



# Illinois Department of Corrections

## Administrative Directive

Number: <b>04.01.301</b>	Title: <b>Sexual Abuse and Harassment Prevention and Intervention Program</b>	Effective: <b>4/1/2021</b>
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<b>Authorized by:</b>	<i>[Original Authorized Copy on File]</i> <b>Rob Jeffreys</b> Acting Director
<b>Supersedes:</b>	04.01.301 effective 6/1/2020

<b>Authority:</b> 725 ILCS 200/1 and 202/10 730 ILCS 5/3-2-2 410 ILCS 70/1a and 70/5 Title 42 USC Sections 15601-15609	<b>Related ACA Standards:</b> 5-ACI-1D-10, 5-ACI-1D-12, 5-ACI-1D-13, 5-ACI-2C-02, 5-ACI-3D-08-16, 5-ACI-6A-25, 5-ACI-6A-32, 5-ACI-6C-14
<b>Referenced Policies:</b> 01.12.105, 01.12.120, 04.01.114, 04.01.115, 04.03.115, 05.01.101	<b>Referenced Forms:</b> DOC 0434 – Incident Report DOC 0494 – Screening for Potential Sexual Victimization or Sexual Abuse DOC 0498 – PREA Retaliation Monitor – Offender DOC 0499 – PREA Retaliation Monitor – Staff DOC 0531 – Daily Roster Review DOC 0593 – Sexual Abuse Incident Review

### I. POLICY

The Department shall have a zero tolerance policy for sexual abuse and sexual harassment and shall establish and maintain a program for the prevention and intervention of sexual abuse and harassment in correctional facilities in accordance with the standards established by the Prison Rape Elimination Act of 2003.

### II. PROCEDURE

#### A. Purpose

The purpose of this directive is to establish internal instructions to staff regarding prevention and intervention of offender sexual abuse and harassment.

#### B. Applicability

This directive is applicable to all correctional facilities within the Department.

#### C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

#### D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

#### E. Definitions

1. Prison Rape Elimination Act of 2003 (PREA) – legislation requiring agencies to comply with the national standards approved and promulgated by the Attorney General to eliminate sexual abuse and harassment in confinement settings.
2. Sexual abuse – for the purposes of this Directive shall mean sexual abuse of:

	Illinois Department of Corrections Administrative Directive	Page 2 of 13
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

- a. An offender by another offender, *if the victim does not consent, is coerced into such an act by overt or implied threats of violence, or is unable to consent or refuse including any contact between the penis and vulva or the penis and anus, including penetration, however slight; contact between the mouth and the penis, vulva, or anus; penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person excluding contact incidental to a physical altercation.*
- b. An offender by a staff member, with or without consent of the offender, including:
  - (1) *Contact between the penis and the vulva or penis and the anus, including penetration, however slight; contact between the mouth and the penis, vulva, or anus; contact between the mouth and any body part where the staff member has the intent to abuse, arouse, or gratify sexual desire; penetration of the anal or genital opening, however slight, by hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member has the intent to abuse, arouse, or gratify sexual desire; any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member has the intent to abuse, arouse, or gratify sexual desire; any attempt, threat, or request to engage in any of the above; or*
  - (2) *Any display by staff of his or her uncovered genitalia, buttocks, or breast in the presence of an offender; and voyeurism as defined as an invasion of an offender's privacy by staff for reasons unrelated to official duties, such as peering at an offender who is using a toilet in his or her cell to perform bodily functions; requiring an offender to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an offender's naked body or of an offender performing bodily functions.*
3. Sexual harassment – for the purpose of this directive, shall mean *repeated and unwelcome sexual advances, request for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender directed to another offender; and repeated verbal comments or gestures of a sexual nature to an offender by staff, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.*
4. Agency PREA Coordinator – the coordinator of the Sexual Abuse and Harassment Prevention and Intervention Program for the Department.
5. Facility PREA Compliance Manager – the staff person designated to ensure facility compliance with the Sexual Abuse and Harassment Prevention and Intervention Program at a facility.
6. Vulnerable offender – an offender identified by the Chief of Mental Health who may need special services because he or she has been a victim of sexual abuse in a correctional setting, or who is potentially vulnerable to sexual abuse in a correctional setting.
7. Predator – an offender identified by the Chief of Mental Health as having a history of sexually abusive behavior determined to present a risk to other offenders.
8. Staff – for the purpose of this directive shall mean any Department employee, contracted employee, employee of a vendor, or volunteer.
9. Chain of evidence – accounting for the continuous possession of evidence specimen from the

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>3</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

time of collection until evidence is introduced into court.

10. Transgender – for the purpose of this directive means a condition whereby an offender’s gender identity is different from his or her assigned gender at birth.
11. Intersex – congenital disorder in which the development of chromosomal or anatomical sex is atypical.
12. Sexual Assault Nurse Examiner (SANE) / Sexual Assault Forensic Examiner (SAFE) – a physician, physician assistant, nurse, or nurse practitioner who has been specially educated and completed clinical requirements to perform a forensic medical examination.

**F. General Provisions**

1. The Sexual Abuse and Harassment Prevention and Intervention Program shall comply with all standards established by PREA and shall include, at a minimum:
  - a. Procedures to prevent sexually abusive and harassing behavior including:
    - (1) Providing training on the Department’s zero tolerance policy for sexual abuse and sexual harassment to all staff and any contractors or volunteers who have contact with offenders; and
    - (2) The screening, classification and education of offenders.
  - b. Prompt reporting and intervention if abuse or harassment is suspected or occurs, including medical, psychological, safety and security aspects;
  - c. Prompt investigation, disciplinary action and referral for prosecution, where appropriate;
  - d. Identification of predators and vulnerable offenders; and
  - e. Services available to offenders following sexual abuse or harassment.
2. The Director shall designate an Agency PREA Coordinator who shall:
  - a. Develop, implement and oversee the Department’s Sexual Abuse and Harassment Prevention and Intervention Program.
  - b. Establish, maintain and review annually a PREA Sexual Abuse and Harassment Prevention and Intervention Program Manual that provides written direction for staff concerning the national standards approved and promulgated by the Attorney General pursuant to the Prison Rape Elimination Act of 2003.
  - c. Develop or approve standardized modules for training staff. Training shall include, but may not be limited to:
    - (1) The Department’s zero tolerance policy;
    - (2) The Department’s Sexual Abuse and Harassment Prevention and Intervention Policy;
    - (3) An offender’s right to be free from sexual abuse and harassment and to be free from retaliation for reporting sexual abuse and harassment;

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>4</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

- (4) Common signs of sexually abusive or harassing behavior;
  - (5) Common signs of being a victim of sexual abuse or harassment;
  - (6) Protocol for initial response, including identification and separation of offenders;
  - (7) Reporting procedures; and
  - (8) Preservation of physical evidence of sexual abuse.
- d. Ensure each year at least one-third of the Department's facilities undergo a PREA audit performed by a contracted PREA auditor certified by the Department of Justice.
- 3 The Chief of Mental Health shall render a final determination for entry of predator or vulnerable offender identifiers in Offender 360.
- NOTE:** Once the initial determination has been made, only the Chief of Mental Health may change the identifying entry.
4. The Chief Administrative Officer of each correctional facility shall:
- a. Designate a facility PREA Compliance Manager:
    - (1) With sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards; and
    - (2) Is trained in sexual abuse crisis issues and has the knowledge, skills and abilities for program implementation and evaluation.
  - b. Designate a Backup PREA Compliance Manager to assist the PREA Compliance Manager and ensure a continuum of services in the PREA Compliance Manger's absence. Minimum training requirements shall be in accordance with Section II F.4.a.(2).
  - c. Ensure staff and offenders are provided with training and education on the Department's Sexual Abuse and Harassment Prevention and Intervention Program.
  - d. Ensure the facility develops, documents, and makes its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect offenders against sexual abuse.
    - (1) In calculating adequate staffing levels and determining the need for video monitoring, the facility shall consider:
      - (a) Generally accepted correctional practices;
      - (b) Any judicial findings of inadequacy;
      - (c) Any findings of inadequacy from Federal investigative agencies;
      - (d) Any findings of inadequacy from internal or external oversight bodies;
      - (e) All components of the facility's physical plant, including blind-spots or areas where staff or offenders may be isolated.

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>5</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

- (f) The composition of the offender population;
  - (g) The number and placement of supervisory staff;
  - (h) Facility programming occurring on a particular shift;
  - (i) Any applicable State or local laws, regulations or standards;
  - (j) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
  - (k) Any other relevant factors.
- (2) If circumstances arise where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan on the Daily Roster Review, DOC 0531, in accordance with 05.01.101.
- (3) Whenever necessary, but no less frequent than once per year, the facility, in consultation with the Agency PREA Coordinator, shall assess, determine, and document whether adjustments are needed to:
- (a) The staffing plan established herein.
  - (b) The facility's deployment of video monitoring systems and other monitoring technologies; and
  - (c) The resources the facility has available to ensure adherence to the staffing plan.
5. The facility PREA Compliance Manager shall:
- a. Coordinate the facility's efforts to comply with the PREA Standards.
  - b. Ensure a program for the evaluation, treatment and counseling of victims and predators of sexual abuse or harassment is developed and maintained.
  - c. Identify community agencies, including advocacy and crisis organizations, where reports can be made or that provide assistance or support services to staff or offenders in the prevention or intervention of sexual abuse and harassment.
- NOTE:** Contact information such as mailing addresses shall be provided via offender handbook, bulletins, etc.
6. Access to information related to sexual abuse occurring in a correctional setting shall be treated as confidential and limited to staff directly related to the assessment, treatment, placement or investigation of the offender to the extent possible while ensuring the safety and security of offenders and staff. Informed consent shall be required before utilizing information regarding a sexual victimization that occurred outside of a correctional setting.

**G. Requirements**

The Chief Administrative Officer of each correctional facility shall develop a written procedure to ensure compliance with the Department's Sexual Abuse and Harassment Intervention and Prevention Program

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>6</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

and to establish response procedures for suspected, alleged or substantiated cases of sexual abuse and harassment. The procedure shall provide, at a minimum, for each of the following:

1. Screening and assessment to identify predators and vulnerable offenders.
  - a. Staff shall make a reasonable effort to ensure the screening and assessment is conducted with consideration of sound confidentiality and sensitivity to the offender.
  - b. Screening and assessment shall be documented on the Screening for Potential Sexual Victimization or Sexual Abuse, DOC 0494, or an electronic equivalent and shall occur:
    - (1) Ordinarily within 24 hours of admission or transfer to any facility by staff designated by the Chief Administrative Officer who shall screen each offender for sexually abusive behavior or victimization.
    - (2) Ordinarily within 72 hours of admission or transfer to any facility and require:
      - (a) Clinical services staff to review the pre-sentence report, statement of facts and other material in the master file for sexually abusive behavior or victimization. Concerns shall be forwarded to the facility PREA Compliance Manager.
      - (b) Mental health professionals to inquire whether the offender has been a victim of sexual abuse in the past.

**NOTE:** Any supplemental findings or concerns shall be documented on the DOC 0494 completed in accordance with II.G.1.b.(1). A separate DOC 0494 shall not be required.

  - (3) Within 30 days of admission or transfer to the facility. Each offender, including any offender returned to Reception and Classification as a parole or mandatory supervised release violator, shall be screened again for sexually abusive behavior or victimization and potential predator or vulnerable offender identification based upon any additional, relevant information received by the facility since the intake screening.
  - (4) When warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the offender's risk of sexual victimization or abusiveness.
- c. Any indication of sexually abusive behavior, victimization or potential victimization in a correctional setting identified at a Reception and Classification Center or at any assigned facility shall be referred to the facility PREA Compliance Manager.
- d. The facility PREA Compliance Manager shall promptly:
  - (1) Review any referrals to assess whether an offender should be identified as a predator or vulnerable offender using the DOC 0494 and make recommendations regarding safety considerations and any treatment or counseling needs.
    - (a) If it is determined that the offender was previously a victim of sexual abuse, the facility PREA Compliance Manager shall notify medical and mental health staff within 14 days of screening.
    - (b) If it is determined that the offender previously perpetrated sexual abuse,

	Illinois Department of Corrections <b>Administrative Directive</b>	Page 7 of 13
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

the facility PREA Compliance Manager shall notify mental health staff within 14 days of screening.

(2) Where appropriate, enter the predator or vulnerable offender identifier in Offender 360 and refer the offender to the Chief of Mental Health for a final determination.

e. The Chief of Mental Health, within two weeks of referral, shall review and make a final determination regarding any identifying entries. Once the determination has been made, the identifier cannot be changed unless requested by the Chief Administrative Officer. This request shall be made to the Chief of Mental Health and only the Chief of Mental Health may change the identifying entry.

## 2. Housing

a. Offenders shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except when such viewing is incidental to routine cell checks.

**NOTE:** The above prohibitions on opposite gender viewing shall also include viewing via video monitoring by non-medical staff.

b. Staff of the opposite gender, whether assigned to the unit or not, shall make the following verbal announcement upon their arrival in a housing unit: *“Male/Female in the housing unit.”*

c. Prior to housing an offender identified as a predator with another offender, the proposed housing assignment shall be reviewed and approved by the Chief Administrative Officer in consultation with the facility PREA Compliance Manager.

d. An offender identified as vulnerable shall not be housed with an offender identified as a predator. Prior to housing an offender identified as vulnerable with another offender, the proposed housing assignment shall be reviewed and approved by the Chief Administrative Officer in consultation with the facility PREA Compliance Manager.

e. An offender identified as vulnerable shall not be housed in segregation status for the sole purpose of providing protective custody unless no other means of separation can be arranged. The placement shall require the approval of the Deputy Director or Agency PREA Coordinator (no designee) and shall only continue until an alternative means of separation can be provided, and such placement in segregation status shall not ordinarily exceed a period of 30 days.

## 3. Offender Education

a. During the admission and orientation process, offenders shall be provided with a presentation regarding the Department’s Sexual Abuse and Harassment Prevention and Intervention Program including reporting procedures and available services and the zero tolerance policy. Offenders shall be informed that victims need not name their attacker to receive medical and mental health services.

b. The offender handbook shall include an explanation of reporting procedures and programs and services available to victims or predators of sexual abuse and harassment.

**NOTE:** The Department shall provide offender education in formats accessible to all offenders, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled,

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>8</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

as well as to offenders who have limited reading skills.

4. Coordinated Response

a. Any offender who alleges to be a victim of sexual abuse shall be:

- (1) Immediately provided protection from the alleged abuser and the incident shall be investigated.
- (2) Referred to health services for examination, treatment and evidence collection in accordance with Paragraph II.G.5. The decision to collect evidence shall be made on a case-by-case basis in accordance with standard investigative procedures.
- (3) Evaluated by mental health services or a crisis intervention team member within 24 hours to assess the need for counseling services.
- (4) Offered counseling and supportive services, such as psychological services, chaplaincy services, correctional counselors, group therapy, etc. and, if possible, be provided with a victim advocate from a rape crisis center.

**NOTE:** When necessary, referrals for continued care shall be made following the offender's transfer to, or placement in, other facilities, or their release from custody.

b. Staff responding to any allegation of sexual abuse shall take steps to ensure preservation of the area in which the alleged abuse occurred, including requesting that the alleged victim and abuser not take any action that may destroy physical evidence including changing clothes, bathing, brushing teeth, urinating, defecating, drinking or eating, etc.

**NOTE:** A member of the security staff shall be promptly notified if the staff responding is other than security staff.

c. Any offender who alleges to be a victim of sexual harassment shall be:

- (1) Offered protection from the alleged harasser and the incident shall be investigated.
- (2) Offered counseling and supportive services.

**NOTE:** All response efforts, including efforts to secure advocacy services from a rape crisis center, shall be documented.

d. Any verbal report or observance of sexual activity shall be treated as possible sexual abuse.

e. Any report or observance of sexual abuse or harassment shall be documented on an Incident Report, DOC 0434, and reported to the facility PREA Compliance Manager in accordance with Paragraph II.G.6. All reports shall be investigated accordingly.

f. Reports of sexual abuse or harassment occurring while an offender was housed at a different facility shall be reported to the Chief Administrative Officer of the facility where the incident occurred as soon as possible, but not later than 72 hours after the initial report was received.



	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>9</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

**NOTE:** Reports of sexual abuse or harassment occurring while an offender was housed within a different jurisdiction, such as a municipal lockup, county jail, or correctional center in another state, shall be documented on a DOC 0434 and reported by the Chief Administrative Officer of the facility that received the allegation to the Chief Administrative Officer of the agency where the alleged abuse occurred within 72 hours.

- g. The offender's housing needs shall be reviewed to determine appropriate placement. If the offender is transferred to another facility, the PREA Compliance Manager of the sending facility shall promptly notify the PREA Compliance Manager of the receiving facility of the alleged sexual abuse or harassment to ensure the offender receives proper follow-up services.

5. Medical Treatment for Victims of Sexual Abuse

- a. Offenders shall not be charged a co-payment for medical treatment, including a forensic medical examination, obtained for alleged sexual abuse. Treatment shall be provided by a certified Sexual Assault Forensic Examiner (SAFE) or a certified Sexual Assault Nurse Examiner (SANE) at a local emergency room as determined by the local facility.
- b. The medical examination provided by Department facilities shall include a general physical examination and for recent sexual abuse shall also include, but not be limited to:
  - (1) A blood test (RPR serology for Syphilis) - repeat in three months;
  - (2) Culture smears for seminal fluid, Gonorrhea, Chlamydia and other Sexually Transmitted Diseases (STD) as appropriate; STD and Gonorrhea and Chlamydia testing repeat at three weeks;
  - (3) Hepatitis C antibody test and Hepatitis B surface antigen and antibody blood test, and repeated at three months and six months, as appropriate; and
- c. An HIV test and counseling shall be offered in accordance with Administrative Directive 04.03.115. The HIV test shall be repeated at three, six and nine months after the initial test.

**NOTE:** If concern exists of the possibility of HIV or Hepatitis transmission, the Agency Medical Director or an infectious disease specialist shall be contacted.

- d. The medical records shall not reflect any conclusions regarding substantiation of sexual abuse; however, shall identify:
  - (1) The offender's name and identification number;
  - (2) A statement by the offender indicating the date and time of the alleged incident;
  - (3) Type or description of sexual abuse (i.e. oral, anal, vaginal);
  - (4) The results of the physical examination, tests and, if applicable, referral to an outside medical facility for the collection of evidence by use of an evidence collection kit;
  - (5) The documentation of the presence or absence of cuts, scratches and bruises and any trauma; and
  - (6) Documentation of counseling.

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>10</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

- e. All reports contained in the evidence collection kit shall be completed and distributed appropriately, when applicable.

6. Incident Reports

Any alleged sexual abuse or harassment shall be reported through chain of command as an unusual incident in accordance with Administrative Directive 01.12.105. All staff who observe the alleged abuse or harassment or to whom the initial report was made shall complete a DOC 0434 and may be required to be interviewed by an investigator or other staff designated by the Chief Administrative Officer prior to leaving the facility at the end of their shift. A copy of the DOC 0434 shall be forwarded to the facility PREA Compliance Manager.

7. Investigation and Referral for Discipline or Prosecution

- a. All allegations of sexual abuse or harassment shall be investigated by trained investigators in accordance with Administrative Directive 01.12.120. The initial investigative report shall be provided to the Chief Administrative Officer within 24 hours of the onset of the investigation. When notified, the Chief Administrative Officer shall notify the respective Deputy Director and the Chief of Operations.

**NOTE:** The Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

- b. For reports of sexual abuse, the crime scene shall always be protected and investigators shall collect and tag evidence from the scene in accordance with established procedures. Evidence collected shall be submitted to the State Police within ten business days of receipt.
- c. All investigations shall include a review of:
  - (1) All direct and circumstantial evidence;
  - (2) Any physical barriers that may have enabled the abuse or harassment;
  - (3) The adequacy of staffing levels; and
  - (4) Technological needs of the facility with respect to the incident.
- d. Alleged victims of sexual abuse shall not be required to submit to truth verification examinations such as voice stress analysis or polygraph exam as part of or as a condition of the investigation.
- e. If an offender is determined to be the possible assailant, he or she may be placed in investigatory status,. For any allegation, the victim shall be protected from the alleged assailant.
- f. Upon conclusion of the investigation:
  - (1) Disciplinary reports shall be completed, served and processed, where warranted.
  - (2) The results shall be forwarded to the Chief of Operations who shall report the incident to the Illinois State Police, where appropriate.
  - (3) The alleged victim shall be notified, in writing, of the outcome of the investigation.

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>11</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

Investigation findings may be grieved in accordance with 20 Ill. Adm. Code 504 and Administrative Directives 04.01.114 and 04.01.115.

- (4) If applicable, the case shall be reviewed with the appropriate State's Attorney for possible referral for prosecution.
- (5) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.
- (6) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

#### 8. Incident Reviews

- a. The facility shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation was determined to be unfounded. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
- b. The review team, at minimum, shall include:
  - (1) Assistant Chief Administrative Officer;
  - (2) Shift Commander or Lieutenant;
  - (3) A representative from Internal Affairs;
  - (4) Facility PREA Compliance Manager;
  - (5) A representative from Medical; and
  - (6) A representative from Mental Health.
- c. The review, including any report of findings or any recommendations for improvement, shall be documented on the DOC 0593, Sexual Abuse Incident Review.
- d. The DOC 0593 shall be forwarded to the Chief Administrative Officer so recommendations for improvement may be considered.

**NOTE:** Any recommendations not implemented shall be documented on the DOC 0593 including justification for not doing so.

#### 9. Protection Against Retaliation

- a. For a minimum of 90 days following the initial report of sexual abuse or harassment, the Department shall monitor the conduct and treatment of offenders or staff who reported the sexual abuse and of offenders who were reported to have suffered sexual abuse to observe if there are changes that may suggest possible retaliation by offenders or staff. The Department shall act promptly to remedy any such retaliation.
  - (1) Offender conduct and treatment shall be documented on the PREA Retaliation Monitor – Offender, DOC 0498. The review shall include, but not be limited to, disciplinary reports, housing or program changes and facility transfers, and

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>12</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

include periodic status checks to ensure he or she displays no changes that may suggest retaliation.

- (2) Staff conduct and treatment shall be documented on the PREA Retaliation Monitor – Staff, DOC 0499. The review shall include, but not be limited to, negative performance reviews and reassignments.

**NOTE:** The Department’s obligation to monitor for retaliation shall terminate if the Department determines the allegation is unfounded; however, the Department shall continue such monitoring beyond the 90 days if the initial monitoring indicated a continuing need.

- b. If any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation.

**H. Program Evaluation**

1. The Chief Administrative Officer and facility PREA Compliance Manager at each facility shall conduct an annual evaluation of the Sexual Abuse and Harassment Prevention and Intervention Program at their respective facility and submit to the Agency PREA Coordinator a written report of the findings. The report shall be submitted to the Agency PREA Coordinator no later than May 31<sup>st</sup> of the year subsequent that of the reporting period and include, at a minimum:
  - a. A review of each incident of sexual abuse or harassment that occurred during the reporting period;
  - b. Program and procedural changes implemented based on the recommendations of the review team;
  - c. Training needs to ensure future safety and security of offenders and staff or the needs of victims or predators of sexual abuse and harassment;
  - d. A record of referrals to outside community resources;
  - e. A record of referrals for post-release services; and
  - f. Statistical data including:
    - (1) The number of alleged incidents of sexual abuse.
    - (2) The number of alleged incidents of sexual harassment.
    - (3) The number of confirmed incidents of sexual abuse.
    - (4) The number of confirmed incidents of sexual harassment.
    - (5) The discipline imposed for sexual abuse or harassment.
    - (6) The number of referrals for criminal prosecution.
    - (7) The number of criminal prosecutions filed for sexual abuse, including the current status.
  - g. Confirmation of a review of the facility’s Staffing Plan.

	Illinois Department of Corrections <b>Administrative Directive</b>	Page <b>13</b> of <b>13</b>
Number: 04.01.301	Title: Sexual Abuse and Harassment Prevention and Intervention Program	Effective: 4/1/2021

2. Upon receipt of the annual reports from each facility, the Agency PREA Coordinator shall assess the overall effectiveness of the Department's Sexual Abuse and Harassment Prevention and Intervention Program and submit to the Director a written report that, at a minimum, provides:
    - a. Statistical data and corrective action by facility;
    - b. Aggregated incident based sexual abuse or harassment data for the Department;
    - c. Perceived areas of concern and recommended or implemented improvements;
    - d. A comparison of the current year's statistical data and corrective actions with those of previous reporting periods; and
    - e. An assessment of the Department's progress in addressing sexual abuse or harassment overall.
  3. The annual report shall be made available on the Department's website no later than June 30<sup>th</sup> of the year subsequent that of the reporting period. Upon request, the report shall be submitted to the Department of Justice.

**NOTE:** The final report shall not contain any personal identifiers. The Department may redact information on the posted report if said information would present a clear and specific threat to the safety and security of a facility or the Department.
  4. All reports and statistical data shall be retained for a period of no less than 10 years.
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