



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER/SPANISH MANUALS

REVISION DATE
6/18/18

PAGE NUMBER
1 of 12

NUMBER
DOC 490.820

POLICY

TITLE
**PRISON RAPE ELIMINATION ACT (PREA)
RISK ASSESSMENTS AND ASSIGNMENTS**

REVIEW/REVISION HISTORY:

- Effective: 1/15/10
- Revised: 5/23/11
- Revised: 6/21/12
- Revised: 10/1/13
- Revised: 5/1/14
- Revised: 4/13/15
- Revised: 1/15/16
- Revised: 10/31/16
- Revised: 6/18/18

SUMMARY OF REVISION/REVIEW:

Added I.A.2.a. that professional interpreter or translations services are available to assist offenders with the completions of PRAs
 Added.I.A.5.a. that once a PRA has been initiated, it must be completed within 72 hours
 I.B.1., I.D.1.b., and I.F. - Added clarifying language
 Added I.D.2. that the PREA Coordinator/designee will ensure all for-cause PRAs have been completed in response to applicable substantiated investigations
 Removed VII.D. that overrides must be completed within 5 business days of receipt of the override request
 Added VII.D.1. that initial housing reviews will be completed within 10 business days of disclosure by the offender of transgender or intersex status
 VII.D.4., VII.D.4.a. & b., VII.D.4.b.1), VII.D.4.b.1)a), and VII.D.7. - Adjusted language for clarification
 Added VII.D.5. that a confidential PREA hold will be established in the electronic file as soon as an offender identifies as transgender or intersex
 Added VII.E. appeal process for transgender and intersex offenders to appeal housing review decisions
 Added X. documentation requirements


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

5/15/18

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9A.44.160](#); [RCW 9A.44.170](#); [RCW 72.09.225](#); [DOC 300.380 Classification and Custody Facility Plan Review](#); [DOC 450.500 Language Services for Limited English Proficient \(LEP\) Offenders](#); [DOC 490.800 Prison Rape Elimination Act \(PREA\) Prevention and Reporting](#); [PREA Standards](#); [Prison Rape Elimination Act](#)

POLICY:

- I. The Department has established uniform procedures for assessing the risk of sexual victimization and/or predation for all offenders under its jurisdiction and maintaining information for use in housing and program assignment decisions.

DIRECTIVE:

- I. Assessments
 - A. All PREA Risk Assessments (PRAs) will be completed in the offender's electronic file. PRAs must be completed in person with the offender.
 1. In the event the PRA cannot be completed in the offender's electronic file, Classification Counselors and Community Corrections Officers (CCOs) may use DOC 07-019 PREA Risk Assessment to document PRA information and update the electronic file as soon as practical.
 2. The PRA may be postponed if exigent circumstances make the offender unable to participate in the PRA process (e.g., significant medical/mental health issues, critical incident at the facility), provided the PRA is completed as soon as the offender is available. A chronological (chrono) entry will be made documenting the reason for the PRA delay.
 - a. Professional interpreter or translation services, including sign language, are available to assist offenders with the completion of PRAs per DOC 450.500 Language Services for Limited English Proficient (LEP) Offenders. Certified staff interpreters may be used to assist with PRAs as needed.
 3. The Superintendent/Community Corrections Supervisor (CCS) will establish a process to ensure PRAs are completed in the event an offender is not assigned to a Classification Counselor/CCO or the assigned Classification Counselor/CCO is not available to complete the PRA within required timeframes.

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4. If an offender's PRA indicator changes from "No Risk" to "Potential Victim" or "Potential Perpetrator", the Classification Counselor/CCO will immediately review the occupants of the offender's assigned cell/room to ensure the offenders remain an appropriate match based on available information.
5. All required PRAs must be completed as outlined in this policy, regardless of the offender's housing assignment (e.g., single person cell, infirmary).
 - a. Once a PRA has been initiated, it must be completed within 72 hours, to include any override approvals needed.

B. Intake PRAs

1. Classification Counselors and designated Work Release employees will complete a PRA within 72 hours of arrival for all offenders arriving at any Department facility. This includes offenders returning to a facility from out-to-court status. Facilities will establish procedures to ensure completion within 72 hours, even on weekends and holidays.
 - a. Facilities will take into account all available information (e.g., previous PRAs, medical/mental health assessment information).
2. For transfers, transport employees will review the transfer manifest before finalizing to minimize PREA-related issues before, during, or immediately after transport.
 - a. The receiving facility will prescreen each offender on the transfer manifest for PREA-related risk issues per DOC 300.380 Classification and Custody Facility Plan Review.
 - 1) If a PRA was not previously completed, it will be completed before placement in a housing unit.

C. Follow-Up PRAs

1. A follow-up PRA will be completed between 21 and 30 calendar days after the offender's arrival at the facility.

D. For-Cause PRAs

1. For-cause PRAs will be completed within 10 business days by the assigned Classification Counselor/CCO:



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- a. When additional information is received suggesting potential for victimization or predation (e.g., reports of behavior while in jail or on the bus in transit, court documents, Pre-Sentence Investigations).
- b. If the offender self-discloses information that could impact assessed risk (e.g., previously reported prior abuse, sexual orientation/identity).
- c. When there is a finding of guilt on certain infractions listed in the PRA, including violent infractions and infractions for sexual assault/abuse.
- d. When an employee/contract staff observes offender behavior suggesting potential for victimization or predation.
- e. For substantiated allegations of offender-on-offender sexual abuse/assault or staff sexual misconduct.
 - 1) The Appointing Authority will develop local procedures for notifying the assigned Classification Counselor/CCO and PREA Compliance Manager/Specialist of substantiated allegations. The PREA Compliance Manager/Specialist will be notified upon completion of the required PRA.
 - 2) In Prisons, PRAs will be completed for all substantiated offender victims and perpetrators.
 - a) The assigned Classification Counselor(s) will refer both the perpetrator and victim to Mental Health using DOC 13-509 PREA Mental Health Notification, which will include the reasons for the referral.
 - 3) In Work Releases, the perpetrator will be transferred to a Prison if s/he has not transferred during the investigation, released, or is already being held in a county jail. Once the Work Release Administrator/designee notifies the Superintendent of the substantiated allegation, a mental health evaluation will be requested at the Prison using DOC 13-509 PREA Mental Health Notification.
 - a) The victim will be provided with community mental health contact information.
 - 4) If the offender is transferred to another facility before the PRA is completed, the sending Appointing Authority/

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designee will notify the receiving Appointing Authority/designee of the substantiated allegation, and the receiving facility will complete the PRA.

- 5) The PREA Coordinator/designee will ensure all for-cause PRAs have been completed in response to applicable substantiated investigations. The offender's name, DOC number, case number, and role in the investigation (i.e., victim or perpetrator) will be documented in a restricted SharePoint site.

2. For-cause PRAs will not replace required intake or follow-up PRAs.

E. Staff who complete the PRA will meet face-to-face with the offender, who will be given the opportunity to provide relevant information. Information for PRAs may also be obtained from available file information and any other reliable source.

1. The source of the information will be documented in the comment section of the PRA.
2. Offenders are not obligated to answer PRA questions.

F. The Correctional Program Manager (CPM)/CCS will conduct monthly quality assurance reviews of randomly selected PRAs, reviewing at least 2 completed PRAs for each Classification Counselor/CCO assigned to him/her.

II. PRA Overrides


A. An override must be approved by the Appointing Authority/designee.

1. Designees must be a CPM or higher rank in Prisons and CCS or higher rank in Work Releases.

B. Overrides should be requested when:

1. Based on documented behavior or other indicators contrary to PRAs, a PREA indicator contrary to what resulted from the PRA is indicated.
2. The offender scores at risk for both perpetration and victimization.


C. Justification for overrides will be documented on the PREA Risk Assessment screen in the offender's electronic file.

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III. Monitoring Plans

- A. Classification Counselors/CCOs will develop a monitoring plan for:
 - 1. Offenders at increased risk for sexual victimization or predation.
 - 2. Transgender and intersex offenders.
- B. Immediate actions will be taken to protect the offender when it has been determined that s/he is at substantial risk of immediate sexual assault or abuse.
- C. Elements to consider in the monitoring plan include:
 - 1. Increased Classification Counselor/CCO initiated contact with the offender (e.g., checking in with the offender).
 - 2. Increased offender reporting to employees (e.g., checking in with custody officer, assigned Classification Counselor/CCO).
 - 3. Notification of screening results to a unit employee with a note to monitor the offender for changes in baseline behavior (e.g., cell change requests, giving/receiving store, depression, avoidance) and referral to mental health using DOC 13-509 PREA Mental Health Notification if changes occur.
 - 4. Instructing the offender to immediately report any sexually motivated interactions by other offenders.
 - 5. Encouraging the offender to maintain scheduled meetings with mental health providers, if applicable.
 - 6. Addressing any contact made between the perpetrator and the victim in cases of substantiated staff sexual misconduct.
 - 7. Other items that correlate with any of the specific information contained in the PRA.
- D. Classification Counselors and CCOs will document the monitoring plan in a PREA Monitoring chrono entry in the offender's electronic file.
- E. The monitoring plan will be reviewed during routine Facility Risk Management Team (FRMT) meetings and documented in a PREA Monitoring chrono entry.

IV. Prison Mental Health Services

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- A. At the time the PRA is completed, Classification Counselors will complete referrals for mental health services using DOC 13-509 PREA Mental Health Notification if the screening indicates that the offender has perpetrated sexual abuse and/or has experienced prior sexual victimization, whether in an institutional setting or in the community.
- B. The referring employee will ask the offender if s/he wishes to meet with a mental health provider as a result of the PRA information and will document the offender's response on the DOC 13-509 PREA Mental Health Notification.

V. Job/Programming Assignments

- A. PRA information will be reviewed when making job and programming assignments per DOC 300.380 Classification and Custody Facility Plan Review.

VI. Housing Assignments


- A. Before placing the offender in a multi-person cell/room, employees responsible for making housing assignments will review the PRA identifier to ensure the compatibility of cell/roommates.
 - 1. For offenders who have not had a PRA, either at the sending facility or on a prior incarceration, a mental health employee/contract staff will review the completed DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening for information impacting the offender's housing assignment.
 - 2. Employees will document the review in a PREA Housing chrono entry for each cell occupant.
- B. Housing compatibility reviews and related PREA Housing chrono entries are not required for offenders being placed in dedicated single-person cells (e.g., Intensive Management Unit, segregation, mental health units).
- C. If an offender is transferring between facilities, housing reviews can be completed in advance of the offender's arrival as long as a review is done to ensure the offenders assigned to the designated cell have not changed before the arriving offender is placed in the cell.
- D. An offender who scores at potential risk for sexual victimization will not be housed in the same cell/room as an offender who scores at potential risk for sexual predation.
 - 1. Facilities with dormitory/open housing will establish procedures for appropriate bed assignments for at risk offenders.

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2. In Prisons, this separation may include placement in Administrative Segregation.
 - a. Placement in Administrative Segregation for more than 24 hours should only occur if no suitable alternative housing exists and will last only until alternative placement can be made. Each alternative considered, along with the reason(s) it was determined unsuitable, will be documented in a PREA Housing chrono entry.
 - 1) In the rare event that placement lasts more than 30 days, a review will be conducted every 30 days to determine the continued need for the placement.
 - b. Offenders on this type of placement will have access to programming and job assignments to the extent possible. When unavailable, the reason and duration will be documented in the offender's electronic file.

VII. Transgender and Intersex Offenders


- A. An offender's transgender/intersex status will be maintained as confidential and only disclosed on a need to know basis.
- B. Staff who learn an offender identifies as transgender or intersex will report the information confidentially to the Superintendent/CCS.
 1. Medical, mental health, and substance use disorder practitioners will obtain offender consent using DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information before disclosure.
- C. Employees/contract staff will not search or physically examine a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it will be determined by health care providers during conversations with the offender, by reviewing medical records, or, if necessary, as part of a broader medical examination conducted in private by a health care practitioner.
- D. Housing and programming will be reviewed, initially and prior to any transfer, by a local review committee for all offenders who identify as transgender or intersex. Reviews will be documented on DOC 02-384 Protocol for the Housing of Transgender and Intersex Offenders, which will be scanned into a secure site in the electronic imaging system accessible only by the PREA Compliance Manager/Specialist and the Correctional Program Manager/CCS or higher rank.

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1. Initial housing reviews will be completed within 10 business days of disclosure by the offender of transgender or intersex status.
2. In Prisons:
 - a. The review committee will be chaired by the PREA Compliance Manager/Specialist and will include, but will not be limited to:
 - 1) The Captain at major facilities or Lieutenant at stand-alone minimum security facilities,
 - 2) The Correctional Program Manager,
 - 3) A representative from medical,
 - 4) A representative from mental health, and
 - 5) The assigned Classification Counselor, or Correctional Unit Supervisor if the Classification Counselor is not available.
 - b. At a minimum, the assigned Classification Counselor, representative from medical, and representative from mental health, if available onsite, will meet individually with the offender in a location where confidentiality can be maintained before the review committee meets.
 - c. The committee will meet, either in person or by phone, to discuss the case and determine its recommendation.
3. In Work Releases, the review committee will include the CCS and assigned Classification Counselor/CCO.
 - a. The committee will meet, either in person or by phone, to discuss the case and determine its recommendation.
4. Housing placement recommendations will be submitted to the PREA Coordinator, who will review and forward the submission to the Prisons Command A Deputy Director for final review and approval. Local FRMT processes will be suspended until the housing review has been approved.
 - a. If DOC 02-384 Protocol for the Housing of Transgender and Intersex Offenders is approved by the Prisons Command A Deputy Director indicating transfer to a facility, the receiving facility will complete Part II of the form.
 - 1) The receiving facility review committee will conduct an interview with the offender, arranged by sending facility staff. The interview may be conducted telephonically or in person, as applicable.

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- b. If placement within the facility has not been approved by the Prisons Command A Deputy Director before the offender arrives at the facility, the offender will be housed as follows:
 - 1) In Prison, the offender will be housed in the infirmary or Extended Observation Area until the Prisons Command A Deputy Director makes a final housing decision.
 - a) Exceptions to infirmary housing are permitted with approval of the Prisons Command A Deputy Director. Requests must be accompanied by a written statement from the offender that he/she feels safe remaining in general population.
 - b) If the assigned facility's infirmary is full, the offender will be transferred to another facility's infirmary. The final housing decision will be based on recommendations from the local review committee.
 - 2) In Work Release, the offender will be housed in a single person room or a room with an offender(s) assessed as "No Risk".
5. A confidential PREA hold will be established in the electronic file as soon as an offender identifies as transgender or intersex. This hold will remain in effect until the offender releases or his/her status as a transgender or intersex offender has been revised.
6. Review committees will reassess placement and programming assignments every 6 months using DOC 02-385 Protocol for Housing Review for Transgender and Intersex Offenders to review any threats to the offender's safety.
7. A Headquarters Multidisciplinary Team (MDT) will meet to review housing assignments as determined and chaired by the Prisons Command A Deputy Director. Housing decisions requiring review by the MDT will be completed within 30 days. The MDT may include the following individuals or their designees:
 - a. PREA Coordinator,
 - b. Assistant Attorney General,
 - c. Chief Medical Officer,
 - d. Chief of Psychiatry,
 - e. Emergency Operations Corrections Specialist,

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- f. Selected stakeholders from the community, and
- g. Others as identified on a case-by-case basis.

E. Transgender and intersex offenders may appeal housing review decisions in writing to the:

- 1. Prisons Command A Deputy Director for decisions made based on facility recommendations, or
- 2. Applicable Assistant Secretary for decisions made after a Headquarters MDT review.

F. Facilities will develop local procedures to allow transgender and intersex offenders the opportunity to shower and dress/undress separately from other offenders. This may include individual shower stalls, separate shower times, or other procedures based on facility design.

G. Transgender or intersex offenders may report housing/showering issues to the Superintendent/CCS/designee.

- 1. In Prisons, the Superintendent/designee will notify the offender's CUS, Unit Sergeant, and affected Unit Correctional Officers regarding any special shower arrangements.

VIII. Training

A. Employees responsible for completing/reviewing PRAs and making housing assignments will be trained per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.


IX. Data Analysis

A. Department data regarding PRAs will be evaluated annually to assess the effectiveness of the PRA in identifying at risk offenders.

X. Documentation

A. The Superintendent/Work Release Administrator/designee will ensure the following are documented on a standardized spreadsheet provided by the PREA Coordinator:

- 1. PRA completion,
- 2. Orientation completion,
- 3. Monitoring plan initiation, and
- 4. CPM/CCS PRA review.

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- B. Spreadsheets will be submitted to the PREA Coordinator by the 10th of the month following the end of each quarter.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 02-384 Protocol for the Housing of Transgender and Intersex Offenders](#)
- [DOC 02-385 Protocol for Housing Review for Transgender and Intersex Offenders](#)
- [DOC 07-019 PREA Risk Assessment](#)
- [DOC 13-349 Intersystem/Restrictive Housing Mental Health Screening](#)
- [DOC 13-509 PREA Mental Health Notification](#)
- [DOC 14-172 Substance Abuse Recovery Unit Compound Release of Confidential Information](#)