northeastern)**

Assistant Director, REAL Crisis Intervention

## **Statewide**

Northern Piedmont Region Director, NC Council for Women

PREA Administrator, NCDPS

PREA Program Coordinator, NCDPS

In March of 2018, NCCASA staff administered a PAAB survey to determine their interest in continuing to serve, what they would like to see more of from NCCASA, and if they are willing to assist in providing trainings. Based on many of the responses we received, we found that continuing the PAAB was very important to the members. They also voiced their desire to be able to contribute more to the PAAB and to PREA efforts around the state. The responses from the PAAB members sparked the beginning of its reconceptualization. By putting a greater focus on resource creation and development, more PAAB members will be utilized for their knowledge and experience to develop better tools for those who serve incarcerated survivors of sexual assault. The survey had 14 respondents and, below, are some of the highlights:

- 93% showed some to high interest in continuing to serve the PAAB
- 46% would like to see more statewide PREA trainings
- 71% said they would be interested and willing to provide trainings or webinars as it related to PREA

## **PREA Resource Toolkit**

With the reconceptualization of the PAAB, one of its tasks is to create a PREA Resource Toolkit (PRT). The PRT will be a collection of resources for advocates and correction officials to use to better serve incarcerated survivors of sexual assault. The creation of resources will be developed overtime through collaboration between NCCASA staff and the PAAB. Previously created resources will be included in the PRT, including the inmate brochure, inmate flyer, and

jail manual. Further resources are planned to be created including a jail tour checklist and a step-by-step guide for answering PREA hotline calls.

## **MOUs & MOAs**

NCCASA members and DPS facilities are in the process of building the relationships necessary to make PREA compliance a reality. Memorandums of Understanding (MOUs) or Memorandum of Agreements (MOAs), as stated in the Act, is the tool of choice for allowing PREA-based partnerships between DPS facilities and NCCASA member advocacy groups regarding confidential emotional support services related to sexual abuse. A MOU or MOA is an agreement between parties expressing a statement of intended actions.

At this time, NCCASA does not have an MOU with DPS in relation to PREA compliance. The draft of the NCCASA MOU with DPS includes provisions for a “unified process for emotional supportive services to incarcerated individuals related to sexual violence as required by (§115.53, 253, 353 c). The Florida Council Against Sexual Violence has a MOU how-to that includes a MOU draft. The MOU between the Kentucky Association of Sexual Assault Programs (KASAP) and Kentucky Department of Corrections (KDOC) are examples of MOU with a PREA compliance statewide approach. Many of the local rape crisis centers that have embarked on the MOU process have been successful in establishing MOU's with their facilities despite a statewide MOU not coming into fruition. Most of the RCC's that have prisons in their counties do have an established MOU with the prison. Now, many RCCs are working with jails and other PREA mandated facilities to establish MOUs with them. Our goal is to continue working with RCCs to help them establish and develop relationships with their local correctional facilities.

## **Posting of Audits - Audit Watch**

Part of our work to ensure an audit is being completed efficiently and effectively is to conduct an audit watch. Whenever an audit is posted on the NCDPS website or on a jails website, NCCASA reviews the audit to ensure accurate information is conveyed. We specifically focus on any sections concerning victim services. Through our watch, we have found - in many instances - false information being portrayed. For example, audits have been completed in the past that state a facility has a MOU with their local RCC, when there is actually not one present. We will continue doing this work to ensure audits are reflective of the actual nature of the relationship between facilities and their local RCCs.

## **PREA Audit Cycle**

Frequency & Scope of Audits are conveyed in PREA standard §115.40. During each annual period, at least one-third of each facility type is to be audited. NC has approximately 57 adult, 13 juvenile, & 2 community confinement facilities.

## **PREA and Your Funding**

PREA noncompliance decreases or reallocates Office of Justice programs – BJA's Edward Byrne Memorial Assistance Grant (JAG) Formula Program & Office of Juvenile Justice & Delinquency Prevention's (OJJDP) Juvenile Justice & Delinquency Prevention Act Formula Grant as well as the Office on Violence Against Women Services, Training, Officers, & Prosecutors (STOP) Violence Against Women Formula Grant Program.

This is because PREA noncompliance makes states liable to lose 5% of any Department of Justice funds that may be used for prison purposes. 42 U.S.C. § 15607(e). The Violence Against Women Act added a clause to the STOP program statute for “developing, enlarging, or

strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings.” 42 U.S.C. § 3796gg(b)(17). This is a prison purpose, making STOP funding eligible for decrease or reallocation through PREA noncompliance. NCCASA was granted 2014, 2016, 2017 VAWA funding to help NC in PREA compliance. August 2016 Victim of Crime Act Victim Assistance Program Final Rule (81FR 44528) allows services for incarcerated victims.

### **Proposed Timeline for Remainder of Funding**

The following timeline includes planned projects and activities by NCCASA for the remainder of PREA STOP funding. All purposes for the funding are to increase and enhance services provided to incarcerated victims of sexual assault:

- February 2019 - Update of PREA resource section on NCCASA website
- March/April 2019 - Presentation of final jail training in the western region of the state
- September/October 2019 - PREA mini-conference hosted by NCCASA

Other duties to perform throughout the remainder of the funding include:

- Planning for mini-conference throughout the beginning months of 2019
- Printing resources and materials as they are being created and needed (PREA Resource Toolkit)
- Specialized mailings throughout the year specifically focusing on PREA updates
- Perform jail tours with PAAB members to develop a better understanding of jail's climate and culture and to help develop resources for working with jails
- Continue performing audit watches as audits are posted on NCDPS website and on individual jail websites

## **Funding PREA Infrastructure**

Prison sexual assault is now a more visible national problem than ever before, and PREA enforcement means that more inmates will be coming forward for assistance. At this point, North Carolina is not prepared to deal with the coming influx of reported sexual assaults in prison, or the provision of care to these particular populations. As the survey results state, training and more substantial infrastructure is crucial to responding to the needs of incarcerated survivors. NCCASA plans, with the assistance of JDI and the PREA Resource Center, to host a statewide PREA mini-conference. The mini-conference will host a multitude of workshops directed at providing services to incarcerated victims of sexual assault. The conference will be aimed towards both correction officials and RCC advocates. The mini-conference will include plenaries as well as workshops in which attendees will self-select. This will be a great opportunity for RCCs and facilities to continue fostering their relationships and create new ones. The goals of the conference are to further PREA efforts across the state of North Carolina and - ultimately - increase and enhance the services that incarcerated survivors of sexual assault receive.