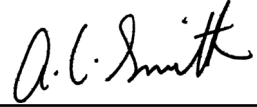




Department of
Rehabilitation & Correction

SUBJECT: PREA Risk Assessments and Accommodation Strategies	PAGE <u> 1 </u> OF <u> 8 </u>
	NUMBER: 79-ISA-04
RULE/CODE REFERENCE: ORC 5120.01	SUPERSEDES: 79-ISA-04 dated 07/29/2019
RELATED ACA STANDARDS: 5-ACI-3D-10 (4281-2),3D-12 (4281-4), 5-ACI-3D-13 (4281-5); 1-HC-3A-13-4, 1-HC-3A-13-5	EFFECTIVE DATE: April 1, 2021
	APPROVED: 

I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

II. PURPOSE

The purpose of this policy is to provide the procedures for employees to follow when screening incarcerated individuals for risk of sexual victimization and abusiveness, and to establish the processes for the use and sharing of screening information to inform housing, bed, work, education, and program assignments.

III. APPLICABILITY

This policy is applicable to all incarcerated individuals, persons employed by the Ohio Department of Rehabilitation and Correction (ODRC), volunteers, and contractors assigned to an institution.

IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the ODRC policies page on the ODRC Intranet at the following:

[Definitions Link](#)

- **Abuser**
- **Extended Restrictive Housing (ERH)**
- **LGBTI**
- **Limited Privilege Housing (LPH)**
- **Out-to-Court Inmates**
- **Potential Abuser**
- **Potential Victim**
- **PREA Accommodation Strategy (PAS)**
- **PREA Classifications**
- **PREA Risk Assessment System**

- **Restrictive Housing (RH)**
- **Substantiated Allegation**
- **Transitional Program Unit**
- **Unfounded Allegation**
- **Unit Management**
- **Unsubstantiated Allegation**
- **Victim**
- **Vulnerable Adult**

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (ODRC) to assess incarcerated individuals to determine their risk of sexual victimization or abusiveness. Once assessed, unit management shall use the information obtained to monitor and manage incarcerated individuals in their housing, bed, work, education and program assignments. Risk assessments shall be completed upon admission, transfer, initiation and conclusion of investigations into substantiated or unsubstantiated allegations, referral due to mental health concerns and/or referrals due to concerns of substantial imminent risk of sexual abuse. Risk assessments shall also be completed on incarcerated individuals who return from court or during their annual security review if one has not been completed previously.

VI. PROCEDURES

A. General Guidance for Screening Criteria

1. The PREA risk assessment system shall contain criteria for determining whether an incarcerated individual is an abuser or a victim.
 - a. If the incarcerated individual has been found guilty of committing one or more instances of sexual abuse in an institution setting, the incarcerated individual shall be assigned abuser as a PREA classification.
 - b. If the incarcerated individual has been the victim of a confirmed sexual abuse in an institution setting, the incarcerated individual shall be assigned victim as a PREA classification.
2. If the assessment indicates the incarcerated individual is at risk or has experienced prior sexual victimization, whether it occurred in an institution setting or in the community, staff shall offer a follow-up meeting with a medical or mental health practitioner within fourteen calendar days of the intake screening. All incarcerated individuals shall be screened by mental health in accordance with ODRC Policy 67-MNH-02, Mental Health Screening and Mental Health Classification.
3. If the assessment indicates that the incarcerated individual is at risk or has previously perpetrated sexual abuse, whether it occurred in an institution setting or in the community, staff shall offer a follow-up meeting with a mental health practitioner within fourteen calendar days of the intake screening. All incarcerated individuals shall be screened by mental health in accordance with ODRC Policy 67-MNH-02, Mental Health Screening and Mental Health Classification.

4. For incarcerated individuals not assigned abuser or victim as a PREA classification, the PREA risk assessment system shall contain minimum criteria for determining the risk of victimization and abusiveness. These criteria, in conjunction with correctional judgment, shall guide unit management in assigning an inmate a PREA classification. No single factor or combination of factors is solely determinative of risk. Unit management shall use the criteria as a guide to make informed decisions about the incarcerated individual's risk of abusiveness or victimization.
5. Incarcerated individuals that do not have any significant risk of victimization or abusiveness shall be assigned no classification in the PREA risk assessment system. Assessments for incarcerated individuals with no significant risk may be verified at the case manager level. The case manager may request verification of a no classification assignment from the unit manager. All victim, abuser, potential victim and potential abuser classifications shall be sent to the unit management chief (UMC) for final verification. If an incarcerated individual is designated a PREA classification, the UMC or acting UMC shall also document the incarcerated individuals' classification in DOTS Portal on the ALERT screen with the appropriate flag.
6. Staff shall ensure the sensitive assessment information is not exploited and that any documents obtained from the assessment are secured. The information shall be used to inform housing, bed, work, education, and programming assignments with the goal of keeping separate those incarcerated individuals at high risk of being sexually victimized from those at high risk of being sexually abusive.
7. Incarcerated individuals shall not be disciplined for refusing to answer or for not disclosing complete information in response to questions concerning: mental, physical or developmental disabilities; whether the incarcerated individual is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming; whether the incarcerated individual has previously experienced sexual victimization; or, the incarcerated individual's perception of their own vulnerability.
8. Any change in PREA classification from victim, abuser, potential victim, or potential abuser to no classification shall be sent to the UMC for final verification.

B. Timeframe for Standard Screenings

1. All incarcerated individuals shall be assessed for risk of sexual victimization or abusiveness upon arrival of intake and upon transfer to another institution. These screenings shall be initiated in the PREA risk assessment system by medical personnel during intake medical screenings conducted pursuant to ODRC Policy 52-RCP-06, Reception Medical Intake Screening and during health screenings pursuant to ODRC Policy 68-MED-01, Medical Services. Unit management shall complete the screening within seventy-two (72) hours of the incarcerated individual's arrival at the facility.
2. Medical and mental health practitioners shall obtain informed consent from incarcerated individuals before reporting information to law enforcement about prior sexual victimization that occurred in the community. If an incarcerated individual wishes to report the information, the Informed Consent (DRC1169) shall be completed and forwarded to the institution investigator. The institution investigator shall contact the

Ohio State Highway Patrol (OSHP) and provide them with the information. The institution investigator shall document the contact with the OSHP. The only exception where the Informed Consent (DRC1169) is not necessary is if the alleged victim is under the age of eighteen or considered a vulnerable adult as defined by this policy, the institution shall report the allegation on an Incident Report (DRC1000) and send it to the institutional investigator who will then report the allegation to the OSHP.

3. No sooner than fifteen calendar days, but no later than thirty (30) calendar days from the incarcerated individual's arrival at any institution, the incarcerated individual shall be reassessed (30 Day Review) regarding their risk of victimization or abusiveness based upon any additional, relevant information received since that institution's intake screening of the incarcerated individual. Unit management shall complete this reassessment. The incarcerated individual shall be present during the 30-day reassessment. A 30-day reassessment shall not be conducted after the completion of a special assessment or existing incarcerated individual assessment.
4. Incarcerated individuals returning from out-to-court or another criminal justice entity shall be taken to incarcerated individual health services upon arrival at the institution. Medical staff shall initiate a 72-hour risk assessment and select the box signifying the risk assessment is being conducted for an incarcerated individual returning from out-to-court or another criminal justice entity. Unit management shall complete the screening within seventy-two (72) hours of the incarcerated individual's arrival at the facility.

No sooner than fifteen (15) calendar days, but no later than thirty (30) calendar days from the incarcerated individual's return to the institution, the incarcerated individual shall be reassessed (30 Day Review) regarding their risk of victimization or abusiveness based upon any additional, relevant information received since the incarcerated individual's return from outside court or another criminal justice entity. Unit management shall complete this reassessment. The incarcerated individual shall be present during the 30-day reassessment.

C. Special Screenings upon the Report of Sexual Abuse

1. Upon the report of sexual abuse, the victim shall be housed in a designated safe housing environment of the institution until evaluated by unit management.
2. By the end of the next business day following the report of sexual abuse, the victim support person shall meet with the victim to conduct a preliminary assessment of the incarcerated individual's current safety needs. The victim support person shall also review the privilege levels afforded the incarcerated individual while in the safe housing environment to assure they are as consistent with the incarcerated individual's prior privilege level as possible. The victim support person shall further review the needs of the incarcerated individual in the following areas:
 - a. Housing,
 - b. Medical,
 - c. Mental Health,
 - d. Threat of harm from alleged aggressor or other incarcerated individuals, and

- e. Any other area of concern that is raised by the incarcerated individual or staff relevant to future administrative/management decisions affecting the incarcerated individual.
3. When considering the protection of staff or incarcerated individual s, staff shall consider:
 - a. Housing changes,
 - b. Transfers of incarcerated individual victims or abusers,
 - c. Removal of alleged staff or incarcerated individual abusers from contact with victims.
4. Within seven (7) calendar days, unit management shall complete a special assessment of both the alleged victim and abuser within the PREA risk assessment system. The special assessment shall be initiated and completed by unit management staff.

The alleged victim shall be given a classification of potential victim. The alleged abuser shall be given a classification of potential abuser. Unit management staff shall prepare a written PREA accommodation strategy based upon those assessments and any relevant information from the victim support person as set forth in section VI.C.2 above.

5. All incarcerated individuals who were identified as being involved in an allegation of sexual abuse (alleged victim and abuser) shall be reassessed in the PREA risk assessment system within seventy-two (72) hours of the completion of the final investigation. The institution investigator shall notify the UMC of the completion of the investigation and the need for a special assessment.
 - a. If the allegation was substantiated, unit management shall assign the incarcerated individual the appropriate PREA classification of victim or abuser.
 - b. If the allegation was unsubstantiated, unit management shall utilize the criteria within the PREA risk assessment system and good correctional judgment to determine whether a change in PREA classification is warranted for each incarcerated individual who was alleged to be involved in an unsubstantiated allegation of sexual abuse. Unit management may choose to maintain the PREA classification assigned during the initial special assessments of the alleged victim and abuser.
 - c. If the allegation was unfounded, unit management shall remove the automatic PREA classifications of potential abuser and potential victim assigned during the initial special assessment. New special assessments shall be completed. Unit management may choose to reduce the PREA classification assigned to each incarcerated individual.

D. Special Screenings upon the Report of a Substantial Risk of Imminent Sexual Abuse

If it is determined that an incarcerated individual is in substantial risk of imminent abuse, a special screening shall be completed within seventy-two (72) hours of the final decision. The incarcerated individual's PREA classification shall be changed dependent upon the contents of the final decision and criteria within the PREA risk assessment system.

E. Other Special Screenings

1. Pursuant to ODRC Policy 67-MNH-02, Mental Health Screening and Mental Health Classification, any employee may make a mental health referral based on their observation of the incarcerated individual's behavior or at the incarcerated individual's request, which include referrals based on concerns the incarcerated individual has been or is at high risk of being subject to sexual misconduct. This referral shall be documented on a Referral to Mental Health Services form (DRC5265). Following the assessment, mental health services may recommend further mental health services or referral to other institutional services. Mental health services' response and recommendations shall be communicated to unit management for purposes of completing a special screening and to the referral source. Referrals from mental health services shall have a special screening completed by unit management within seven calendar days of the referral.
2. All transgender and intersex incarcerated individual all receive a special screening at least every six (6) months as set forth in ODRC Policy 79-ISA-05, Lesbian, Gay, Bisexual, Transgender, Intersex (LGTBI) Policy.

F. PREA Risk Assessments for Franklin Medical Center (Zone A)

1. HUB Transports - A PREA risk assessment shall not be completed on incarcerated individual who are transported to Franklin Medical Center (FMC) on the HUB for clinic appointments and return to their parent institution the same day. FMC staff shall review the Transport Authorization/Pass (DRC5055) to identify any incarcerated individual with a PREA classification (i.e., V, PV, A, PA) to prevent victims or potential victims from being placed in holding cells with abusers or potential abusers.
2. Long Term Medical/Permanently Housed (Zone A) - A PREA risk assessment shall be completed on all incarcerated individuals who are permanently transferred to FMC.
3. Short Term Medical Housing (Zone A) & Overnight Staging at LORCI – Staff shall review the Transport Authorization/Pass (DRC5055) to identify any incarcerated individual with a PREA classification or a transgender/intersex (i.e., V, PV, A, PA, T, I) upon being admitted to prevent victims or potential victims from being placed in holding cells with abusers or potential abusers. A PREA risk assessment shall be completed should additional information be received during the admission process.

G. PREA Risk Assessments for Immediate Transfers and Incarcerated Individuals Temporarily Housed at Another Facility (at least one overnight stay)

Receiving institution staff shall review the Transport Authorization/Pass (DRC5055) to identify any incarcerated individual with a PREA classification or a transgender/intersex incarcerated individual (i.e., V, PV, A, PA, T, I) to prevent victims or potential victims from being housed with abusers or potential abusers. The operational compliance manager (OCM), with the assistance of unit management, shall complete a special screening in paper form as outlined in section VI.J. 2 of this policy.

H. PREA Accommodation Strategies

1. Based on the information obtained in the PREA Risk Assessment System, assigned PREA classification and good correctional judgment, the UMC, or in their absence the acting UMC, shall complete a PREA accommodation strategy to make individualized determinations about how to ensure the safety of each incarcerated individual. incarcerated individuals assigned no classification in the PREA risk assessment system shall not require a PREA accommodation strategy.
2. Initial PREA accommodation strategies shall be completed by the UMC or in their absence, the acting UMC on intake incarcerated individual within five (5) business days; however, housing assignments must be considered immediately.
 - a. Incarcerated individuals at high risk for victimization shall not be placed in involuntary transitional program unit (TPU) under restrictive housing (RH) or limited privilege housing (LPH) conditions unless an assessment of all available alternatives has been made and it has been determined there is no available alternative means of separation from likely abusers.
 - b. The PREA involuntary TPU screen shall be completed if an involuntary TPU assignment is made pursuant to this section. Staff shall clearly document the basis for the concern for the incarcerated individual's safety and the reason why no alternative means could be arranged.
 - i. Incarcerated individuals placed in TPU for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If access is restricted, staff shall document:
 - a). Opportunities that have been limited,
 - b). Duration of limitations,
 - c). Reasons for such limitations.
 - ii. Involuntary TPU assignments shall only be until alternative means of separation from likely abusers can be arranged and shall not ordinarily exceed thirty (30) calendar days.
 - iii. Every thirty (30) calendar days, unit management shall afford each incarcerated individual a review to determine whether there is a continuing need for separation from general population.
 - a. Once a determination is made for housing, the PREA accommodation strategy shall be completed.
3. An incarcerated individual's PREA accommodation strategy shall be reviewed at every standard and special screening and shall be adjusted as necessary.
4. At no time shall the review and revision of the PREA accommodation strategy exceed five (5) business days from the completion of a standard or special screening.

I. PREA Accommodation Strategies for Transgender and Intersex Incarcerated Individuals

In addition to the directives in ODRC Policy 79-ISA-05, Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) Policy, and section VI.H of this policy, any accommodation other than showering alone shall be forwarded to the PREA coordinator by e-mail for approval. This e-mail shall be sent to the PREA coordinator within five (5) business days from the date of the risk assessment screening. The OCM shall not complete the assessment until a response is received from the PREA coordinator.

J. PREA Risk Assessment System

1. All PREA risk assessments shall be completed in the PREA risk assessment system.
2. If the PREA risk assessment system is not available (i.e., after hours or weekend new intakes at reception, system outage, etc.), staff shall complete the assessment in paper form which is available on the PREA Information Center intranet website. Once the system becomes available, the assessment shall be entered into the system and the paper forms attached as an addendum to the assessment. Notes shall be placed in the comment box explaining why the assessment was initially created on paper.

Referenced ODRC Policies:

52-RCP-06	Reception Medical Intake Screening
67-MNH-02	Mental Health Screening and Mental Health Classification
67-MNH-22	Incarcerated Individuals with Intellectual Disabilities and Developmental Disabilities (ID/DD): Screening, Evaluation, Treatment and Reentry
68-MED-01	Medical Services
79-ISA-05	Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) Policy

Referenced Forms

Informed Consent	DRC1169
Transport Authorization/Pass	DRC5055
Referral to Mental Health Services	DRC5265