

 <p style="text-align: center;">Alvis House 2100 Stella Court Columbus, OH 43215 614-252-8402</p> <p>Policy and Procedures</p>	STANDARD NUMBERS
VI. Justice	Alvis House Policy: 1300.05
Expected Practices: Offender Rights <i>(Protection from Sexual Harassment)</i>	ACA: 4-ACRS-6A-05 <i>(NEW)</i>
Effective Date: 3/02	ODRC: n/a
Annual Review Required: No	FBOP 2001 SOW Chapter 22 (pp.107(3-12))
Pages: three	MHAS n/a
	PREA: 115.6, 115.211, 115.222, 115.231, 115.233, 115.251, 115.266, 115.272, 115.273, 115.276
Reviewed on: 10/13 Revised on: 8/14	DODD: n/a

- I. Policy
 - Alvis House will conduct an administrative investigation on any allegation on sexual harassment and sexual abuse.

- II. Procedure
 - Upon admission to Alvis House, residents shall receive a packet of information regarding Sexual Abuse/ Harassment Prevention and Intervention. This information serves to affirm the resident’s right to be safe from sexual harassment, misconduct and abuse/to confidentiality and privacy.

- A. The staff shall ensure that residents read and sign a receipt of the information packet.

- B. If a resident feels that he or she is being subjected to sexual harassment or sexual misconduct by staff, s/he should immediately report the matter to the facility manager/director.

- C. If the resident does not feel comfortable discussing the matter with the facility

manager/director, and shares the information with another staff member, that staff member shall report the information to the PREA coordinator during business hours and during non-business hours the MOC. The MOC will make the necessary subsequent notifications. Residents may also report allegations directly to the PREA Coordinator.

- D. The staff member who received the initial report from the resident or if the incident was witnessed by a staff member, shall complete Section A of the PREA Report form, and submit it to the facility PREA compliance manager and encourage the resident (victim) to prepare a signed written statement regarding the events. The facility PREA compliance manager will complete Section B of the PREA Report form, and submit both Sections A and B to the PREA coordinator.
- E. Residents also receive information on how to make an anonymous report or a report to a third party agency. Residents will be able to communicate with outside supportive service agencies in as confidential a manner as possible.
- F. Alvis House has established a method on its website to receive third-party reports of sexual abuse and sexual harassment on behalf of residents.
- G. Any reported violation will be immediately reported and thoroughly reviewed and corrective action shall be imposed in a timely manner. If the reported allegation involves possible criminal behavior, immediate reporting will be made to local law enforcement for further investigation. The resident's privacy shall be respected at all times and their safety maintained during and subsequent to the completion of the investigation.
- H. During the policy violation review, it may be necessary to take action to transfer the resident or accused staff to another facility or place the staff on administrative leave of absence with pay until the investigation is complete. Staff who are terminated, or who resign to avoid termination, for criminal sexual abuse are reported to contract entities, and local law enforcement authorities.
- I. At the conclusion of the review, the resident shall be informed if any of the following results occurs:
 - The staff member is no longer working within the resident's facility
 - The staff member is no longer employed at the agency
 - The Agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility
 - The Agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility
 - If the resident has been released from Alvis House, a 'good faith' attempt will be made to inform the victim of the results of the investigation.

- I. At no time can a sexual relationship of any type be considered consensual with a resident. The Code of Ethics prohibits employees from engaging in or allowing another to engage in sexual behavior with residents. It is never appropriate or acceptable for a staff member to have a personal or sexual relationship with a resident. Even if the resident wants to be involved and approaches the staff member, it is not allowable. Any sexual contact with a resident is a criminally punishable offense and may result in criminal prosecution with prison as a possible consequence.

 <p style="text-align: center;">Alvis House 2100 Stella Court Columbus, OH 43215 614-252-8402</p> <p>Policy and Procedures</p>	STANDARD NUMBERS
VII. Justice	Alvis House Policy: 1300.05a
Expected Practices: Client Rights <i>(Sexual Assault / Abuse)</i>	ACA:
Effective Date: 7/09	ODRC: N/A
Annual Review Required: yes	FBOP:
Pages: four	MHAS:
	PREA: 115.211, 115.218, 115.221, 115.222, 115.234, 115.241, 115.252, 115.253, 115.261, 115.262, 115.263, 115.264, 115.265, 115.267, 115.271, 115.272, 115.273, 115.278, 115.282, 115.283, 115.286, 115.289,
Reviewed on: 09/14 Revised on: 11/14	DODD: n/a

I. Policy

Clients entering any Alvis House residential facility have the right to be housed in a safe and secure environment, free from sexual abuse and sexual harassment. Any allegation of sexual abuse or sexual harassment will be administratively investigated by a trained internal PREA investigator, and when necessary criminally investigated by the agency with legal authority to conduct such investigation. Staff shall offer a coordinated response to all allegations of sexual abuse. The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

II. Procedure

CLIENT INTAKE AND DETECTING SEXUAL ABUSE WHILE A RESIDENT OF ALVIS HOUSE

- A. Upon arrival, all residents receive an informational handout on sexual

assault/abuse prevention, awareness, and reporting. Residents sign an acknowledging receipt of this information.

- B. Prior to and upon arrival, staff should evaluate resident's potential for victimization or abusiveness including: any mental, physical, or developmental disability; age; physical build; criminal history; prior sex offense against an adult or child; a perception of being gay, lesbian, transgender, intersex, or gender nonconforming; any previous sexual victimization; and the residents own perception of vulnerability.
- C. At no more than 30 days after intake, all residents will be reassessed for their risk of victimization or abusiveness, and a reassessment will be completed at any time due to a referral, incident of sexual abuse, or receipt of additional information.
- D. Appropriate steps will be made to protect the resident including, but not limited to: transferring to another facility where they can be housed more appropriately (i.e., single room), moved to another room in the current facility closer to the staff office, increased contact with case management &/or clinical team to provide ongoing support, etc.
- E. Staff are responsible for creating an environment that combats the resident code of silence, and complacency. Residents must feel safe reporting an act or attempted act of sexual assault/abuse, that they will be heard, respected, treated with dignity, and their privacy maintained. Management is responsible for creating and maintaining this environment in their facility and ensuring all staff recognize the seriousness of resident on resident sexual assault, and staff on resident abuse/assault.
- F. Management will combat the code of silence through regular communication with residents upon admission and during resident meetings regarding the procedures to protect residents, reassuring residents of the availability of staff to provide assistance, and other available services.
- G. In the event a resident reports a sexual assault that occurred prior to their arrival at Alvis House while in an institution, jail, or other correctional facility, the staff shall attempt to obtain a written statement from the resident, complete Section A of the PREA Report Form, and submit it to the facility PREA compliance manager. The information shall be forwarded to the agency PREA coordinator, and appropriate contracting agency (Bureau of Prisons, Department of Youth Services, Ohio Department of Rehabilitation and Correction, etc).
- H. A resident who reports previous sexual abuse/assault will have support services made available to them, including immediate medical/emergency services, counseling and community support groups. All reports of sexual misconduct, which involves potentially criminal behavior will be referred for a criminal investigation (e.g., local law enforcement, FBOP, ODRC).

III. Procedure

REPORT OF CLIENT SEXUAL ABUSE/HARASSMENT WHILE A RESIDENT OF ALVIS HOUSE

Should a resident report a sexual assault or sexual abuse, the following protocol should be followed:

- A. If the report is made immediately following the assault and the victim resident has not showered, the resident shall remain in the accompaniment of staff and instructed not to shower or change clothes, brush their teeth, etc.
- B. The staff shall immediately contact 911 for police or sheriff to respond, and if the resident is in need of medical &/or mental health attention, an ambulance should also be requested to respond to the facility.
- C. After hours, staff will, in addition to contacting 911, notify the MOC for specific instructions and support (may need additional staff to report to facility, report resident accusations to contracting agencies, contact facility &/or agency management, etc.)
- D. During business hours, the facility PREA compliance manager shall be contacted as soon as possible, and report the manner to the agency PREA coordinator.
- E. The managing director of programs or agency PREA coordinator, will contact the applicable contracting agency to report PREA allegations. In cooperation with local authorities, the contracting agency and Alvis House will determine the status of the accused. If the accused is not immediately taken into custody, Alvis House management will evaluate and determine if the accused will be removed/terminated from the facility. If the alleged abuser is a resident and remains at Alvis House, within 60 days of learning about the abuse, a mental health evaluation will be completed as a part of the disciplinary hearing required for all major rule violations, and appropriate care will be provided during the time the abuser-resident remains an Alvis House resident.
- F. Staff will secure the area where the alleged assault occurred, restricting it from access until the area is released by the police, or other authority responding to the incident.
- G. Staff will attempt to obtain a written statement from the victim. Staff will also complete Section A of the PREA Report form detailing what the resident victim reported to the staff member, additional information regarding observed evidence, actions taken, etc.

- H. At any time, the resident victim may refuse to participate in the process and not proceed with the investigation/reporting. The resident victim shall not be punished for refusing to participate or forced to participate in any physical examination, provide a written statement, provide the police with information, etc.
- I. The resident victim shall be evaluated by a member of the Clinical team for needed support, referrals to community resources and assistance, the client's mental state, to ensure stability, look for signs of Post-Traumatic Stress Disorder (PTSD), etc. Alvis House will work with community resources and residents to ensure communications with community resources/advocates are confidential to the extent allowable by law. Residents who desire a referral to a community resource will be reminded of the extent to which such communications may remain confidential.
- J. If appropriate, the resident victim may be removed from the program and transferred to a different facility, or other actions taken with the support of the supervising authority and dependent upon the resident's legal status.
- K. Forensic medical examinations will be provided at no financial cost to the resident victim. The victim will be provided with unimpeded access to emergency and crisis intervention services, at no financial cost.
- L. The resident victim shall be separated from the accused, and the victim shall be encouraged to report the incident to the police and receive medical attention/evaluation. The same attention and services will be offered to a resident who reports a sexual assault days or weeks after the alleged assault.
- M. All allegations of sexual abuse/harassment shall be taken seriously, and recognized as traumatic to the resident victim and staff shall be sensitive at all times to the needs and emotions of the victim.
- N. Confidentiality and resident privacy shall be maintained at all times, with only those who have a direct need to know having access to the personal information and details of the resident victim and alleged abuser.
- O. If a resident does not believe their accusations of sexual abuse/assault were responded to appropriately, they do not feel safe as a result of the assault, or any other concerns regarding the alleged assault, they may submit a written grievance following the grievance chain of command up to the president or designee. The decision and response of the president or designee is final.
- P. Alvis House shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
- Q. Alvis House shall request that the criminal investigative entity follow a uniform

evidence protocol adapted from the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents," or a similar protocol. The criminal investigative agency shall:

1. Receive training on conducting investigations in confinement settings.
 2. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview victims, suspected abusers, and witnesses; and review any prior complaints and reports of sexual abuse involving the suspected abusers.
 3. Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
 4. Assess the credibility of an alleged resident victim, suspect, or witness on an individual basis and not to be determined by the person's status as resident or staff.
 5. Shall not require an alleged victim to submit to a polygraph examination or other truth telling devices as a condition for proceeding with an investigation of such an allegation.
 6. Shall document in a written report a thorough description of the physical, testimonial, and documentary evidence with attached copies of all documentary evidence where feasible.
 7. Shall refer for prosecution all substantiated allegations that appear criminal.
- R. As the needs of the resident victim are being met, the PREA coordinator shall assemble the Sexual Assault Response Team (SART), which may include: managing director(s) of programs, assigned clinician, facility director, human resources designee, director of accreditation, director of communications/media, and the resident's case manager.
1. The SART will ensure that the residents are safe and the victim is being cared for physically and emotionally.
 2. The SART will ensure that policies and procedures are being followed
 3. The SART will review the incident and evaluate what possible warning signs were missed, if anything could have been done to prevent the assault, what can be done to prevent an assault from happening again in the same manner / location, etc.
 4. SART will ensure that the contracting agencies are kept informed and information is relayed between the appropriate parties.
- S. The PREA coordinator will maintain investigative records of alleged sexual abuse or harassment for ~~five~~ 10 years.
- T. Alvis House will monitor the conduct/treatment of residents or staff who have reported sexual abuse or cooperated with investigations, including any resident disciplinary reports, housing changes, or program changes, for at least 90 days following their report or cooperation to assess changes that may suggest possible

retaliation by residents or staff.

- U. Incident reports, policy violation reviews & results on resident sexual abuse/harassment will be retained for five years; statistical data on sexual abuse/assault will be retained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

- V. The PREA Coordinator will maintain the agency records and results of a staff member accused of alleged sexual abuse or sexual harassment for the duration of his/her employment. The departure of an alleged sexual abuser or sexual victim from the employment or control of Alvis House is not a basis for terminating an investigation. Alvis House will continue to cooperate with law enforcement agencies investigating sexual abuse until the case is officially and legally resolved. Should the resident no longer reside at Alvis House at the end of the investigation, every attempt will be made to locate and inform him/her of the conclusion using the last known address on file.