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OPR: LEGAL

INMATE SEXUAL ABUSE AND HARASSMENT

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for prohibiting, detecting, responding to, and investigating sexual abuse and harassment of inmates under ADOC care and control.

II. POLICY

The ADOC maintains a zero-tolerance policy against inmate sexual abuse, inmate sexual harassment, and custodial sexual misconduct. Any sexual conduct, whether inmate-on-inmate or employee-on-inmate, and whether consensual or forced, is strictly prohibited.

III. DEFINITIONS AND ACRONYMS

For purposes of this AR, the following words shall have the following meanings:

- A. **Allegation**: A claim of custodial sexual misconduct or a claim of sexual harassment or sexual abuse of an inmate.
 - 1. **Substantiated Allegation**: An allegation that was investigated and determined to have occurred.
 - 2. **Unfounded Allegation**: An allegation that was investigated and determined not to have occurred.
 - 3. **Unsubstantiated Allegation**: An allegation that was investigated and the investigation produced insufficient evidence, based on a preponderance of the evidence standard, to make a final determination as to whether the event occurred.

- B. **Custodial Sexual Misconduct**: The unlawful act of an employee/staff member engaging in sexual conduct with a person who is in the custody of the ADOC. Consent is not a defense.
- C. **Deviation**: A failure to fill the minimal number of posts required by a post plan to perform all normal, routine operations within a facility during a shift as a result of absences of staff within the facility due to call-ins, staff abandonment of job, and inmate transports.
- D. **DOJ**: The United States Department of Justice.
- E. **DOJ Certified PREA Auditor**: A person who is certified as having completed the DOJ requirements to conduct correctional facility audits for compliance with PREA Standards.
- F. **Employee/Staff**: Any person employed by the ADOC as a full-time, part-time, conditional, or temporary employee. For the purposes of this AR only, “employee/staff” also includes other persons, such as authorized service providers, vendors, and volunteers in the classified and unclassified service.
- G. **Exigent Circumstances**: Any set of temporary and unforeseen circumstances that require immediate action to combat a threat to the security or institutional order of a facility.
- H. **Institutional PREA Compliance Manager (IPCM)**: One of the designated people at a facility who is provided with the time, training, and authority to coordinate the facility’s efforts to comply with PREA Standards (the other being a PREA Special Investigator). The IPCM may be from security or non-security staff. If the IPCM is from security staff, he/she must be of an intermediate or higher-level supervisor rank, such as a Correctional Sergeant or higher.
- I. **Intersex**: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.
- J. **LGBTIGN**: An acronym for lesbian, gay, bisexual, transgender, intersex, or gender nonconforming.
- K. **PREA Director**: An individual designated by the ADOC Commissioner with the authority to coordinate and develop procedures to prohibit, identify, monitor, and track sexual abuse and sexual harassment of inmates in ADOC custody, to maintain statistics, and to conduct practice audits to evaluate compliance with departmental policy and PREA Standards.
- L. **PREA Special Investigator**: The designated non-security person at a facility who is provided with time, training, and authority to conduct administrative investigations into PREA allegations (at facilities where there is no IPCM).

- M. **Prison Rape Elimination Act (PREA) of 2003**: A federal statute (Code of Federal Regulations, Title 28, Part 115) enacted in September of 2003 to provide for the analysis of the incidences and effects of sexual abuse in federal, state, and local correctional institutions and to provide information, resources, recommendations, and funding to enable reviews of facility practices to protect confined individuals from sexual abuse.
- N. **Retaliation**: Any form of negative action, or threat of negative action, taken against an inmate by another inmate or by an employee/staff in response to the reporting of sexual abuse or sexual harassment allegations and/or for cooperation with employee/staff or investigators investigating the same.
- O. **Sexual Abuse**:
1. Sexual abuse of an inmate by another inmate includes any of the following acts if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - b. Contact between the mouth and the penis, vulva, or anus;
 - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, for the sole purpose of sexual gratification, excluding contact incidental to a physical altercation.
 2. Sexual abuse of an inmate by employee/staff includes any of the following acts, with or without consent of the inmate:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - b. Contact between the mouth and the penis, vulva, or anus;
 - c. Contact between the mouth and any body part where the employee/staff has the intent to abuse, arouse, or gratify sexual desire;
 - d. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official

duties or where the employee/staff has the intent to abuse, arouse, or gratify sexual desire;

- e. 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 employee/staff, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- f. Any attempt, threat, or request by employee/staff to engage in the activities described in paragraphs (a)-(e) of this subsection;
- g. Any display by employee/staff of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate; and
- h. Voyeurism by employee/staff.

P. **Sexual Assault Forensic Evidence (SAFE) Kit**: A set of items used by medical personnel for gathering and preserving physical evidence following an allegation of sexual abuse, for use in the investigation and prosecution of the sexual abuse incident.

Q. **Sexual Harassment**:

- 1. Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another: or
- 2. Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

R. **Sexual Predator**: A person who threatens, attempts, or commits sexual abuse or harassment.

S. **Sexual Victimization**: All types of unwanted sexual activity, e.g., oral, anal, or vaginal penetration; manual stimulation of sexual organs; touching of the buttocks, inner thighs, penis, breast, or vagina in a sexual manner; abusive sexual contacts; and both willing and unwilling sexual activity between an employee/staff and an inmate.

T. **Transfer**: A move of an inmate from one facility to another for a stay of three (3) days or more.

- U. **Transgender**: A person whose gender identity (i.e. internal sense of feeling male or female) is different from the person's assigned sex at birth.
- V. **Voyeurism**: An invasion of privacy of an inmate by an employee/staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.
- W. **Youthful Inmate**: Any inmate housed in an adult facility whose age is under eighteen (18) years of age.

IV. **RESPONSIBILITIES**

- A. The Commissioner generally oversees ADOC's compliance with PREA.
- B. The Associate/Deputy Commissioners of Men's and Women's Services oversee their respective facilities' staffing plans and endeavor to comply with PREA and in accordance with any court orders, consent decrees, or settlement agreements governing that facility.
- C. The Law Enforcement Services Division (LES) Director/designee performs the following PREA-related functions:
 - 1. Thoroughly investigate sexual harassment of inmates by employee/staff and all allegations of inmate sexual abuse in a timely manner;
 - 2. Refer violations of law to the appropriate prosecutorial agency;
 - 3. Collect statistical data for PREA-related incidents;
 - 4. In accordance with AR 216, *Background Checks*, conduct an initial criminal background records check on all employees/staff (including volunteer/contractors), to include a review of any ongoing investigations; utilizing best efforts, consistent with state laws, to contact prior institutional employers for information pertinent to a criminal records background check; and conduct criminal background records check on employees/staff every five (5) years;
 - 5. Oversee that investigators draft documentation informing an alleged victim of the outcome of the investigation (including whether the allegation was substantiated, unsubstantiated, or unfounded), and transmit the notification to the designated ADOC personnel to provide notification to the inmate;

6. When an inmate alleges that an employee/staff committed custodial sexual misconduct against the inmate, direct that the alleged victim be informed of the following information, when applicable:
 - a. That the employee/staff is no longer employed with the ADOC;
 - b. That the employee/staff is no longer employed at the facility where the custodial sexual misconduct is alleged to have occurred; and/or
 - c. That the employee/staff member has been indicted on a charge related to the custodial sexual misconduct.
 7. Supervise compliance of evidence collection in accordance with LESD evidence collection SOPs as it pertains to sexual abuse and custodial sexual misconduct;
 8. Direct that an investigation of any allegation of inmate sexual abuse or inmate sexual harassment by an employee/staff continues whether the victim or perpetrator leaves that facility or if an accused staff member leaves employment or control of the facility/agency; and
 9. Require that investigators conducting PREA investigations receive specialized investigator training regarding PREA sexual abuse and sexual harassment complaints and verify completion of the training through employee signature and retention of verification of training.
- D. The ADOC General Counsel performs the following PREA-related functions:
1. Supervise and assist the PREA Director with conforming ADOC regulations, policies, and processes with applicable PREA Standards.
 2. Oversee that contracts for confinement of inmates include terms requiring the contracting entity to comply with PREA Standards and authorize the ADOC access to inspect the facility to assess PREA compliance;
 3. Assist the PREA Director with reviewing relevant ADOC regulations and policies for compliance with applicable PREA Standards;
 4. Assist the PREA Director with drafting required submissions to the Governor for the annual PREA certification; and
 5. Negotiate and enter into contracts with DOJ Certified PREA Auditors.

- E. The PREA Director performs the following PREA-related functions:
1. Implement, manage, and monitor ADOC's compliance with PREA Standards;
 2. Consult with the Associate/Deputy Commissioners of Men's and Women's Services and the facility Wardens on facility staffing plans and surveillance monitoring equipment additions or changes as they relate to PREA, and document such on ADOC Form 454-J, *Annual Staffing Review Checklist*;
 3. Assist Wardens, Division Directors, and PREA Special Investigators/IPCMs in developing and updating their respective SOPs, as necessary, for the implementation of this AR, and approve such SOPs prior to publication;
 4. Brief the Wardens and Division Directors of allegations, investigations, findings, and identities of victims and sexual predators without violating the confidentiality requirements of the PREA Standards;
 5. Collaborate with the ADOC Legal Division to develop contracts with DOJ Certified PREA Auditors;
 6. Coordinate with and assist DOJ Certified PREA Auditors conducting facility PREA audits;
 7. Conduct annual internal audits of ADOC institutions scheduled for PREA audits to evaluate compliance with this AR and PREA Standards;
 - a. The PREA Director/designee reviews the policies, procedures, and physical plant at each facility being audited for compliance prior to any actual audit;
 - b. The PREA Director/designee reviews, at a minimum, a sampling of PREA-related documents and other records for the most recent one-year period consistent with the Internal Monitoring Checklist; and
 - c. The PREA Director/designee interviews a representative sample of inmates and employees/staff members in a private setting regarding their knowledge of PREA policies and procedures;
 8. Maintain policies providing that inmates and employees/staff who report sexual abuse, sexual harassment, or cooperate with a sexual investigation are protected from retaliation by other inmates or employees/staff and monitored for retaliation for at least ninety (90) days with such monitoring documented on ADOC Form 454-I, *Sexual Abuse Retaliation Monitoring*;

9. Coordinate the secure storage of PREA-related data for at least ten (10) years after the date of initial collection and post quantitative information about this data on the ADOC website in aggregate form annually;
 10. Complete the DOJ's Survey of Sexual Violence (SSV) on an annual basis using records and data from the previous calendar year; and
 11. Supervise and train all IPCMs and PREA Special Investigators; and
 12. Confirm that all IPCMs and PREA Special Investigators conduct unannounced rounds. Such rounds shall be conducted on both day and night shifts to identify and deter employee/staff sexual abuse and sexual harassment and documented on ADOC Form 454-K, *Unscheduled and Unannounced Rounds Log*.
- F. The Information Systems Director performs the following PREA-related functions:
1. Develop a method of electronically documenting ADOC Form 454-E, *PREA Risk Reassessment*;
 2. Develop a method of controlling employee/staff access to electronic inmate PREA risk assessments;
 3. Develop an automated system that permits authorized staff to identify inmates who are designated as victims or sexual predators; and
 4. Develop any additional PREA-related ad hoc reports, as needed.
- G. The Training Director performs the following PREA-related functions:
1. Coordinate with the PREA Director to create the training curricula for the Basic Training Academy, Regional In-Service Training, and other specialized training as necessary for PREA compliance;
 2. Report PREA education and training statistical data to relevant parties; and
 3. Retain in-service training records of employees who have completed PREA training.
- H. The Wardens and Division Directors perform the following PREA-related functions:
1. With the assistance of the PREA Director, develop SOPs to implement this AR in accordance with any court orders, consent decrees, or settlement agreements governing that facility or division;

2. Confirm that Wardens, Captains, and Lieutenants conduct unannounced rounds at least three times a week. Such rounds shall be conducted on both day and night shifts to identify and deter employee/staff sexual abuse and sexual harassment and documented on ADOC Form 454-K, *Unscheduled and Unannounced Rounds Log*;
3. Conduct a video monitoring check (where applicable) at least once per week and noting findings on ADOC Form 454-M, *Video Monitoring Check Log*.
4. Evaluate the compliance of their respective facility or Division with departmental regulations and policies as they apply to PREA;
5. Provide the facility IPCM and PREA Special Investigators with the material and staff needed to carry out his or her duties;
6. Ensure that all correctional staff have Annex D to AR 454, *PREA Staff First Responder Duties Card*, on their person at all times.
7. Upon receipt of an allegation that an inmate was sexually abused or sexually harassed while confined to another facility, notify the facility head of the allegation within seventy-two (72) hours of receipt on ADOC Form 454-B, *Reporting to Other Confinement Facilities*;
8. Confirm that a prohibition exists to disallow employees/staff from alerting other employees/staff that unscheduled unannounced rounds are occurring unless there is a legitimate operational need to do so;
9. Implement any facility-specific directives issued by the PREA Director;
10. Consult with the Associate/Deputy Commissioners of Men's and Women's Services and the facility Wardens on facility staffing plans and surveillance monitoring equipment additions or changes as they relate to PREA, and document such on ADOC Form 454-J, *Annual Staffing Review Checklist*;
11. Develop and update the facility staffing plan and evaluate compliance with the recording of staffing deviations on ADOC Form 454-O, *Post Deviation Log*;
12. Confirm on a routine basis that the inmate telephone system is checked daily to confirm PREA hotlines are operational, that the status of each telephone system is recorded in the shift log and on ADOC Form 454-L, *Hotline Check Log*, and take appropriate action if maintenance is required; and

13. For female facilities, confirm that the classification of inmates is conducted in accordance with proper use of ADOC Form 454-D, *PREA Risk Factors Checklist*, or according to a similar tool as provided for in female facility SOPs if applicable.
- I. The Director of Classification confirms that the classification of inmates is conducted in accordance with proper use of ADOC Form 454-D, *PREA Risk Factors Checklist*, and in accordance with this AR.
- J. The Associate/Deputy Commissioner of Health Services performs the following PREA-related functions:
 1. Implement an objective screening tool to be utilized for assessing inmate sexual victimization and abusiveness, such as ADOC Form 454-D, *PREA Risk Factors Checklist*, and evaluate proper usage of the form by ADOC psychology staff and mental health contractors;
 2. Require that ADOC's vendor for mental health services provides inmate counseling and mental health treatment to victims and sexual predators by mental health professionals; and
 3. Require that all medical and mental health staff receive specialized training pursuant to PREA Standard §115.35. This training shall be documented and verified by employee signature and a copy of the documentation shall be retained by the Associate/Deputy Commissioner of Health Services.
- K. The PREA Special Investigators/Institutional PREA Compliance Managers (IPCMs) perform the following PREA-related functions:
 1. Monitor inmates designated as sexual predators and/or victims of sexual abuse;
 2. Review, monitor, and maintain records of all PREA-related incidents, forms, and documents concerning compliance with this AR and the PREA Standards, to include, but not be limited to:
 - a. PREA incident reports;
 - b. PREA hotline logs, documented on ADOC Form 454-L, *Hotline Check Logs*, and video monitoring logs, documented on ADOC Form 454-M, *Video Monitoring Check Log*;
 - c. PREA-related grievances;
 - d. PREA-related facility staffing plans and post deviations, documented on ADOC Form 454-O, *Post Deviation Log*;

- e. PREA-related screening forms, such as ADOC Form 454-D, *PREA Risk Factors Checklist*; ADOC Form 454-E, *PREA Risk Reassessment*; and
 - f. PREA-related retaliation forms, documented on Form 454-I, *Sexual Abuse Retaliation Monitoring*.
3. Act when an inmate is subject to a substantial risk of imminent sexual abuse and recommend placement and/or transfer of inmates involved in all PREA-related incidents, with the approval of the Warden or Warden's designee;
 4. All housing assignments for inmates designated as victims or sexual predators shall be made by the PREA Special Investigator/IPCM and ICS officer.
 5. Conduct inmate PREA education and orientations and document each inmate's orientation on ADOC Form 454-A, *Inmate Orientation Acknowledgement*;
 6. Assist Wardens and the PREA Director in developing and updating facility PREA SOPs;
 7. Conduct and document unannounced rounds during unscheduled work hours and document the rounds on ADOC Form 454-K, *Unscheduled and Unannounced Rounds Log*;
 8. Ensure that policies and procedures are followed in all PREA-related incidents;
 9. Verify that ADOC volunteers and contractors have received the ADOC Specialized Volunteer and Contractor PREA training before entering the facility;
 10. Conduct and document a facility vulnerability assessment twice a year, using ADOC Form 454-N, *Secure Facility Vulnerability Assessment*;
 11. Monitor transgender or intersex inmates' placement and programming assignments by conducting a PREA risk reassessment on them twice a year and documenting such on ADOC Form 454-E, *PREA Risk Reassessment*;
 12. Prepare for, and participate in, facility PREA audits and monitoring compliance with any corrective action plans;

13. In the event of a weekend or holiday transfer, and regularly at those institutions without a Classification Specialist permanently assigned, complete ADOC Form 454-D, *PREA Risk Factors Checklist*; and
- L. To the extent allowed by applicable law, the Personnel Director will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.
- M. The Pastoral Programs Supervisor will train his/her staff, religious volunteers, and religious contract staff on this AR and ADOC policies and procedures relating to inmate sexual abuse, sexual harassment, and custodial sexual misconduct, with such training being documented, verified by signature, and a copy of the documentation retained by the Pastoral Programs Supervisor.
- N. The Director of Engineering will confirm that engineering contractors have received the ADOC Specialized Volunteer and Contractor PREA training prior to entering a facility, with such training being documented, verified by signature, and a copy of the documentation retained by the Director of Engineering.
- O. Staff/employees, contractors, and volunteers are responsible for adherence to this AR and ADOC policies and procedures relating to inmate sexual abuse, sexual harassment, and custodial sexual misconduct.
- P. Inmates are responsible for adhering to this AR and ADOC rules related to inmate sexual abuse, sexual harassment, and custodial sexual misconduct, as well as reporting violations of these rules to ADOC personnel.

V. **PROCEDURES**

- A. Prevention of Sexual Abuse and Sexual Harassment:
 1. Employee/staff training:
 - a. Employee/staff who may have contact with inmates shall receive training to include, but not be limited to, the prevention, detection, response, and reporting of allegations of inmate sexual abuse, inmate sexual harassment, custodial sexual misconduct, and sexual harassment of inmates by employees/staff.
 - b. Employee/staff training shall be documented and verified through employee/staff signature and forwarded to the Training Director for retention.
 2. ADOC Volunteer and Contractor Training:

- a. All ADOC volunteers and contractors shall receive the ADOC Specialized Volunteer and Contractor PREA training before entering a facility.
 - b. Volunteer and contractor training shall be based on the services they provide and level of contact they have with inmates:
 - (1) Religious volunteers, because of the level of contact involved with their services, shall receive in-depth training developed by the Pastoral Programs Supervisor, in consultation with the PREA Director. Training shall be documented and verified through volunteer/contractor signature, and a copy of this training documentation shall be retained by the Pastoral Programs Supervisor.
 - (2) All other volunteer and/or contractor training shall be documented and verified through volunteer/contractor signature, and a copy of this training documentation shall be retained by the appropriate PREA Special Investigator/IPCM (for facility volunteers) or Director of Engineering (for contractors).
3. Specialized Training – Investigations:
- a. Investigators with PREA-related responsibilities shall receive additional training related to their roles, to include, but not be limited to:
 - (1) Interviewing sexual abuse victims;
 - (2) Proper use of Miranda and Garrity warnings;
 - (3) Conducting sexual abuse investigations;
 - (4) Collection of evidence in a confinement setting;
 - (5) The criteria and evidence required to substantiate a case for administrative action or prosecutorial referral;
 - (6) Recognizing the special medical and mental health needs of inmates; and
 - (7) Factors to consider in an inmate’s risk of sexual victimization.

- b. This training shall be documented and verified through employee signature, and a copy of the training documentation shall be retained by the LESD Director.
4. Specialized Training – Medical and Mental Health Care:
- a. Medical and mental health employees shall receive additional training, to include, but not be limited to:
 - (1) How to detect and assess signs of inmate sexual abuse and sexual harassment;
 - (2) How to preserve physical evidence of sexual abuse;
 - (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment;
 - (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment;
 - (5) How to recognize the special medical and mental health needs of inmates; and
 - (6) How to recognize and assess factors related to an inmate’s risk of sexual victimization or abusiveness.
 - b. This training shall be documented and verified through employee signature, and a copy of the documentation shall be retained by the Associate/Deputy Commissioner of Health Services.
5. Inmate Education:
- a. All inmates shall receive information during the intake process explaining:
 - (1) The ADOC’s zero-tolerance policy against inmate sexual abuse, inmate sexual harassment, custodial sexual misconduct;
 - (2) This AR and ADOC’s policies and procedures relating to inmate sexual abuse, sexual harassment, and custodial sexual misconduct; and
 - (3) How to report sexual abuse and sexual harassment.
 - b. Within 30 days of intake, all inmates shall receive PREA orientation, which includes the following topics:

- (1) Their right to be free from sexual abuse, sexual harassment, and retaliation;
 - (2) Prevention of sexual abuse and sexual harassment;
 - (3) Self-protection;
 - (4) Policies, procedures, and methods of reporting sexual abuse, sexual harassment, custodial sexual misconduct, and sexual harassment of inmates by employees/staff;
 - (5) ADOC's policies and procedures for responding to PREA incidents; and
 - (6) Treatment and counseling availability, with a reference to ADOC Form 454-C, *Medical and Mental Health Confidentiality Consent Form*, for disclosing any sexual abuse incident that may have occurred outside of the ADOC.
- c. The information provided in subparagraphs "a." and "b." shall be provided in verbal, visual, and written format. The information will also be available in formats accessible to inmates with special needs.
- d. Upon completion of an inmate's PREA orientation, the inmate shall sign ADOC Form 454-A, *Inmate Orientation Acknowledgement*, and ADOC Form 454-C, *Medical and Mental Health Confidentiality Consent Form*. If the inmate refuses to sign a form, the witness shall indicate by writing "Refused to Sign" and affix his/her signature. These completed forms shall be scanned into the inmate's institutional file and forwarded to the facility PREA Special Investigator/IPCM for entry into the PREA Module.
- e. Within three (3) days of transferring to a new facility, each inmate shall receive PREA orientation materials that, at minimum, set forth the policies and procedures of the new facility that differ from those of the previous facility.
6. ADOC Hiring and Promotion:
- a. ADOC policy prohibits the hiring or promotion of an employee or contractor who may have contact with inmates and who:
 - (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution;

- (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; and/or
 - (3) Has been civilly or administratively adjudicated to have engaged in the activity described in subparagraphs V.A.6.a(1) or (2).
- b. Before the hiring of new employees/staff (to include volunteer/contractors) and for all promotions and rehires, the LESD Director or designee shall:
- (1) Conduct a criminal background records check;
 - (2) In compliance with state and federal law, contact all prior institutional employers regarding known substantiated allegations of custodial sexual misconduct or any resignation during a period of a custodial sexual misconduct investigation;
 - (3) Ask potential employees/staff and volunteers/contractors about previous misconduct described in subparagraphs V.A.6.a(1)-(3) (See also AR 216, *Background checks*); and
 - (4) Apprise potential employees/staff and volunteers/contractors that providing false information or making material omissions regarding such misconduct shall be grounds for termination and that they have a continuing duty to disclose such conduct.
- c. If the employee has engaged in any conduct described in subparagraphs V.A.6.a(1) -(3), he or she shall be disqualified for promotion.
- d. Employees shall be subject to disciplinary sanctions, up to and including termination, for violating sexual abuse or sexual harassment policies, in accordance with AR 208, *Employee Corrective Action (ECA)*.
- e. The ADOC shall consider any incidents of sexual abuse and sexual harassment in deciding whether to hire or promote any employee/staff or volunteer/contractor.
- f. The LESD Director or designee shall conduct a criminal background records check every five (5) years on all current employees/staff and volunteers/contractors.

B. Screening for Risk of Victimization and Abusiveness:

1. All inmates, at initial intake and upon transfer to a new facility, shall be screened for sexual victimization or sexual abusiveness within seventy-two (72) hours of intake or transfer, utilizing ADOC Form 454-D, *PREA Risk Factors Checklist*.
2. A Classification Specialist shall complete the risk assessment using ADOC Form 454-D, *PREA Risk Factors Checklist*, and the following procedures:
 - a. The Classification Specialist shall interview each inmate and review known information to determine the inmate's risk of sexual victimization and/or risk of sexual abusiveness within seventy-two (72) hours of intake. Inmates who refuse to answer questions during the interview shall not be subject to formal or informal discipline for such refusal. The inmate's refusal to answer questions shall be documented.
 - b. If the risk assessment interview or known prior information reflects that the inmate is at risk to be victimized or to be sexually abusive, the Classification Specialist will recommend further review by a mental health professional.
 - c. At those institutions without a Classification Specialist permanently assigned, and in the event of a weekend transfer or holiday transfer, the PREA Special Investigator/IPCM will be charged with completing the risk assessment tool.
3. Risk Reassessment
 - a. The PREA Special Investigator/IPCM shall reassess all inmates for risk of sexual victimization and abusiveness within thirty (30) days of intake using ADOC Form 454-E, *PREA Risk Reassessment*.
 - b. Upon receipt of additional information that bears on an inmate's risk of sexual victimization or abusiveness, an additional screening will be conducted and documented on ADOC Form 454-E, *PREA Risk Reassessment*.
 - c. The Classification Specialist will assist the PREA Special Investigator/IPCM in conducting a risk reassessment for transgender and intersex inmates at least twice a year and documented such on ADOC Form 454-E, *PREA Risk Reassessment*.

4. Inmate management system information indicating an inmate is designated as a victim or a sexual predator shall be handled discreetly. There will be appropriate controls on the dissemination of screening information to confirm each inmate's sensitive information is not inappropriately shared.

C. Mental Health Assessment:

1. Inmates who have been involved in an incident of sexual abuse or sexual harassment or identified as being at risk of sexual victimization or at risk for sexual abusiveness shall be referred to mental health staff utilizing the ADOC Form 454-D, *PREA Risk Factors Checklist*. The mental health professional shall meet with the inmate and review their screening information.
2. The mental health professional shall perform the mental health assessment and document it in the mental health section of the inmate's medical record. The assessment shall include, but is not limited to, a review of the inmate's PREA Risk Assessment and/or history of sexual victimization or sexual abusiveness. Any updates of an inmate's history of sexual abusiveness or victimization shall be noted by a mental health professional and the notification shall be provided to the PREA Special Investigator/IPCM, Classification Specialist, and Inmate Control Services (ICS).
3. If the screening indicates that the inmate has prior sexual victimization or sexual abusiveness in their history, the mental health professional shall offer a follow-up meeting with the inmate within fourteen (14) days of the intake screening. All known inmate-on-inmate abusers shall be given an evaluation and offered treatment within sixty (60) days of the facility's knowledge of such behavior.
4. Any employee may make a written mental health referral based on his/her observation of an inmate's behavior or at an inmate's request. This referral may be based on concerns that the inmate has been a victim or is at risk of being a victim or sexual abuser.

D. Use of Screening Information:

1. All information obtained during the screening process and PREA Mental Health Assessment shall be used to assist in the initial classification and facility assignment of the inmate to determine work placement, education, and programs, in accordance with the ADOC Classification Manual and AR 433, *Restrictive Housing Units (RHU)*, with the goal of keeping separate those inmates at risk of being sexually victimized from those at risk of being sexually abusive.

2. Youthful inmates shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters. In areas outside the housing unit, if sight and sound separation cannot be maintained, direct staff supervision shall be provided.
3. ADOC shall not place LGBTIGN inmates in a dedicated facility, unit, or dorm solely because of such identification or status.
4. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year by the PREA Special Investigator/IPCM and the Classification Specialist to review any threats to safety.
5. A transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. ADOC shall consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety or whether the placement would present management or security problems.
6. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.
7. The PREA Special Investigator/IPCM shall maintain a housing designation log of all designated victims.

E. Staffing Plans:

1. The Warden, with the assistance of the PREA Director and the Resource Planning Unit, will develop the facility staffing plan and will document, update, and make a best effort to comply with the staffing plan. The plan will provide for adequate levels of staffing and, if available, video monitoring to help protect inmates against sexual abuse.
2. The PREA Director shall meet with the Warden and PREA Special Investigator/IPCM annually to assess and document whether any adjustments are needed to the staffing plan, video monitoring systems, and other monitoring technologies. The facilities shall document this review using ADOC Form 454-J, *Annual Staffing Review Checklist*.
3. The Warden will confirm that staffing deviations are documented on ADOC Form 454-O, *Post Deviation Log*.

4. Facility policy shall prohibit employees/staff from alerting other employees/staff of unannounced rounds without a legitimate operational need to do so.

F. Limits to Cross-Gender Viewing and Searches:

1. Each facility shall implement procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitals, except in exigent circumstances or when such viewing is incidental to routine cell and/or dorm checks. Staff of a gender different than that of the inmates shall announce their presence when entering an inmate housing unit.
2. Security staff shall be trained on how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and in accordance with AR 336, *Searches*.
3. Pat-down and strip searches of transgender/intersex inmates shall be conducted by employees/staff of the preferred gender indicated by the inmate on ADOC Form 454-Q, *Inmate Search Preference*, or by a female officer, unless exigent circumstances exist and are documented on the shift log and on an ADOC Form 302-A, *Incident Report*. In the case of exigent circumstances, visual body cavity searches of transgender/intersex inmates may also be performed by medical practitioners.
4. A facility shall not conduct cross-gender pat-down searches of female inmates, except in exigent circumstances. Employees/staff shall document the search on the shift log and on ADOC Form 302-A, *Incident Report*, for all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches of female inmates. The employee preparing the ADOC Form 302-A, *Incident Report*, shall specifically identify and list each exigent circumstance that prompted the search.
5. Employees/staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversation with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of the broader medical examination conducted in private by a medical practitioner.

G. Reporting Sexual Abuse and Sexual Harassment:

1. Inmate Reporting:

- a. Inmates may report sexual abuse or sexual harassment verbally, in writing, through a third party, or anonymously. They may file a grievance, call the PREA hotline, deposit a complaint in the PREA drop box (a secured receptacle located at each facility), tell the PREA Special Investigator/PCIM, contact LESD by using a pre-addressed LESD envelope, or they may tell any staff, contractor, or volunteer and expect the information to be reported immediately and thoroughly investigated as indicated in this AR.
- b. Inmates may only be disciplined for sexual contact with staff upon a finding that the staff member did not consent to such conduct.
- c. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute false reporting, even if the investigation does not establish evidence sufficient to substantiate the allegation.
- d. Allegations of inmate sexual abuse of inmates, employee/staff sexual abuse of inmates, and employee/staff sexual harassment of inmates will be referred for investigation to LESD. LESD shall refer all criminal cases to the local District Attorney's office, or an appropriate prosecutorial authority, and will be available, as requested, to work with those authorities to support criminal prosecution of those cases.
- e. Allegations of inmate sexual harassment of an inmate will be referred to and investigated by the facility PREA Special Investigator/PCIM, and documented on ADOC Form 454-F, *ADOC Investigative Report, Inmate on Inmate Sexual Harassment*.
- f. Each case shall be carefully evaluated on its merits, considering all the evidence and circumstances and whether there is any possibility that the alleged incident could have occurred.
- g. Disciplinary action may be taken when an investigation by the PREA Special Investigator/PCIM and/or LESD determines that an inmate made a false report of sexual harassment or sexual abuse. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Disciplinary sanctions shall be commensurate with the nature and circumstances of the abuse alleged to have been committed, the inmate's disciplinary history, and sanctions imposed for comparable offenses by other inmates with similar histories.

- h. Following the completion of an investigation into an inmate's allegation that he or she suffered sexual abuse or sexual harassment by employee/staff, the inmate shall be informed by the LESD investigator or PREA Special Investigator/IPCM as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The LESD investigator shall draft an appropriate notification and forward the original to the PREA Director, Associate/Deputy Commissioners of Men's and Women's Services, and the appropriate Regional Director(s). The Associate/Deputy Commissioners of Men's and Women's Services shall forward the notification to the appropriate Warden(s). The PREA Director shall be responsible for forwarding the notification to the appropriate PREA Special Investigator/IPCM. The notification will be served on the inmate by the facility PREA Special Investigator/IPCM, who will retain a copy of the notification and document the inmate's receipt of the notification and send a copy to LESD.
- i. For investigations into an inmate's allegation that he or she suffered sexual abuse or sexual harassment by employee/staff, the PREA Special Investigator/IPCM shall inform the inmate in writing if the employee/staff are reassigned to another position or is no longer working for the ADOC.
- i. Following the completion of an investigation into an inmate's allegation of inmate sexual harassment of an inmate, the inmate shall be informed in writing by the PREA Special Investigator/IPCM as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The PREA Special Investigator/IPCM will forward copies of the notification to the PREA Director and facility Warden. The notification will be served on the inmate by the facility PREA Special Investigator/IPCM, who will retain a copy of the notification and document the inmate's receipt of the notification and send a copy to LESD.

2. Staff and Agency Reporting Duties:

- a. Employees/staff who have any knowledge or suspicions, or who receive any information, including verbal, written, third-party or anonymous complaints concerning inmate sexual abuse, inmate sexual harassment, and custodial sexual misconduct, retaliation against inmates or employees/staff who report such an incident, or any employee/staff neglect or violation of responsibilities that may have contributed to an incident or violation, shall immediately report the incident to the PREA Special Investigator/IPCM, PREA Director, LESD Director, or through any available PREA reporting

methods, including by depositing information into the secure PREA drop box receptacle located at each facility.

- b. Employees/staff shall not reveal any information related to the incident to anyone other than to the extent necessary to make treatment, investigation, and management decisions. Initial interviews of potential sexual abuse victims should be limited to only that information necessary to protect the victim from immediate harm until an LESD investigator arrives for a more detailed interview.
- c. Upon receiving an allegation that an inmate was sexually abused while confined in another facility, the Warden of the receiving facility shall notify the Warden of the sending facility of the alleged abuse as soon as possible, but no later than seventy-two (72) hours after receiving the allegation, using ADOC Form 454-B, *Reporting to Other Confinement Facilities*. The receiving facility shall complete an ADOC Form 302-A, *Incident Report*, of the alleged incident. The sending facility, where the alleged abuse occurred, ensures that the alleged sexual abuse incident is investigated. The receiving facility Warden ensures that the designated ADOC medical and mental health staff are notified of the allegation in a timely manner.
- d. Medical and mental health practitioners will inform inmates prior to the initiation of services of the limits of their confidentiality and report information about sexual victimization to the facility PREA Special Investigator/IPCM.
- e. Any allegations of sexual abuse or sexual harassment involving a youthful inmate shall also be reported to the Alabama Department of Human Resources (DHR) by the PREA Special Investigator/IPCM.

H. Responding to Sexual Abuse and Harassment:

1. The first responder, upon learning of an allegation of a PREA-related incident, shall:
 - a. Physically separate the victim(s), perpetrator(s), and witnesses;
 - b. Notify an Alabama Peace Officer Standards and Training Commission (APOSTC) certified security staff member if the first responder is not APOSTC certified;
 - c. Protect and preserve the crime scene until appropriate steps can be taken to collect evidence;

- d. Request that the alleged victim not take any actions that would destroy any evidence, specifically requesting that the victim not bathe, wash, brush teeth, eat, drink, smoke, urinate, defecate, or change clothes if the abuse occurred within a period that allows for collection of physical evidence;
 - e. Prevent the alleged perpetrator from bathing, washing, brushing teeth, eating, drinking, smoking, urinating, defecating or changing clothes if the abuse occurred within a period that allows for collection of physical evidence;
 - f. Not show the alleged victim(s), perpetrator(s), or witnesses any evidence, such as, but not limited to, pictures or video footage of the incident, and not interview any of these parties on the specifics of the incident;
 - g. Notify the PREA Special Investigator/IPCM;
 - h. Notify the Shift Commander of the incident;
 - i. The PREA Special Investigator/IPCM will draft ADOC Form 302-A, *Incident Report*, if the PREA Special Investigator/IPCM is not available then the Shift Commander will draft ADOC Form 302-A, *Incident Report*.
 - j. Notify LESD immediately if an inmate used a weapon or experienced bodily harm during the incident; and
 - k. Avoid using inmates for any interpretation needs of another inmate, except in exigent circumstances.
2. The Shift Commander shall:
- a. Confirm that the first responder secures the crime scene;
 - b. Confirm that the PREA Special Investigator/IPCM is notified;
 - c. Confirm that LESD is notified;
 - d. Confirm that the collection of evidence is only accomplished by trained and qualified staff in accordance with AR 306, *Evidence Control and Management*, or by LESD staff in accordance with LESD evidence collection SOPs;

- e. When a sexual assault is alleged, ensure that the alleged victim is taken to the medical unit for a medical evaluation in the clothes he/she was wearing when the abuse occurred, if the abuse occurred within a period that allows for collection of physical evidence. The medical staff shall determine whether the inmate should be referred for a SAFE kit to be conducted at an authorized SAFE center. In some cases, after medical staff have made a determination that a sexual assault exam may not be needed, for investigative and prosecutorial reasons, the LESD Director shall have the authority to order that an inmate should be referred for a SAFE kit to be conducted at an authorized SAFE center;
 - f. Confirm that the medical treatment sheet has been completed by medical staff and attached to the ADOC Form 302-A, *Incident Report*;
 - g. Not show the alleged victim(s), perpetrator(s), or witnesses any evidence, such as, but not limited to, pictures or video footage of the incident, and not interview any of these parties on the specifics of the incident;
 - h. Follow the instructions of the PREA Special Investigator/IPCM and/or LESD investigator. Once the incident has been turned over to the PREA Special Investigator/IPCM and/or LESD investigator, the shift commander shall not conduct any further questioning of the alleged victim(s), perpetrator(s), or witnesses regarding the incident;
 - i. Confirm that all photographs of alleged victim(s), perpetrator (s), and witnesses are only taken when advised by PREA Special Investigator/IPCM and/or LESD investigator or when required by applicable ADOC regulations. (NOTE: Pictures should not be taken of the genital area or breast area.); and
 - j. Avoid using inmates for any interpretation needs of another inmate, except in exigent circumstances.
3. LESD Response:
- a. The clothing of an alleged sexual assault victim shall remain on the victim until the SAFE kit, if applicable, has been completed. The clothing, SAFE kit, and other identifying articles of the alleged assault victim or perpetrator shall be collected as evidence by the assigned LESD investigator.
 - b. The LESD investigator confirms that criminal investigative evidence requiring forensic testing, including a completed SAFE kit, is

transported to the Alabama Department of Forensic Sciences (DFS) in accordance with applicable LESD policies and that all other evidence is taken to the appropriate evidence storage facility.

- c. At a minimum, the LESD investigator shall:
 - (1) Gather and preserve evidence, including DNA, video, pictures, etc.;
 - (2) Interview the alleged victim;
 - (3) Interview the alleged perpetrator and any known witnesses; and
 - (4) Review any known previous complaints and reports of sexual abuse involving the alleged perpetrator.
 - d. Upon completion of the investigation, the LESD investigator shall complete an investigative report and forward it through his/her chain of command to his/her supervisor for approval.
 - e. The LESD supervisor will then forward the investigative report to the LESD Director or designee for approval. The LESD Director or designee will then distribute a copy of the investigative report to all applicable personnel.
 - f. Following the completion of the investigation, the LESD investigator shall prepare and forward the notification required in subparagraph V.G.1.h.
 - g. The LESD investigative report shall include a credibility assessment of witnesses interviewed.
4. PREA Special Investigator/IPCM Response:
- a. The PREA Special Investigator/IPCM shall only investigate allegations of inmate sexual harassment of an inmate but shall collect all paperwork compiled in inmate-on-inmate sexual abuse and staff on inmate sexual harassment and staff on inmate sexual abuse incidents. The PREA Special Investigator/IPCM shall use ADOC Form 454-P, *Sexual Abuse & Sexual Harassment Packet Checklist*, to guide their document collection.
 - b. If the PREA Special Investigator/IPCM is not available, the assigned IPCM backup who has completed PREA investigation

training to investigate allegations of inmate sexual harassment of inmates.

- c. The PREA Special Investigator/IPCM and/or assigned IPCM backup is responsible for conducting a prompt, thorough, and objective administrative investigation in all such cases.
 - d. Upon completion of the investigation, the PREA Special Investigator/IPCM or IPCM backup shall prepare a report of the investigation, using Form 454-F, *ADOC Investigative Report, Inmate on Inmate Sexual Harassment*, and provide copies to the PREA Director and attach a copy to the 302 report.
 - e. If the alleged victim is still in ADOC custody, the PREA Special Investigator/IPCM or IPCM backup will notify the alleged victim of the outcome of the investigation and document receipt of the notification utilizing ADOC Form 454-F, *ADOC Investigative Report, Inmate-on-Inmate Sexual Harassment*.
 - f. Disciplinary sanctions shall be initiated, in accordance with AR 403, *Procedures for Inmate Rule Violations*, for abusers in substantiated allegations and unsubstantiated allegations where there is sufficient evidence to satisfy the “some evidence” standard for inmate disciplinary procedures. Disciplinary sanctions shall be commensurate with the nature and circumstance of the offense committed, the inmate's disciplinary history, and sanctions for other inmates for comparable offenses with similar histories.
 - g. The PREA Special Investigator/IPCM shall be notified of, but shall not investigate, alleged incidents involving inmate sexual abuse of an inmate or staff on inmate sexual abuse.
5. Medical and Mental Health Care Response:
- a. Upon learning of a sexual abuse allegation, the PREA Special Investigator/IPCM shall immediately refer an inmate victim to an ADOC mental health professional for further treatment and counseling. A referral shall be made utilizing the mental health referral form, ADOC Form MH-008, *Mental Health Referral Form*. Victims shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The victim shall be offered timely information about, and timely access to, emergency contraception and sexually transmitted prophylaxis, in accordance with professionally accepted standards of care and where medically appropriate.

- b. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim and immediately notify the appropriate medical and mental health practitioners.
 - c. Treatment and ongoing services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with an investigation arising out of the incident.
 - d. Medical and mental health evaluations and treatment shall be offered to all inmates who have been victimized by sexual abuse.
 - e. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or upon their release from custody.
 - f. An attempt shall be made to conduct a mental health evaluation of known inmate-on-inmate abusers within sixty (60) days of learning of such abuse history and offer treatment when deemed appropriate by the mental health practitioner.
6. When applicable, the Associate/Deputy Commissioners of Men's and Women's Services shall determine the reassignment of employees/staff allegedly involved in any PREA incidents.
- I. Retaliation Monitoring:
- 1. Retaliation for reporting incidents or cooperating with investigations is strictly prohibited by employees/staff and inmates.
 - 2. The Warden and PREA Special Investigator/IPCM shall implement policies to protect inmates and/or staff who report sexual abuse or sexual harassment of an inmate or who cooperate with an investigation of sexual abuse or sexual harassment of an inmate from retaliation by other inmates and staff.
 - 3. The Warden shall monitor the conduct and treatment of employees/staff for at least ninety (90) days after an incident is reported, using ADOC Form AR 454-I, *Sexual Abuse Retaliation Monitoring*. The monitoring period will be extended in thirty (30) day increments for continuing need.
 - 4. The PREA Special Investigator/IPCM shall monitor the conduct and treatment of the inmate(s) for at least ninety (90) days after an incident is reported, using ADOC Form AR 454-I, *Sexual Abuse Retaliation*

Monitoring. The monitoring period will be extended in thirty (30) day increments for continuing need.

5. Monitoring shall consist of:
 - a. Making visual contact with the monitored person;
 - b. For inmates, reviewing disciplinary reports, housing, or program changes; and
 - c. For employees/staff, reviewing negative performance reviews or staff reassignments.
6. The facility's obligation to monitor may terminate if the facility determines the allegation is unfounded or the inmate is transferred to a new facility.

J. Sexual Abuse Incident Review:

1. Within thirty (30) days of the receipt of the final LESD investigative report, a sexual abuse incident review shall be conducted on all substantiated and unsubstantiated PREA allegations. The review shall be documented on ADOC Form AR 454-G, *Sexual Abuse Incident Review*.
2. The sexual abuse incident review shall be conducted by a team composed of, but not limited to, the Warden or designee, a medical or mental health representative, an LESD investigator, a supervisor present at time of the allegation, and the PREA Special Investigator/IPCM.
3. The PREA Special Investigator/IPCM shall take detailed meeting minutes to include the agenda, participants, date, identifying names and numbers in the investigation, type of investigation and findings, and all meeting content, using ADOC Form AR 454-G, *Sexual Abuse Incident Review*.
4. The sexual abuse incident review team shall:
 - a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - b. Consider whether the incident or allegation was motivated by race or ethnicity; gender identity, LGBTIGN identification, status, or perceived status; gang affiliation; or whether it was motivated or otherwise caused by other group dynamics;

- c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may hide abuse;
 - d. Assess the adequacy of the staffing levels in that area during different shifts; and
 - e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
5. The PREA Special Investigator/IPCM shall prepare a final report using ADOC Form AR 454-G, *Sexual Abuse Incident Review*, and forward copies to the PREA Director and facility Warden. The Warden shall record on the sexual abuse incident review form the recommendations implemented and the reasons for not implementing any suggested changes and forward copies of the completed form to the appropriate Regional Director and PREA Director.

K. Placement in Restrictive Housing:

1. An inmate designated as being at risk of sexual victimization or who reports sexual victimization shall not involuntarily be placed in restrictive housing unless there has been an assessment and determination made that there are no other housing alternatives available. If a facility cannot conduct such an assessment immediately, the facility may involuntarily hold an inmate in restrictive housing for less than 24 hours while completing the assessment.
2. In the event that an inmate designated as being at risk of sexual victimization or who reports sexual victimization requests placement in restrictive housing, the security staff and/or the PREA Special Investigator/IPCM shall require the inmate to write a statement disclosing his/her decision to be voluntarily housed in restrictive housing. The inmate's statement should be signed and dated by the inmate, security staff, and PREA Special Investigator/IPCM and scanned into the inmate's file.
3. In cases where restrictive housing is the only means to protect such an inmate, the inmate shall have access to all programs, privileges, education, and work opportunities, to the extent possible. Further, victims shall only be placed in restrictive housing until an alternative means of separation from likely abusers can be arranged, and, in no event to exceed thirty (30) days. In these cases, the facility shall clearly document the following on the ADOC Form 454-H, *Post Allegation Restrictive Housing*:
 - a. The basis for the facility's concern for the inmate's safety; and

- b. The reason why no alternative means of separation can be arranged.
4. Every thirty (30) days, the facility shall afford the inmate a review to determine whether there is a continuing need for separation from the general population.

L. Interpretation Services:

1. Except in exigent circumstances, inmates shall not be used as interpreters for inmates with disabilities or for inmates who have limited English proficiency.
2. Staff shall utilize Google Translate, the Braille Inmate Handbook, or Alabama Institute of Deaf and Blind contract services for the interpretation needs of inmates with disabilities and inmates who have limited English proficiency throughout the sexual abuse or sexual harassment investigation.

M. Data Collection and Retention:

1. ADOC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
2. The PREA Director shall compile the records and data from the previous calendar year necessary to fill out the requested data in the DOJ's Survey of Sexual Violence (SSV).
3. The PREA Director shall review data collected to assess and improve the effectiveness of appropriate ADOC PREA policies and procedures. The PREA Director shall prepare a report on each facility for the Commissioner that identifies problem areas, recommends appropriate corrective action plans, and provides a comparison of the previous year's data and reports.
4. The above referenced data shall be retained securely for ten (10) years.
5. Criminal and administrative investigation records shall be retained for as long as the alleged abuser is in ADOC custody or employed, plus five (5) years.
6. The agency shall redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility.

N. Facility Audits:

1. Each facility operated by the ADOC, or by a private organization on behalf of the ADOC, shall be audited at least once during each three (3) year PREA audit cycle.
2. One-third of the facilities operated by the ADOC, or by a private organization on behalf of the ADOC, shall be audited during each one (1) year period.
3. The audit shall be conducted by a DOJ Certified PREA Auditor(s).
4. The auditor shall have access to all relevant agency-wide policies, procedures, reports, internal and external audits, and accreditations for that facility.
5. The auditor shall have access to, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period.
6. The auditor shall have access to and observe all areas of the audited facilities.
7. The auditor shall be permitted to interview a representative sample of inmates and employees/staff in a private setting.
8. Audit reports shall state whether ADOC policies and procedures comply with relevant PREA Standards and shall be provided to the Associate/Deputy Commissioner of Special Services, the PREA Director, the Warden, the PREA Special Investigator/IPCM, appropriate Regional Director, and the Associate/Deputy Commissioner of Men's Services and Associate/Deputy Commissioner for Women's Services (for women's facilities only).
9. An audit finding of "Does Not Meet Standards" triggers a 180-day corrective action period. The auditor, along with the PREA Special Investigator/IPCM, Warden, Associate/Deputy Commissioner of Women's Services (for women's facilities only), Associate/Deputy Commissioner of Men's Services, appropriate Regional Director, and the PREA Director, shall jointly develop a corrective action plan to achieve PREA compliance.
10. Within ninety (90) days of the auditor's final determination, the ADOC may lodge an appeal with the DOJ regarding any specific audit finding that it believes to be incorrect.

11. The ADOC shall publish the auditor's final report on the agency website to make it available to the public.

VI. DISPOSITION

Any forms used will be retained and disposed of in accordance with the Departmental Records Disposition Authority (RDA), unless the provisions of the RDA conflict with specific provisions of this AR. In the event of a conflict, the provisions of this AR control this disposition.

VII. ANNEXES AND FORMS

- A. ADOC Form 454-A, *Inmate Orientation Acknowledgement*
- B. ADOC Form 454-B, *Reporting to Other Confinement Facilities*
- C. ADOC Form 454-C, *Medical and Mental Health Confidentiality Consent Form*
- D. ADOC Form 454-D, *PREA Risk Factors Checklist*
- E. ADOC Form 454-E, *PREA Risk Reassessment*
- F. ADOC Form 454-F, *ADOC Investigative Report, Inmate-on-Inmate Sexual Harassment*
- G. ADOC Form 454-G, *Sexual Abuse Incident Review*
- H. ADOC Form 454-H, *Post Allegation Restrictive Housing Unit Placement*
- I. ADOC Form 454-I, *Sexual Abuse Retaliation Monitoring*
- J. ADOC Form 454-J, *Annual Staffing Review Checklist*
- K. ADOC Form 454-K, *Unscheduled and Unannounced Rounds Log*
- L. ADOC Form 454-L, *Hotline Check Log*
- M. ADOC Form 454-M, *Video Monitoring Check Log*
- N. ADOC Form 454-N, *Secure Facility Vulnerability Assessment*
- O. ADOC Form 454-O, *Post Deviation Log*
- P. ADOC Form 454-P, *Sexual Abuse & Sexual Harassment Packet Checklist*
- Q. ADOC Form 454-Q, *Inmate Search Preference*

- R. Annex A to AR 454, *What Inmates Should Know About Sexual Abuse & Sexual Harassment Pamphlet (English)*.
- S. Annex B to AR 454, *What Inmates Should Know About Sexual Abuse & Sexual Harassment Pamphlet (Spanish)*.
- T. Annex C to AR 454, *What Staff Should Know About Sexual Misconduct with Inmates Pamphlet*.
- U. Annex D to AR 454, *PREA Staff First Responder Duties Card*
- V. Annex E to AR 454, *PREA Training for Volunteers and Contractors*.

VIII. SUPERSEDES

This AR supersedes AR 454, *Inmate Sexual Assault and Harassment Awareness*, dated January 4, 2016, and any related changes.

IX. PERFORMANCE

- A. Code of Federal Regulations, Title 28, Part 115, Prison Rape Elimination Act of 2003.
- B. Code of Alabama 1975 §§ 13A-6-60, 13A-6-61, 13A-6-63, 13A-6-65, 13A-6-65.1, 14-1-1 et seq., 14-11-30, 14-11-31, and 14-11-32.
- C. AR 208, *Employee Corrective Action (ECA)*.
- D. AR 216, *Background Checks*.
- E. AR 302, *Incident Reporting*.
- F. AR 306, *Evidence Control and Management*.
- G. AR 336, *Searches*.
- H. AR 403, *Procedures for Inmate Rule Violations*
- I. AR 433, *Restrictive Housing Units (RHU)*.



John Q. Hamm
Commissioner

ALABAMA DEPARTMENT OF CORRECTIONS
INMATE ORIENTATION ACKNOWLEDGEMENT



I, _____ AIS # _____
_____ , _____
Inmate Name

acknowledge that I have received and understand ADOC's policies regarding the prohibition, prevention, detection, self-protection, reporting, treatment, counseling, and available victims' services relating to inmate sexual abuse, sexual harassment, custodial sexual misconduct, and the Prison Rape Elimination Act (PREA).

On _____ At _____
Date Facility

Inmate's Signature: _____ Date: _____

Witness's Printed Name: _____

Witness's Signature: _____

Inmates with Disabilities and LEP (PREA Standard 115.16).

Distribution: Original—Central Records Division
Copy—Inmate Database
Copy—PREA Special Investigator/IPCM

ALABAMA DEPARTMENT OF CORRECTIONS
REPORTING TO OTHER CONFINEMENT FACILITIES



Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Warden/Facility Head of the inmate’s current facility shall notify both the Warden/Facility Head where the alleged sexual abuse occurred and LESD as soon as possible, but no later than 72 hours after receiving the allegation.

Inmate Alleging Sexual Abuse:	_____	_____
	Name	AIS No.

Inmate’s Current Facility:	_____
	Facility

Facility Where Alleged Sexual Abuse Occurred:	_____
	Facility

Allegation Reported to Inmate’s Current Facility:	_____	_____
	Date	Time

Notification to Facility Where Alleged Sexual Abuse Occurred:	_____	_____
	Date	Time

Warden/Facility Head Notifying Facility:	_____	_____
	Name	Title
	_____	_____
	Signature	Date

Warden/Facility Head Receiving Notification:	_____	_____
	Name	Title
	_____	_____
	Signature	Date

Notification to LESD:	_____	_____
<input type="checkbox"/> Yes	<input type="checkbox"/> No	LES D Investigator
		Time & Date

ALABAMA DEPARTMENT OF CORRECTIONS
MEDICAL AND MENTAL HEALTH CONFIDENTIALITY CONSENT



Please be advised that medical and mental health personnel are required by law to report any information regarding sexual abuse that may have occurred while incarcerated to the appropriate officials. Additionally, medical and mental health personnel will keep confidential any information regarding sexual abuse that may have occurred while not incarcerated unless you are under the age of 18.

Consent

Refusal

Inmate Printed Name: _____ **AIS No:** _____

Inmate Signature: _____ **Date:** _____

Witness Printed Name: _____

Witness Signature: _____ **Date:** _____

ALABAMA DEPARTMENT OF CORRECTIONS
PREA RISK FACTORS CHECKLIST



Inmate Name: _____ AIS #: _____ DOB: _____

Interviewer Completing Checklist: _____

Print

Signature

Date of Screening: _____

Reason for Screening: New Admission/Intake Intra-System Transfer

SECTION I: SEXUAL VICTIMIZATION RISK FACTORS

	Mode:	Q=Question; O=Visual Observation; FR=File Review/Transcript	Yes	No	Refuse
1	Q	Have you ever experienced sexual victimization? <i>(If Yes, refer inmate to medical/mental health practitioner within 14 days.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Q	Have you ever been told you have a mental disorder, learning disability, physical disability, or developmental disability? <i>(Does inmate have difficulty verbalizing or require medical assistive device (e.g., cane, wheelchair, walker, crutches, etc.)? Consider: hearing impairment; speech impediment; legally blind; frail, etc.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3A	Q/FR	Do you consider yourself to be LGBTIGN? <input type="checkbox"/> Lesbian (L) <input type="checkbox"/> Gay (G) <input type="checkbox"/> Bisexual (B) <input type="checkbox"/> Transgender (T) <input type="checkbox"/> Intersex (I) <input type="checkbox"/> Gender Nonconforming (GN)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3B	O	Inmate is perceived to be LGBTIGN? <i>(If inmate answered 3A with No or Refuse)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Q	Do you feel unsafe or vulnerable in a prison setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	FR	Age <i>(Youthful—21 or younger; Elderly—55 or older; confirm Date of Birth above)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	FR	Physical build <i>(Male—less than 5'6" and 140 pounds)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	FR	First incarceration <i>(Consider prior juvenile history)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	FR	Current or prior conviction for sexual offenses against an adult or child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	FR	Exclusively non-violent criminal history	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	FR	Detained solely on civil immigration charges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If YES for Risk Factor No. 1 OR at least three Section I Risk Factors (if male) OR at least four Section I Risk Factors (if female), assign Victim Designation and complete Section III.

SECTION II: SEXUAL PREDATORY RISK FACTORS

11	FR	Prior acts of sexual abuse? <i>(If Yes, refer inmate to medical/mental health practitioner within 14 days.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	FR	Prior convictions of violent, non-sexual offenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	FR	History of institutional violence or sexual abuse <i>(History, Disciplinarys, etc.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	FR	History of engaging in domestic violence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	FR	Gang affiliation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If YES for Risk Factor No. 11 OR at least three Section II Risk Factors, assign Predator Designation and complete Section III.

SECTION III: REFERRAL TO MENTAL HEALTH SERVICES

If inmate is assigned Victim or Predator Designation, inmate must be referred to QMHP for further evaluation.

	Designation (Victim/Predator)	Date	Title/Signature
ADOC Form MH-008, <i>Mental Health Referral Form, Completed</i>			
ADOC Qualified Mental Health Professional (QMHP) Reviewed			

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ALABAMA DEPARTMENT OF CORRECTIONS
PREA RISK REASSESSMENT



Inmate Name: _____ **AIS #:** _____ **Date:** _____

DOB: _____ **Age:** _____ **Gender:** _____ **Race:** _____

Facility: _____ **Arrival Date:** _____ **Bed:** _____

Designation Level: Victim Predator No Designation

Reassessment Reason:

- Request
- 30-Day Review
- Sexual Harassment (Inmate-on-Inmate)
- Sexual Harassment (Staff-on-Inmate)
- Sexual Abuse (Inmate-on-Inmate)
- Sexual Abuse (Staff-on-Inmate)
- Semi-Annual Review of Housing/Programs for Transgender/Intersex Inmates

Explain Determining Factors for Reassessment:

Noted Changes: Yes No (no further action)

Further Actions:

- Referral to Classification Specialist for re-evaluation of Designation Level
- Referral to Mental Health for follow-up

90-Day Monitoring: Yes No

Recommended Monitoring: (e.g., special alerts, retaliation, escape risk, serious self-injurious behavior, risk to others, etc.)

PREA Special Investigator/ IPCM's Signature: _____ **Date:** _____

ALABAMA DEPARTMENT OF CORRECTIONS
SEXUAL ABUSE INCIDENT REVIEW



The Facility Sexual Abuse Incident Review Committee (“SAIRC”) shall meet and conduct a sexual abuse incident review after every sexual abuse investigation, where the allegation has been substantiated or unsubstantiated, but not where the allegation has been determined to be unfounded, within 30 days from the date the PREA Special Investigator/IPCM receives the final LESD investigation report.

Date: _____ **Facility:** _____

Incident No.: _____ **Outcome:** Unsubstantiated Substantiated

Type of Victimization: Inmate-on-Inmate Staff-on-Inmate

REVIEW QUESTIONS

1. Was the area in the facility where the incident allegedly occurred assessed to determine whether physical barriers or blind spots in the area may have enabled abuse?
 No.
 Yes. Explain the barriers or blind spots: _____

2. Was the incident or allegation motivated by any of the following? (*check all that apply*)
 Race Ethnicity Gang Affiliation Perceived Status
 Lesbian Gay Bisexual Transgender Intersex Gender Nonconforming
 Motivated or otherwise caused by other group dynamics at the facility (please explain):

3. Staffing levels in the area were assessed during different shifts and were found to be adequate?
 Yes. N/A.
 No. Explain: _____

4. Should monitoring technology be deployed or augmented to supplement supervision by staff?
 No. N/A.
 Yes. Explain: _____

5. Does the committee’s review of the allegations or investigation indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse?
 No. N/A.
 Yes. Indicate recommended changes: _____

ALABAMA DEPARTMENT OF CORRECTIONS
SEXUAL ABUSE INCIDENT REVIEW (continued)



SAIRC MEMBERS

Name	Title
_____	_____
_____	_____
_____	_____
_____	_____

WARDEN/DIRECTOR REVIEW

I have reviewed the SAIRC's recommendations and, as a result:

Will implement the following recommended changes or improvements, including the timeframe for implementation:

Will not implement the following recommended changes, including the explanation for non-implementation:

Warden/Director's Signature: _____ **Date:** _____

ALABAMA DEPARTMENT OF CORRECTIONS
POST-ALLEGATION RESTRICTIVE HOUSING UNIT PLACEMENT



To be completed following an allegation of sexual abuse by an inmate, or when an inmate is at high risk for sexual victimization, when the alleged inmate victim is placed involuntarily in any restrictive housing unit (RHU), based on the determination that there is no available alternative means of separation from likely abusers.

BASIC INFORMATION

Victim Name: _____ **AIS No.:** _____

Suspect Name: _____ **AIS No.:** _____

Date Allegation Received: _____ **Incident Report No.:** _____

**Shift Supervisor/
IPCM/PREA
Special Investigator:** _____

Printed Name	Signature	Date
--------------	-----------	------

VICTIM INITIAL PLACEMENT

Reason for Placement in RHU: _____

Temporary Involuntary Placement: Yes No
(Pending 24-Hour Assessment of Alternative Housing)

Dormitory/Cell Assignment: _____
Date & Time of Placement: _____

ALTERNATIVE HOUSING ASSESSMENT REVIEW

Date & Time of Review: _____

Conclusions: _____

Results: Victim Released to Regular Housing Victim Remains in RHU

VICTIM CONTINUED PLACEMENT & LIMITATIONS

**Limited Access to Programs/Privileges/
Education/Work Opportunities:** Yes No

List of Limitations: _____

Duration of Limitations: _____

Reason for Limitations: _____

ALABAMA DEPARTMENT OF CORRECTIONS
SEXUAL ABUSE RETALIATION MONITORING



To be completed upon receipt of a sexual abuse allegation for monitoring staff and inmates who report sexual abuse or for monitoring of inmates who are an alleged victim of sexual abuse. Retaliation monitoring can cease if an investigation determines NO Evidence/Unfounded or if the inmate transfers from the facility.

BASIC INFORMATION

Staff/Inmate Monitored: _____ **AIS No.:** _____
Monitoring Reason: Reported Sexual Abuse Retaliation Fear
Monitoring Type: New (90 Days) Continuation (30 Day)
Expiration Date: _____
IPCM/PREA Special Investigator Name: _____
IPCM/PREA Special Investigator Notification Date: _____

MONITORING—WEEK 1

Date: _____
Actions Taken: Reviewed Disciplinary Reports Reviewed Housing Changes
 Reviewed Program Changes Reviewed Performance Evaluations
 Reviewed Staff Reassignments Face-to-Face Contact
Comments: _____

MONITORING—WEEK 2

Date: _____
Actions Taken: Reviewed Disciplinary Reports Reviewed Housing Changes
 Reviewed Program Changes Reviewed Performance Evaluations
 Reviewed Staff Reassignments Face-to-Face Contact
Comments: _____

MONITORING—WEEK 3

Date: _____
Actions Taken: Reviewed Disciplinary Reports Reviewed Housing Changes
 Reviewed Program Changes Reviewed Performance Evaluations
 Reviewed Staff Reassignments Face-to-Face Contact
Comments: _____

MONITORING—WEEK 4

Date: _____
Actions Taken: Reviewed Disciplinary Reports Reviewed Housing Changes
 Reviewed Program Changes Reviewed Performance Evaluations
 Reviewed Staff Reassignments Face-to-Face Contact
Comments: _____

ALABAMA DEPARTMENT OF CORRECTIONS
SEXUAL ABUSE RETALIATION MONITORING (continued)



MONITORING—WEEK 5

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 6

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 7

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 8

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 9

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 10

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

ALABAMA DEPARTMENT OF CORRECTIONS
SEXUAL ABUSE RETALIATION MONITORING (continued)



MONITORING—WEEK 11

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 12

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

MONITORING—WEEK 13

Date: _____

Actions Taken:

<input type="checkbox"/> Reviewed Disciplinary Reports	<input type="checkbox"/> Reviewed Housing Changes
<input type="checkbox"/> Reviewed Program Changes	<input type="checkbox"/> Reviewed Performance Evaluations
<input type="checkbox"/> Reviewed Staff Reassignments	<input type="checkbox"/> Face-to-Face Contact

Comments: _____

CONCLUSION

Findings:

- Monitoring Complete—No Retaliation Found
- Monitoring Complete—Retaliation Addressed and Resolved
- Monitoring Continued for 30 Days

IPCM/PREA
 Special Investigator: _____ Signature _____ Date _____

ALABAMA DEPARTMENT OF CORRECTIONS
ANNUAL STAFFING REVIEW CHECKLIST



Each facility shall develop, document, and make 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 inmates against sexual abuse.

TITLE	NAME/SIGNATURE	DATE
Warden		
PREA Director		
IPCM/PREA Special Investigator		

STAFFING PLAN	
Facility shall consider the following when developing staffing plan:	YES If YES is checked on any response, give details in space provided or attach necessary documents to explain
<i>Generally Accepted Detention & Correctional Practices</i>	
<i>Inadequacy Findings—Judicial</i>	
<i>Inadequacy Findings—Federal Investigations</i>	
<i>Inadequacy Findings—Oversight Bodies</i>	
<i>Components of Facility Physical Plant (include blind spots & areas of isolation)</i>	
<i>Composition of Inmate Population</i>	
<i>Number & Placement of Supervisory Staff</i>	
<i>Facility Programs by Shift</i>	
<i>Applicable Laws, Regulations, & Standards</i>	
<i>Prevalence of Substantiated & Unsubstantiated Incidents of Sexual Abuse</i>	
<i>Deployment of Video Surveillance Monitoring Systems</i>	
<i>Available Facility Resources for Adherence to Staffing Plan</i>	
<i>Other Relevant Factors</i>	

ALABAMA DEPARTMENT OF CORRECTIONS
UNSCHEDULED AND UNANNOUNCED ROUNDS LOG



Intermediate or higher-level supervisors (i.e., IPCM, PREA Special Investigator, and Correctional Lieutenants through Wardens) shall conduct and document unscheduled and unannounced rounds at least three (3) times each week. These rounds shall be implemented on day shifts as well as night shifts to identify and deter staff-on-inmate sexual abuse and sexual harassment.

FIRST ROUND

Shift/Time Round Started: _____
Shift/Time Round Ended: _____
Noted Incidents: _____

Supervisor Signature: _____ **Date:** _____

SECOND ROUND

Shift/Time Round Started: _____
Shift/Time Round Ended: _____
Noted Incidents: _____

Supervisor Signature: _____ **Date:** _____

THIRD ROUND

Shift/Time Round Started: _____
Shift/Time Round Ended: _____
Noted Incidents: _____

Supervisor Signature: _____ **Date:** _____

Distribution: Original—Attach to Shift Log
Copy—PREA Special Investigator/IPCM

ALABAMA DEPARTMENT OF CORRECTIONS
HOTLINE CHECK LOG



Each shift must conduct a PREA Hotline check on one phone per shift. These checks should not be conducted at the same time or on the same phone every day. The staff conducting the PREA Hotline checks must listen to the prompt, dial *661, leave a voice message, and then press the # button before hanging up to ensure that the check has been recorded.

FIRST CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Housing Unit Number/Phone Checked: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

SECOND CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Housing Unit Number/Phone Checked: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

THIRD CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Housing Unit Number/Phone Checked: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

Distribution: Original—Attach to Shift Log
Copy—PREA Special Investigator/IPCM

ALABAMA DEPARTMENT OF CORRECTIONS
VIDEO MONITORING CHECK LOG



The PREA Special Investigator/IPCM must conduct a video monitoring check at least once per week. The PREA Special Investigator/IPCM/Captain/designee conducting the video monitoring (where applicable) shall: ensure that the camera is operable; ensure that the camera has no visual obstructions or blind spots to prevent a good line of supervision; ensure that the camera is positioned correctly; and immediately report and document any visual sexual incidents.

FIRST CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Monitor/Area Viewed: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

SECOND CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Monitor/Area Viewed: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

THIRD CHECK

Shift Check Conducted: _____
Time Check Conducted: _____
Monitor/Area Viewed: _____
Incidents/Actions Taken: _____

Supervisor Signature: _____ **Date:** _____

Distribution: Original—Attach to Shift Log
Copy—PREA Special Investigator/IPCM

ALABAMA DEPARTMENT OF CORRECTIONS
SECURE FACILITY VULNERABILITY ASSESSMENT



BASIC INFORMATION

Annual Assessment (due every January) Review for Deficiency Correction (due every July)

Facility: _____ **Date:** _____
Completed by: _____

A. LIGHTING & SURVEILLANCE CAMERAS	YES	NO	N/A	COMMENTS
1. Adequate and properly functioning interior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Adequate and properly functioning exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Dark areas not reached by exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Adequate and properly functioning interior/exterior surveillance cameras?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Blind spots not reached by interior/exterior surveillance cameras?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Generator connected to critical lighting areas for emergency lighting back-up?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B. BLIND SPOTS NOT VISIBLE TO STAFF	YES	NO	N/A	COMMENTS
1. Blind spots in hallways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Blind spots in dorms/cells?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Blind spots outside of facility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C. COMMON AREAS <i>(e.g., dormitory, school, recreation, visitation, etc.)</i>	YES	NO	N/A	COMMENTS
1. Adequate and properly functioning common area lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Dark areas not reached by common area lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Adequate and properly functioning common area surveillance cameras?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Blind spots not reached by common area surveillance cameras?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Supervisory staff conducting random monitoring of surveillance cameras at least once each shift?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Zero Tolerance Posters displayed throughout common areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D. RADIO COMMUNICATIONS	YES	NO	N/A	COMMENTS
1. Dead areas that affect proper radio communication?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Radios in good working condition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ALABAMA DEPARTMENT OF CORRECTIONS
SECURE FACILITY VULNERABILITY ASSESSMENT (continued)



3. Each dormitory, officer, and vehicle equipped with at least one radio?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Spare radio batteries easily accessible to dormitory, officer, and vehicle?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Security control/staff performing radio checks every shift?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Supply closets and staff restrooms equipped with a lock and locked?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. OFFICE AREAS	YES	NO	N/A	COMMENTS
1. Adequate and properly functioning office lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Blind spots not reached by office surveillance cameras?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
F. RESTROOM AREAS	YES	NO	N/A	COMMENTS
1. Multi-use restroom areas (i.e., toilet and shower areas in same room without separation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Restroom areas allow for direct sight and supervision of inmates?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Entrance and exit of restroom areas controlled by staff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
G. VISITATION AREAS	YES	NO	N/A	COMMENTS
1. Controlled in/out of visitors during visitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Separate restroom facilities for visitors and inmates during visitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Visual obstructions or blind spots to prevent line of sight during visitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Staff conducting video monitoring during visitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
H. SUPERVISION OF INMATES	YES	NO	N/A	COMMENTS
1. Staff maintains continual visual supervision of all assigned inmates?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Staff conducts face-to-name headcount during major on- and off-campus movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Dormitory staff notifies main control each shift of all on- and off-campus inmate movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Dormitory and security staff continually patrol assigned areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ALABAMA DEPARTMENT OF CORRECTIONS
SECURE FACILITY VULNERABILITY ASSESSMENT (continued)



I. AREAS OF DEFICIENCY	POTENTIAL VULNERABILITY	RECOMMENDATION

ALABAMA DEPARTMENT OF CORRECTIONS
POST DEVIATION LOG



Date: _____ **Time:** _____ **Shift:** _____

Supervisor: _____

Deviation: _____
(steps taken to prevent closure of post)

Post Closed: _____

Reason Closed: _____

Expected Return: _____

Date Returned: _____ **Time Returned:** _____

**E-Mail Notification
to IPCM/PREA
Special Investigator:** _____

Supervisor Signature: _____

ALABAMA DEPARTMENT OF CORRECTIONS

SEXUAL ABUSE & SEXUAL HARASSMENT PACKET CHECKLIST



Victim Name: _____ AIS: _____

Suspect Name: _____ AIS: _____

Facility: _____ Incident Report No.: _____ Investigation No.: _____

Allegation Type: Sexual Harassment (Inmate-on-Inmate) Sexual Harassment (Staff-on-Inmate) Sexual Abuse (Inmate-on-Inmate) Sexual Abuse (Staff-on-Inmate)

IPCM/PREA
Special Investigator: _____ Printed Name _____ Signature _____ Date _____

LESD Notification Date: _____ LESD Case No.: _____

SECTION I: SEXUAL HARASSMENT (INMATE-ON-INMATE)		
Collect the following documents for your investigative file:		
1	<input type="checkbox"/>	ADOC Form 302-A, <i>Incident Report</i> , & ADOC Form 302-C, <i>Duty Officer Report</i> .
2	<input type="checkbox"/>	Inmate, Staff, and Witness Statements. ❖ <i>For both victim and suspect, if suspect is identified.</i> ❖ <i>Remind victim of the availability of a victim advocate and other victim resources.</i> <input type="checkbox"/> If not included, explain: _____
3	<input type="checkbox"/>	ADOC Form MH-008, <i>Mental Health Referral Form</i> . <i>For both victim and suspect, if suspect is identified.</i>
4	<input type="checkbox"/>	IPCM/PREA Special Investigator Investigative File. <i>Include copies of previous PREA-related grievances made by victim or suspect.</i>
5	<input type="checkbox"/>	ADOC Form AR 454-F, <i>ADOC Investigative Report Inmate on Inmate Sexual Harassment</i> .
6	<input type="checkbox"/>	ADOC Form AR 454-E, <i>PREA Risk Reassessment</i> . <i>For both victim and suspect, if suspect is identified.</i>
7	<input type="checkbox"/>	Video Recordings. <input type="checkbox"/> If not included, explain: _____
8	<input type="checkbox"/>	Inmate Notification Letter.
SECTION II: SEXUAL HARASSMENT (STAFF-ON-INMATE) & SEXUAL ABUSE (ALL)		
Collect the following documents for your investigative file and provide applicable copies to LESD:		
1	<input type="checkbox"/>	ADOC Form 302-A, <i>Incident Report</i> , & ADOC Form 302-C, <i>Duty Officer Report</i> .
2	<input type="checkbox"/>	Inmate, Staff, and Witness Statements. ❖ <i>Do not interrogate or ask questions of staff or suspects but may collect any available written statements.</i> ❖ <i>Notify victim of staff reassignments, if applicable, for staff-on-inmate allegations.</i> ❖ <i>Remind victim of the availability of a victim advocate and other victim resources.</i> <input type="checkbox"/> If not included, explain: _____
3	<input type="checkbox"/>	ADOC OHS Form E-11(a), <i>Inmate Body Chart Documentation Form</i> . ❖ <i>For both victim and suspect, if suspect is identified.</i> <input type="checkbox"/> If not included, explain: _____
4	<input type="checkbox"/>	S.A.N.E. Center Paperwork. ❖ <i>If applicable. Provide a copy to the ADOC Health Care Unit.</i> <input type="checkbox"/> If not included, explain: _____
5	<input type="checkbox"/>	ADOC Form MH-008, <i>Mental Health Referral Form</i> . ❖ <i>For both victim and suspect, if suspect is identified.</i>
6	<input type="checkbox"/>	ADOC Form AR 454-E, <i>PREA Risk Reassessment</i> . ❖ <i>For both victim and suspect, if suspect is identified.</i>
7	<input type="checkbox"/>	ADOC Form AR 454-H, <i>Post-Allegation Restrictive Housing Unit Placement</i> . ❖ <i>If applicable. Include written statement from victim if requesting placement in Restrictive Housing.</i> <input type="checkbox"/> If not included, explain: _____
8	<input type="checkbox"/>	Video Recordings. <input type="checkbox"/> If not included, explain: _____
9	<input type="checkbox"/>	IPCM/PREA Special Investigator Investigative File. ❖ <i>Include copies of previous PREA-related grievances made by victim or suspect.</i>
10	<input type="checkbox"/>	LESD Final Investigative Report.
11	<input type="checkbox"/>	ADOC Form AR 454-I, <i>Sexual Abuse Retaliation Monitoring</i> .
12	<input type="checkbox"/>	Inmate Notification Letter.
13	<input type="checkbox"/>	ADOC Form AR 454-G, <i>Sexual Abuse Incident Review</i> . ❖ <i>For Substantiated and Unsubstantiated cases only.</i>

ALABAMA DEPARTMENT OF CORRECTIONS
INMATE SEARCH PREFERENCE



To be completed by intake officer during intake.

Inmate Name: _____ **AIS No.:** _____

Facility: Men's Intake Women's Intake **Intake Date:** _____

1. Do you consider yourself to be either transgender or intersex?
 No. STOP and have all parties sign below.
 Yes. Proceed to Question 2.

2. I would prefer to be searched by an officer of the gender I have indicated below:
 Female.
 Male.
 Either.

I have been informed and understand that the selected search preference will be used unless exigent circumstances exist.

Inmate Signature: _____ **Date:** _____

Intake Officer Signature/Rank: _____ **Date:** _____

Witness Signature/Rank: _____ **Date:** _____

Distribution: Original—Inmate File
 Copy—PREA Special Investigator/IPCM
 Copy—OHS/Gender Dysphoria Committee

DID YOU KNOW?

- Sexual abuse and sexual harassment happen to people of all ages.
- Sexual abuse and sexual harassment can happen to males and females.
- Sexual abuse and sexual harassment are about power and violence, not about love.
- Sexual abuse and sexual harassment have nothing to do with sexual orientation.
- The fact that a victim of sexual abuse and sexual harassment became sexually aroused does not mean they were not raped or that they have consented. Sexual arousal is a normal, involuntary reaction.
- Any sexual contact between staff and inmates is against the law.
- Any sexual contact between inmates is against the law.
- It is common for survivors of sexual abuse and sexual harassment to have feelings of embarrassment, anger, guilt, panic, depression, and fear even several months or years after an attack.
- Sexual orientation does not give the “right” for an inmate to be sexually abused or sexually harassed.

Annex A to AR 454 (Front)
05-2025

WHAT SHOULD YOU KNOW IF YOU SEXUALLY ABUSE ANOTHER INMATE?

ADOC will conduct an investigation into the sexual abuse or sexual harassment. You will face consequences from ADOC, and you will face additional criminal charges. If you are found guilty, your time at ADOC may be extended.

Consider that unprotected sex increases your risk of HIV infection, along with exposing you to other sexually transmitted diseases.

If you have trouble controlling your actions, ask for help from a mental health professional.

Stay busy with positive activities like letter writing or physical exercise.

Write:
ALABAMA DEPARTMENT OF CORRECTIONS
ATTN: PREA Director
301 South Ripley Street
Montgomery, Alabama 36104

Call:
THIRD-PARTY PREA HOTLINE
at *661

You can report anonymously by not providing your name and AIS number.

PREA Prison Rape Elimination Act

WHAT INMATES SHOULD KNOW ABOUT SEXUAL ABUSE & SEXUAL HARASSMENT



ALABAMA DEPARTMENT OF CORRECTIONS
301 South Ripley Street
Montgomery, Alabama 36104
1-855-WE-R-ADOC

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is repeated and unwelcomed sexual advances, requests for sexual favors, or verbal comments, gesture, or actions of a derogatory or offensive nature by one inmate directed toward another; or repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning referencs to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

WHAT IS SEXUAL ABUSE?

Sexual abuse is inappropriately exposing or subjecting a person to sexual contact, activity, or behavior. It may include oral, anal, genital, buttock, or breast contact. The sexual activity may be with a male or a female and is done for the benefit of the perpetrator.

No inmate or staff member ever has the right to ask you for a sexual favor or to have sex with you.

ADOC HAS A ZERO TOLERANCE FOR SEXUAL ABUSE OR SEXUAL HARASSMENT OF ANY KIND.

HOW TO AVOID RAPE?

The only way rape can be prevented is when a potential rapist chooses **NOT** to rape. However, you may avoid an attack by keeping the following safety guidelines in mind:

Be aware of situations that make you feel uncomfortable. Trust your instincts. If it feels wrong, **TELL A STAFF MEMBER YOU TRUST.**

Do not be afraid to say **“NO”** or **“STOP IT NOW.”**

Walk and stand with confidence. Many rapists choose victims who look like they will not fight back or are emotionally weak.

Avoid talking idly about sex and do not unnecessarily expose your body to others. These behaviors may make another inmate believe that you are flirting or have an interest in a relationship.

Do not accept canteen items, contraband, or other gifts from inmates. Placing yourself in debt to another inmate can lead to the expectation of repaying the debt with sexual favors.

Avoid secluded areas. Position yourself in plain view of staff members. If you are being pressured for sex, report it to a staff person immediately.

WHAT SHOULD YOU DO IF YOU ARE SEXUALLY ABUSED OR SEXUALLY HARASSED?

Although a sexual predator may threaten to harm you, **REPORT THE ATTACK TO A STAFF MEMBER IMMEDIATELY.** The longer you wait to report the attack, the more power you give to the predator. If you wait, it will be more difficult to obtain the evidence necessary for an investigation.

Request to see the nurse for immediate medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.

Do not shower, brush your teeth, use the restroom, or change your clothes. You may destroy important evidence.

If you have been sexually assaulted or witness a sexual assault, but you are unwilling to report it to your unit staff, then you may fill out a complaint request to talk to the facility Institutional PREA Compliance Manager (IPCM), call *6611, write to ADOC LESD or the PREA Director, call the PREA hotline at 800-639-4357, or report it to a third-party entity.

ALABAMA DEPARTMENT OF CORRECTIONS

301 South Ripley Street
Montgomery, Alabama 36104
1-855-WE-R-ADOC

¿SABÍAS?

- El abuso sexual y el acoso sexual ocurren a personas de todas las edades.
- El abuso sexual y el acoso sexual pueden afectar a hombres y mujeres.
- El abuso sexual y el acoso sexual tienen que ver con poder y violencia, no con amor.
- El abuso sexual y el acoso sexual no tienen nada que ver con la orientación sexual.
- El hecho de que una víctima de abuso sexual o acoso sexual se haya excitado sexualmente no significa que no haya sido violada o que haya dado su consentimiento. La excitación sexual es una reacción normal e involuntaria.
- Cualquier contacto sexual entre el personal y los reclusos es ilegal.
- Cualquier contacto sexual entre reclusos es ilegal.
- Es común que los sobrevivientes de abuso y acoso sexual tengan sentimientos de vergüenza, ira, culpa, pánico, depresión y miedo incluso varios meses o años después de un ataque.
- La orientación sexual no otorga “derecho” a que un recluso sufra abuso o acoso sexual.

¿QUÉ DEBE SABER SI ABUSA SEXUALMENTE DE OTRO RECLUSO?

ADOC llevará a cabo una investigación sobre el abuso sexual o acoso sexual. Enfrentará consecuencias por parte de ADOC y enfrentará cargos criminales adicionales. Si es declarado culpable, su tiempo en ADOC podría extenderse.

Tenga en cuenta que las relaciones sexuales sin protección aumentan el riesgo de infección por VIH, además de exponerlo a otras enfermedades de transmisión sexual.

Si tiene problemas para controlar sus acciones, solicite ayuda a un profesional de salud mental.

Manténgase ocupado con actividades positivas como escribir cartas o hacer ejercicio físico.

Puede escribir al:
DEPARTAMENTO
CORRECCIONAL DE ALABAMA
ATENCIÓN: Director de PREA
301 South Ripley Street
Montgomery, Alabama 36104

Llamar:
LÍNEA DIRECTA DE PREA DE
TERCEROS
en *661

Puede informar de forma anónima sin proporcionar su nombre ni número AIS.

PREA

Ley de Eliminación de las Violaciones en Prisiones

LO QUE LOS RECLUSOS DEBEN SABER SOBRE EL ABUSO Y EL ACOSO SEXUAL



DEPARTAMENTO
CORRECCIONAL DE ALABAMA
301 South Ripley Street
Montgomery, Alabama 36104
334-353-3888

¿QUÉ ES EL ACOSO SEXUAL?

El acoso sexual consiste en insinuaciones sexuales repetidas y no deseadas, solicitudes de favores sexuales o comentarios verbales, gestos o acciones de naturaleza despectiva u ofensiva por parte de un recluso dirigidos a otro; o comentarios verbales o gestos repetidos de naturaleza sexual hacia un recluso por parte de un miembro del personal, contratista o voluntario, incluidas referencias degradantes al género, comentarios sexualmente sugerentes o despectivos sobre el cuerpo o la vestimenta, o lenguaje o gestos obscenos.

¿QUÉ ES EL ABUSO SEXUAL?

El abuso sexual es exponer o someter de manera inapropiada a una persona a contacto, actividad o comportamiento sexual. Puede incluir contacto oral, anal, genital, en los glúteos o en los senos. La actividad sexual puede ser con un hombre o una mujer y se realiza para el beneficio del perpetrador.

Ningún recluso o miembro del personal tiene derecho a pedirle un favor sexual ni a tener relaciones sexuales con usted.

ADOC TIENE CERO TOLERANCIA PARA EL ABUSO SEXUAL O ACOSO SEXUAL DE CUALQUIER TIPO.

¿CÓMO EVITAR LA VIOLACIÓN?

La única forma de prevenir una violación es cuando un violador potencial decide **NO** violar. Sin embargo, puede evitar un ataque si tiene en cuenta las siguientes pautas de seguridad:

Sea consciente de las situaciones que le hagan sentir incómodo. Confíe en sus instintos. Si se siente mal, **DÍGALE A UN MIEMBRO DEL PERSONAL EN QUIEN CONFÍE.**

No tenga miedo de decir "**NO**" o "**¡PARA YA!**".

Camine y permanezca de pie con confianza. Muchos violadores eligen víctimas que parecen no poder defenderse o que son emocionalmente débiles.

Evite hablar vagamente de sexo y no exponga innecesariamente su cuerpo a los demás. Estos comportamientos pueden hacer que otro recluso crea que está coqueteando o que tiene interés en una relación.

No acepte artículos de cantina, contrabando u otros regalos de los reclusos. Ponerse en deuda con otro recluso puede generar la expectativa de pagar la deuda con favores sexuales.

Evite las zonas aisladas. Colóquese en un lugar visible para los miembros del personal. Si le están presionando para tener relaciones sexuales, infórmelo inmediatamente a un miembro del personal.

¿QUÉ DEBE HACER SI USTED ES ABUSADO O ACOSADO SEXUALMENTE?

Aunque un depredador sexual pueda amenazar con hacerle daño, **REPORTE EL ATAQUE A UN MIEMBRO DEL PERSONAL INMEDIATAMENTE.** Cuanto más espere para denunciar el ataque, más poder le dará al depredador.

Si espera, será más difícil obtener las pruebas necesarias para una investigación.

Solicitar ver a la enfermera para recibir atención médica inmediata. Es posible que tenga lesiones graves de las que no sea consciente y cualquier contacto sexual puede exponerlo a enfermedades de transmisión sexual.

No se duche, no se cepille los dientes, no use el baño ni se cambie de ropa. Podría destruir evidencia importante.

Si usted ha sido agredido sexualmente o ha sido testigo de una agresión sexual, pero no está dispuesto a denunciarlo al personal de su unidad, puede completar una solicitud de queja para hablar con el Gerente de Cumplimiento de PREA Institucional (IPCM) del centro, llamar al *6611, escribir a ADOC LESD o al Director de PREA, llamar a la línea directa de PREA al 800-639-4357 o denunciarlo a una entidad de terceros.

**DEPARTAMENTO
CORRECCIONAL DE ALABAMA**
301 South Ripley Street
Montgomery, Alabama 36104
334-353-3388

DID YOU KNOW?

Engaging in any form of sexual conduct with an inmate is unprofessional and will result in violations of ADOC's administrative regulations.

A SPECIAL NOTE TO PERSONS IN POSITIONS OF POWER

Romantic or sexual relationships between inmates and staff (which includes employees, contractors, representatives, or volunteers) are inappropriate and illegal. Inmates depend upon staff to provide their care, ensure their safety, address their health care needs, supervise their work and treatment, and act as role models for socially acceptable conduct. Because of the difference in power, inmates and staff, can never have a consensual relationship. Here are some factors to consider:

Some inmates have a history of victimization, particularly in their formative years, which may make them especially vulnerable to the sexual overtures of persons in positions of authority. Their perception of love and affection may be skewed by this background of abuse, making it impossible for them to refuse the advances of staff.

In some instances, particularly for female inmates, their survival in the community has been directly related to using their sexuality to obtain the means to support themselves. Coupled with low self-esteem, this carries over into their conduct in facilities and while under community supervision.

Occasionally, inmates try to use sex to improve their standing or circumstances (e.g., avoiding disciplinary actions, effecting transfers, gaining privileges, etc.). However, as the person in authority, it is the staff's responsibility both to discourage and refuse any overtures and to always maintain professional boundaries.

Staff and inmates who try to either prevent a person from reporting an incident or retaliate against that person will be subject to the disciplinary process.

Annex C to AR 454 (Front)
05-2025

WHAT SHOULD YOU KNOW IF YOU SEXUALLY ABUSE AN INMATE?

A staff's personal and professional reputation may be jeopardized because of unprofessional conduct. Their effectiveness as agents of ADOC, their careers, and their families can be negatively impacted or destroyed.

Boundaries in relationships can be difficult. If you question your professional boundaries with an inmate or feel uncomfortable with an inmate's actions or advances toward you, talk to another person you respect or bring this matter to the attention of your supervisor before it gets out of control.

If you would like further information concerning treatment resources available, talk with your supervisor about a referral to the State of Alabama Employee Assistance Program.

Write:

**ALABAMA DEPARTMENT OF
CORRECTIONS
ATTN: PREA Director
301 South Ripley Street
Montgomery, Alabama 36104**

Write:

**ALABAMA DEPARTMENT OF
CORRECTIONS
ATTN: LESD
301 South Ripley Street
Montgomery, Alabama 36104**

Call:

**THIRD-PARTY PREA HOTLINE
at *661**

PREA Prison Rape Elimination Act

WHAT STAFF SHOULD KNOW ABOUT SEXUAL MISCONDUCT WITH INMATES



ALABAMA DEPARTMENT OF CORRECTIONS

301 South Ripley Street
Montgomery, Alabama 36104
1-855-WE-R-ADOC

AN ISSUE OF POWER

Alabama Department of Corrections AR 454 specifically forbids any activity associated with or that promotes acts of sexual conduct, including sexual harassment, between inmates and ADOC staff. In this definition, staff includes: employees, contractors, representatives, or volunteers of ADOC. An inmate means someone incarcerated in a facility or under supervision in the community.

Sexual misconduct can be defined as behavior of a sexual nature. The result is a breach of the professional relationship that exists between staff and inmate.

Sexual misconduct distinctly alters the boundary between professional roles and personal relationships—personal elements are then introduced into what should be a sex-neutral situation. Forms of sexual misconduct include:

- Attempts to engage in a sexual act with any inmate's genitalia, inner thigh, breasts, and/or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of another person.
- Any solicitation of sexual activity through promises of favors and/or threatening an inmate for refusing sexual advances.
- Invasion of privacy beyond what is reasonably necessary for safety and security, including disrespectful, unduly familiar, or threatening comments made to inmates.

Annex C to AR 454 (Back)
05-2025

Sexual harassment is any sexual behavior that adversely affects an inmate's environment as it pertains to their reception of treatment or supervision. It can occur without conscious intent and is not limited to explicit demands for sex.

Sexual harassment can take many forms, including:

- Sexual comments about one's body. Repeated staring, comments, and/or propositions of a sexual nature.
- Conversations filled with sexually suggestive innuendoes or double meanings.
- Display of sexually suggestive posters, objects, or messages.
- Demands for acts of a sexual nature.
- Physical sexual assault.
- Request for sex in exchange for favors.

Sexual misconduct, including sexual harassment, is a serious offense and is against the law.

Depending on the investigative findings of an alleged incident, disciplinary action may result in dismissal and the advanced possibility of criminal charges. In addition, persons accused of sexual harassment in civil or criminal proceedings may be held personally liable for damages to the person harassed.

Sexual misconduct is an abuse of power. Staff becoming sexually involved with an inmate is unprofessional and unacceptable conduct. As ADOC staff, your designated assignments place you in a position of authority over the inmates with whom you interact in a professional capacity. It is not possible to have a relationship as equals because you have a responsibility to maintain custody, provide care, provide input to issues that affect release dates, and sanctions.

SOME OTHER THINGS TO CONSIDER:

Inappropriate or sexual relationships with an inmate are seldom a secret. Such behavior will undermine your professional career by subjecting you to disrespect and manipulation from other inmates that may be aware of your situation. This in turn may create an unsafe environment for you and your coworkers.

Others will judge your decisions for professionalism and trustworthiness. Your conduct and the decisions you make reflect on not only your own reputation but also your peers and the agency you represent.

Inappropriate sexual relationships often end with tragedy. If this occurs, you may be vulnerable to a host of problems, including loss of respect from your peers, a damaged reputation, loss of employment, and potential criminal charges and incarceration.

Responding to Sexual Abuse and Sexual Harassment

Staff First Responder Duties For ADOC Correctional Staff

It is your job to prevent, detect, and respond to sexual misconduct in your facility.

Help Inmates Avoid Sexual Victimization

Share these tips with inmates:

1. Avoid isolated areas and stay within sight of staff.
2. Be aware of your body language. Walk with confidence.
3. Do not accept food, clothing or other items from inmates. You may be expected to "repay" your debts with sex.
4. Beware of inmates who say they will protect you. Protection often has a cost.

You must let inmates know:

1. That they have the right to be free from sexual abuse and sexual harassment.
2. How to report incidents of sexual abuse, sexual harassment and sexual misconduct.
3. That they have the right to be free from retaliation for reporting incidents of sexual abuse.
4. How the facility responds to such incidents (policies and procedures).

Staff First Responder Duties

Upon learning of a sexual abuse incident, the first responder shall:

1. Ensure that the victim(s), perpetrator(s), and witnesses are separated.
2. Notify your immediate supervisor, follow the proper chain of command reporting duties.
3. Preserve and protect the crime scene.
4. Ensure that the alleged victim and abuser do not destroy any physical evidence by bathing, brushing teeth, changing clothes, urinating, defecating, drinking, eating, smoking, washing hands, etc.
5. Do not take photos of the victim(s), perpetrator(s), or witnesses.
6. Do not show the alleged victim(s), alleged perpetrator(s), or witnesses any evidence collected.
7. Only ask the victim(s) the basic questions such as WHO, WHAT, WHEN, WHERE and HOW for reporting purposes. Do not question the perpetrator(s) or witnesses.
8. Follow strict confidentiality guidelines: share information on a "who needs to know" basis.

Actions to Be Avoided



Bathing



Brushing Teeth



Changing Clothes



Using the bathroom



Drinking or Eating



Smoking



Alabama Department of Corrections
PREA Division
Prison Rape Elimination Act (PREA)
www.doc.alabama.gov

The National Prison Rape Elimination Act (PREA) standards can be found at
The PREA Resource Center
www.prearesourcecenter.org

**ADOC HAS A
ZERO-TOLERANCE
POLICY AGAINST
ALL SEXUAL ACTS!**

ALABAMA DEPARTMENT OF CORRECTIONS



PRISON RAPE ELIMINATION ACT (PREA) TRAINING FOR VOLUNTEERS AND CONTRACTORS

OVERVIEW

What is the primary intent of the Prison Rape Elimination Act ("PREA" or "Act"), to whom does PREA apply, and what are the purposes?

The Act supports the elimination, reduction and prevention of sexual assault and rape of inmates within corrections systems. It does so by mandating national data collection efforts; providing funding for program development and research; and creating a national commission to develop standards and accountability measures. The Act provides for the analysis of the incidence of prison rape in federal, state and local institutions in order to provide information, resources and recommendations designed to protect individuals from prison rape. The Act applies to all federal, state and local prisons, jails, police lock-ups, private facilities and community settings such as residential facilities.

PREA prohibits coerced sexual contact between inmates and between inmates and staff/contractors/volunteers.

The purposes of PREA are to:

1. Establish a zero-tolerance standard for the incidence of prison rape in prisons in the United States;
2. Make the prevention of prison rape a top priority in each prison system;
3. Develop and implement national standards for the detection, prevention, reduction and punishment of prison rape;
4. Increase the available data and information on the incidence of prison rape, consequently improving the management and administration of correctional facility response to prison rape;
5. Standardize the definitions used for collecting data on the incidence of prison rape;
6. Increase the accountability of prison officials who fail to detect, prevent, reduce, and punish prison rape; and to
7. Protect the Eighth Amendment rights of federal, state, and local prisoners.

The objectives of PREA are to:

1. To establish zero-tolerance standards for sexual assault/abuse in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender, or sexual preference, through accountability of perpetrators and the punishment of those institutional and community correctional officials who fail to detect, prevent, reduce and punish sexual assault/abuse/harassment crimes for incarcerated inmates and those offenders under departmental jurisdiction.
2. To establish and provide implementation of standards for the detection, prevention, reduction and punishment of sexual assault/abuse by increasing the availability of data,

information and training on the incidence of sexual assault/abuse consequently improving the management and administration of correctional facilities.

3. To establish guidelines for proper and immediate reporting of such incidents as well as providing appropriate safeguards for victims, the management of evidence, and actions to be taken from reporting an allegation to substantiation of a sexual assault, sexual abuse, and/or sexual harassment.

What are the Alabama Department of Corrections' (ADOC) procedures for reporting incidents and/or allegations of prison rape?

It is the policy of the ADOC to maintain a zero-tolerance policy regarding inmate sexual offenses, sexual harassment, and custodial sexual misconduct. It is of primary importance that the prevention and the reporting of any allegation or act of inmate sexual assault and/or staff sexual harassment and staff sexual misconduct as outlined throughout ADOC policy is a priority of all agency staff, vendors, contractor and volunteers. Any contractor or volunteer who has knowledge of or is receiving information, whether written, verbal, anonymous or third party, regarding the fear, coercion or sexual misconduct will immediately notify correctional staff.

All staff, inclusive of wardens, assistant wardens, chiefs of security, shift supervisors, volunteers and contract employees will ensure that they foster an environment within their facility(ies) that clearly precludes sexual offenses of any nature. This includes, but may not be limited to:

1. Taking all reports concerning sexual harassment, sexual abuse, and sexual misconduct seriously.
2. Initiating immediate reporting of alleged sexual abuse, staff sexual misconduct and staff sexual harassment.

What is the purpose of PREA Standard§ 115.32 Volunteer and Contractor Training?

- To ensure that volunteers and contractors who have contact with inmates, residents, and detainees are trained on their responsibilities regarding sexual abuse and sexual harassment prevention, detection, response policies and procedures at the agency in which they are working.
- To ensure that everyone in the facility, including volunteers and contractors, understands the agency's zero-tolerance policy toward sexual abuse and sexual harassment, that the agency prohibits them from engaging in sexual relations with incarcerated people, and that sexual abuse and sexual harassment are always reported. The goal is to prevent abuse and to create an effective reporting process that cultivates a reporting culture among volunteers and contractors while providing appropriate assistance to all survivors.

The ADOC policy defines inmate sexual assault and/or staff sexual harassment, and custodial sexual misconduct as follows:

- **Sexual Assault:** Any willful attempt or threat to inflict injury with the intent to commit the crime of rape or other sexual offense upon an inmate, officer, employee,

or any other person, giving the victim reason to fear or expect immediate bodily harm.

- **Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; or repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender.
- **Custodial Sexual Misconduct:** As defined in Alabama Code Section 14-11-31, It shall be unlawful for any employee to engage in sexual conduct with a person who is in the custody of the Department of Corrections.
- PREA is broader than Alabama law on sex crimes. PREA prohibits coerced or unwanted sexual contact between inmates and between inmates and staff/contractors/volunteers. **Sexual contact** includes any time an inmate's genitals come into contact with another person's mouth, genitals, or buttocks, even if there is no penetration. This also includes when an inmate intentionally touches another inmate on the genitals, breast, groin, inner thigh, or buttocks, without their consent.

How does someone maintain a professional relationship with inmates?

Some of the most important ways you can maintain appropriate limits with inmates are to avoid discussing personal information about yourself (also known as "overfamiliarity"), respect inmates' limits and privacy, and demonstrate professionalism in all of your interactions.

Some examples of behaviors that volunteers and contractors should refrain from include:

- "Horseplay" or touching an inmate or making them touch you when not officially related to volunteer/contractor duties;
- Borrowing or lending anything to/from an inmate, including contraband or other goods;
- Doing favors for an inmate, outside the scope of your volunteer/contractor position;
- Keeping secrets for an inmate, or their family or friends.

How does someone report a suspected PREA violation?

Reporting a sexual assault behind bars basically means telling anyone who works here. The ADOC's official position is that all reports will be taken seriously and will be investigated. There are several ways to report knowledge, suspicion, or information about sexual abuse or sexual harassment.

- Verbally report to your supervisor, ADOC staff, or medical/mental health staff
- Report in writing to any of these individuals

- Online at:
<http://www.doc.state.al.us/InvestigationRequest> Via
Email at: DOC.PREA@doc.alabama.gov

ADOC also accepts - and will immediately investigate - a report made on behalf of a third party, such as by a loved one or an attorney, as well as reports that are made anonymously. The ADOC will investigate all allegations of sexual abuse and sexual harassment, even if the person making the report chooses to stay anonymous.

I have read, understand and agree to comply with the provisions of this training.

Name of Company

Printed Name of Contractor/Volunteer

Date

Contractor/Volunteer Signature

Date

Signature of Trainer

Date

Alabama Department of Corrections PREA <u>Training</u> Card	Alabama Department of Corrections PREA <u>Training</u> Card
Renewal Date	Name _____
Signature of Trainer	Contractor/Volunteer
	PREA Certification Date
Alabama Department of Corrections PREA <u>Training</u> Card	Alabama Department of Corrections PREA <u>Training</u> Card
Renewal Date	Name _____
Signature of Trainer	Contractor/Volunteer
	PREA Certification Date
Alabama Department of Corrections PREA <u>Training</u> Card	Alabama Department of Corrections PREA <u>Training</u> Card
Renewal Date	Name _____
Signature of Trainer	Contractor/Volunteer
	PREA Certification Date
Alabama Department of Corrections PREA <u>Training</u> Card	Alabama Department of Corrections PREA <u>Training</u> Card
Renewal Date	Name _____
Signature of Trainer	Contractor/Volunteer
	PREA Certification Date

National Victim Service Hotlines

RAINN (Rape, Abuse, and Incest Network)

1-800-656-HOPE

National Suicide Prevention Lifeline

1-800-273-8255

National Helpline (Mental Health and Substance Abuse)

1-800-662-4357

National Hotline for Crime Victims

1-855-484-2846

National Domestic Violence Hotline

1-800-799-7233

National Teen Dating Abuse Hotline

1-866-331-3474

The Trevor Project (Crisis Line for LGBTQ+ Youth)

1-866-488-7386

Alabama Coalition Against Rape

334-264-0123

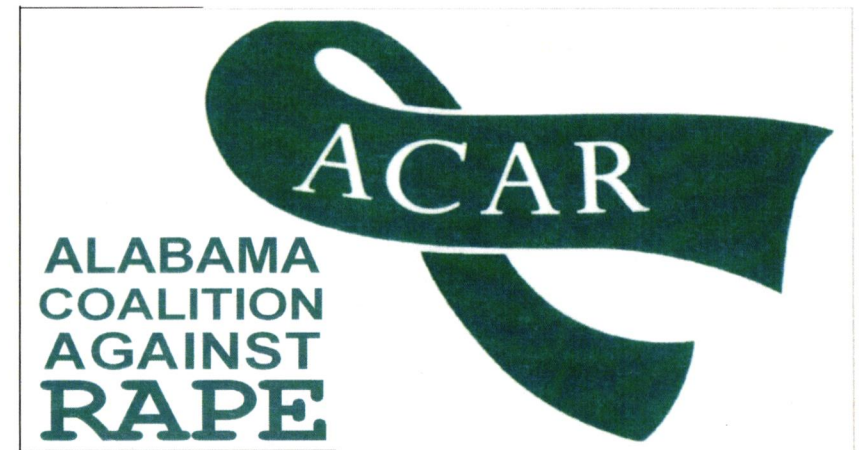
7003 Fulton Court

Montgomery, AL 36117

ACAR.org

ACAR does not discriminate on the basis of race, color, national origin, religion, sex, disability, age, creed, marital status, sexual orientation, culture, language ability, gender expression, economic status, education or HIV status.

Help for victim/ survivors of sexual assault



ACAR.ORG

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Annex E to AR 454
08-2025

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What to do if you are sexually assaulted

Please know that you are not alone. The Alabama Coalition Against Rape member rape crisis centers are here to provide medical and legal advocacy, counseling, emotional support, information, and referrals.

If you are in immediate danger or seriously injured, call 911. If you're not feeling safe, consider reaching out to someone you trust for support.

You may be feeling ashamed, or like you are somehow to blame. Try to resist those feelings - what happened to you is not your fault.

If possible, do not bathe, douche, urinate, defecate, brush your teeth, or change your clothes prior to the medical exam.

You can receive assistance from the ACAR member rape crisis center nearest you at the numbers listed opposite. National Hotlines are also available and are listed on the back of the brochure.

Alabama Rape Crisis Centers

2nd Chance, Inc. (Anniston) - 256-236-7233

Asha Kiran (Huntsville) - 256-509-1882

Crisis Center, Inc./Rape Response & SANE (Birmingham) - 205-323-7273

Crisis Services of North Alabama (Huntsville) - 256-716-1000

Family Services of North Alabama (Albertville) - 855-878-9159

Family Sunshine Center (Montgomery) - 334-263-0218

The House of Ruth, Inc. (Dothan) - 334-793-2232

Lifelines Counseling Services/Rape Crisis Center (Mobile) - 251-473-7273

The Lighthouse (Robertsdale) - 251-947-6008

Mental Health Association (Decatur) - 256-353-1160

One Place of the Shoals (Florence) - 256-767-1100

Rape Counselors of East Alabama (Opelika) - 334-705-0510

Safehouse/Safe Shelby Sexual Assault Services (Pelham) - 205-669-7233

Turning Point (Tuscaloosa) - 205-758-0808

Tuscaloosa SAFE Center (Tuscaloosa) - 205-860-7233

Victim Services of Cullman (Cullman) - 256-734-6100

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**Lineas directas del Servicio Nacional de
Victimas**

1-800-656-ESPERA

Linea Nacional de Prevencion del Suicidio

1-800-273-8255

Linea de ayuda nacional (salud mental y abuso de sustancias)

1-800-662-4357

Linea directa nacional para victimas de delitos

1-855-484-2846

Linea Nacional de Atencion sobre Violencia Domestica

1-800-799-7233

Linea Nacional de Atencion al Abuso en el Noviazgo Adolescente

1-866-331-3474

El Proyecto Trevor (Linea de Crisis para Jovenes LGBTQ+)

1-866-488-7386

Coalicion de Alabama contra la Violacion

334-264-0123

7003 Fulton Court

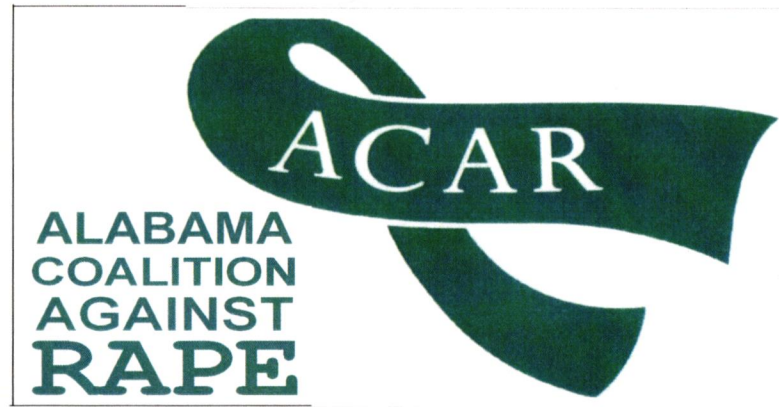
Montgomery, Alabama 36117

ACAR.org

ACAR no discrimina por motivos de raza, color, origen nacional, religion, sexo, discapacidad, edad, credo, estado civil, orientacion sexual, cultura, capacidad lingüística, expresion de genero, situacion economica, educacion o estado de V. Este proyecto recibio el apoyo de la subvencion n.º 17-VA-VS-002, otorgada po Division de Seguridad Vial de las Fuerzas del Orden de ADECA y el Departame 11 de Justicia de los Estados Unidos. Las opiniones, hallazgos, conclusiones o recomendaciones expresadas en esta publicacion/programa/exposicion son I.

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Ayuda para victimas / sobrevivient es de agresión sexual



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Que hacer si sufres una agresion sexual

Tenga en cuenta que no esta solo. Los centros de crisis por violación de la Coalición de Alabama Contra la Violación estan aquí para brindar apoyo medico y legal, consejeria, apoyo emocional, información y referencias.

Si esta en peligro inmediato o gravemente herido, Harme al 911. Si no se siente seguro, considere comunicarse con alguien de confianza para obtener apoyo.

Quizas te sientas avergonzado o culpable. Intenta resistir esos sentimientos: lo que te pasó no es tu culpa.

Si es posible, nose bañe, se duche, orine, defeque, se cepille los dientes ni se cambie de ropa antes del examen medico.

Puede recibir asistencia de! centro de crisis por violación miembro de ACAR mas cercano a usted llamando a los numeros que aparecen al dorso. Tambien hay una Jinea directa nacional disponible, que se encuentra al dorso del folleto.

Centros de Crisis por Violación de Alabama

2nd Chance, Inc. (Anniston) - 256-236-7233

Asha Kiran (Huntsville) - 256-509-1882

Crisis Center, Inc./Respuesta a la Violación y SANE (Birmingham) - 205-323-7273

Servicios de Crisis del Norte de Alabama (Huntsville) - 256-716-1000

Servicios Familiares del Norte de Alabama (Albertville) - 855-878-9159

Centro Familiar Sunshine (Montgomery) - 334-263-0218

La Casa de Ruth, Inc. (Dothan) - 334-793-2232

Servicios de asesoramiento Lifelines/Centro de crisis por violación (Móvil) - 251-473-7273

El Faro (Robertsdale) - 251-947-6008

Asociación de Salud Mental (Decatur) - 256-353-1160

One Place of the Shoals (Florenxia) - 256-767-1100

Consejeros de Violación de! Este de Alabama (Opelika) - 334-705-0510

Servicios de Agresión Sexual Safehouse / SafeShelby (Pelham) - 205-669-7233

Punto de giro (Tuscaloosa) - 205-758-0808

Centro SAFE de Tuscaloosa (Tuscaloosa) - 205-860-7233

Servicios para Victimas de Cullman (Cullman) - 256-734-6100

Este proyecto fue apoyado por la subvención No. 2019-RP-BX-0003 otorgada por la Oficina de Asistencia Judicial.

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