



New Jersey Department of  
Corrections  
Level I  
Internal Management Procedures

Level I Internal Management  
Procedure #  
PCS 001 PREA ICM

Page 1 of 3

**Internal Management Procedure Title:**

**Institutional Prison Rape Elimination Act (PREA) Compliance Manager**

**Effective Date:**

January 1, 2014

**Revised**

**Authority:**

PCS 001 005, Federal Prison Rape  
Elimination Act of 2003 (PREA) 42  
U S C §§15601, 28 C F R § 115.11

**Promulgating Office.**

Office of Policy and Planning

**Professional Association Standard  
cited:**

**Applicability** This internal management procedure applies to all designated staff members of the New Jersey Department of Corrections

**Supersedes** N/A

**Review Schedule**

This document is scheduled for annual review on or about December 31, 2014

**This document was reviewed and approved by:**

**Judith Lang, Chief of Staff on March 24, 2014**

**and**

**Mark Farsi, Deputy Commissioner on March 21, 2014.**

Documentation of the reviews/approvals are maintained by the Office of Policy & Planning, APPM Unit

**I. PURPOSE**

To identify the specific responsibilities and tasks of the Institutional Prison Rape Elimination Act (PREA) Compliance Manager, along with identifying specific reporting requirements and document maintenance

**II DEFINITIONS**

The following terms, when used in this policy, shall have the following meanings, unless the context clearly indicates otherwise

**New Jersey Department of Corrections (NJDOC)** means that agency in the Executive Branch of the New Jersey State Government whose functions are to protect the public and provide for

|   |  |   |
|---|--|---|
| <b>Level I Internal Management<br/>Procedure Title:</b><br><br><b>Zero Tolerance of Prison<br/>Sexual Assault</b> | <b>Effective Date:</b><br><br><b>January 1, 2014</b> | <b>Internal Management<br/>Procedure #</b><br><b>PCS.001.PREA.ICM</b><br><br><b>Page 2 of 4</b> |
|---|--|---|

the custody, care, discipline, training and treatment of persons committed to State correctional facilities. In this document, this is also referred to as the "Department" or the "NJDOC."

**PREA** means the Federal Prison Rape Elimination Act of 2003. This act was established to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and provide information, resources, and recommendations and funding to protect individuals from prison rape, sexual abuse and sexual harassment. The major provisions of PREA include adherence to a zero-tolerance standard for the incidence of inmate sexual assault and rape, the development of standards for the detection, prevention, reduction and punishment of prison rape and the collection and dissemination of information on the incidence of prison rape.

**Institutional PREA Compliance Manager** means the NJDOC staff member designated by the institutional Administrator to coordinate and supervise PREA compliance within the facility. This position will be at the level of an Assistant Superintendent or higher.

**PREA Coordinator** means the NJDOC staff member designated by the NJDOC Commissioner to coordinate and guide agency and individual facility implementation of a zero-tolerance approach to preventing, detecting and responding to sexual abuse and sexual harassment.

**AMOS-PREA** means the embedded electronic application that monitors several elements of the PREA Program. AMOS is the Automated Medical Observation System, and AMOS-PREA is a module of AMOS that monitors the PREA Program. The output of AMOS is in the form of electronic email alerts.

### III. POLICY

It is the policy of the New Jersey Department of Corrections to comply with the Prison Rape Elimination Act (PREA) of 2003. A designated agency PREA Coordinator, along with institutional PREA Compliance Managers, will oversee the implementation and enforcement of all internal policies and procedures related to PREA. It is the institutional PREA Compliance Manager's responsibility to coordinate the facility's efforts to comply with PREA. The NJDOC maintains a zero tolerance toward all forms of sexual abuse and sexual harassment and will fully investigate and aggressively prosecute those who are involved in such conduct if, in fact, a crime has been committed.

### IV. PROCEDURES

The responsibilities of the institutional PREA Compliance Manager include, but are not limited to, the following:

- A. The daily review of institutional PREA electronic email alerts
- B. Confirmation of the transmitted PREA electronic email alert to ensure the institutional Health Services Director and lead psychologist have been alerted

|   |  |   |
|---|--|---|
| <b>Level I Internal Management<br/>Procedure Title:</b><br><br><b>Zero Tolerance of Prison<br/>Sexual Assault</b> | <b>Effective Date:</b><br><br><b>January 1, 2014</b> | <b>Internal Management<br/>Procedure #</b><br><b>PCS.001.PREA.ICM</b><br><br><b>Page 3 of 4</b> |
|---|--|---|

- C The review of PREA electronic email alerts to ensure that specific recommendations contained within the alert have been implemented. These recommendations can include the following but are not limited to:
- 1 Special housing conditions
  - 2 Special treatment conditions
  - 3 Specific recommendations for follow up
- D The weekly review of PREA electronic courtesy alerts and confirmation that PREA-identified inmates are still housed at facility. If a PREA-designated inmate is transferred to another facility, the sending facility PREA Compliance Manager must contact receiving facility's PREA Compliance Manager and confirm inmate's location.
- E Interview inmates who previously alleged sexual victimization within 30 days of allegation to ensure they haven't experienced retaliation because of their allegation(s). For at least 90 days following report of sexual assault/harassment allegation, monitor by way of periodic status checks.
- F Accept and forward for investigation reports of sexual abuse and harassment, retaliation by other inmates, staff or other individuals who cooperated in investigation, and any staff neglect or violation of responsibilities that may have contributed to such incidents. Reports may be made privately, orally, in writing, anonymously and from third parties. All oral reports must be promptly documented and coordinated with Administration, Special Investigations and Operations to take appropriate measures to protect those individuals against retaliation.
- G The institutional PREA Compliance Manager must also accept reports that an inmate was sexually abused while incarcerated at another facility and must notify the head of the facility/agency where the alleged abuse occurred no later than 72 hours after receiving the allegation.
- H Convene an institutional level sexual assault review of the sexual assault allegation within 30 days of the completion of the investigation by the Special Investigations Division (SID). The review is held in accordance with PREA Standard 115.86 and COHQ's Sexual Assault Advisory Council's procedures and review form.
- I Attend regularly scheduled PREA meetings with agency PREA coordinator and ensure all PREA materials and notices are readily accessible, posted and disseminated to all staff and inmates.

|   |  |   |
|---|--|---|
| <b>Level I Internal Management Procedure Title:</b><br><br><b>Zero Tolerance of Prison Sexual Assault</b> | <b>Effective Date:</b><br><b>January 1, 2014</b> | <b>Internal Management Procedure #</b><br><b>PCS.001.PREA.ICM</b> |
|   |  | <b>Page 4 of 4</b>  |

**V. Cross Reference Documents and DOCPS/IMP**

| <b>DOCPS/IMP/Document Number</b> | <b>Title</b>  | <b>Effective/Revision Date</b> |
|----------------------------------|---|--------------------------------|
| PCS 001 005                      | Sexual Assault/Prison Rape Elimination Act (PREA) Sexual Assault Advisory Council | Revised July 1, 2013           |
| IMM 001 004                      | Zero Tolerance Policy Sexual Assault  | Revised July 1, 2013           |
| PCS 001 PREA 001                 | Sexual Assault Advisory Council Procedures  | Revised July 1, 2013           |
|                                  |   |                                |

**VI. Applicable Forms**

| <b>Form Number</b> | <b>Form Title</b>                           | <b>Effective/Revision Date</b> |
|--------------------|---|--------------------------------|
|                    | Sexual Assault Advisory Council Review Form | January 1, 2013                |
|                    |   |                                |
|                    |   |                                |
|                    |   |                                |