

## VJA Advisory Body Meeting Notes

July 8, 2016

Attendees: Doris Smith, Debbie Bousquet, Matt Smith, Ginger Kimes, Mary Beth Luibel and Monie Johnson & Autumn Hemphill

Matt Smith: I guess I'll start. My name is Matt Smith. I'm on the board with the Arkansas Coalition Against Sexual Assault.

Doris Smith: Welcome Matt.

Matt Smith: Thank you.

Ginger Kimes: I'm Ginger Kimes with the Prosecutor Coordinators Office and Bob McMahan was going to call in but he does have a funeral to attend today so will not be able to join us.

Doris Smith: Ok. Thank you Ginger.

Mary-Beth Luibel: This is Mary-Beth Luibel with Court Appointed Special Advocates. I'm actually on the road guys. I'm going to keep it muted but I will be listening.

Doris Smith: Ok. Very good. We appreciate you calling in. Today we're just having this meeting to make sure that we accommodate all of the requirements on our end to make the advisory body aware and give you an opportunity to comment on any new opportunities that we are putting out for these federal grant monies as well as any new projects or proposals that are subject to be funded by the same grants. And for Matt's purpose who is... Matt I'm supposing that you're kind of new to the program, am I right?

Matt Smith: Yes Ma'am

Doris Smith: As a brief description. Our office manages several Federal Grant Programs. Included among those are three programs that we've put under an umbrella called Victims Justice Assistance Programs; they include the Victims of Crime Act Program (VOCA), The Stop Violence Against Women (VAWA) Program and a much smaller program that's dedicated to preventing Family violence. Those three programs make up the Victims Justice Assistance Programs. Those are the ones that we kind of- we use that we rely on the Advisory Body to offer comment and advice on for any activity that we're doing under those programs. Such as; issuing new applications for funding, as well as making awards. As such, that's kind of the purpose of this call.

We have on our agenda, we have two items to discuss one of those is an actual proposal for funding for PREA dollars which is an- A subset of the STOP Grant. It has to be used for activities related to Prison Rape Elimination.

So, for that proposal because it falls under funding that is under the VJA Program, we're putting that to the Advisory Body also. And then separately from that we're planning a roll out of new funding under the Victims of Crime Act Grant which will allow us to enhance support to existing service providers who are currently funded by DF&A. And for the...let me stop here. Did someone just join?

Monie Johnson: Yes this is Monie.

Doris Smith: Hi Monie. How are you?

Monie Johnson: Well I'm ok. I'm going to have to hang up when I get into the Doctors office.

Doris Smith: Ok. That's fine. We're just starting and we're just having a general discussion. We've stated what items are on the agenda. For the purposes of these calls, any conference call, I want to make it clear or make the statement we do record them. We do that for our purposes to transcribe notes, meeting notes and make sure we have everything accurate so, just know that we are recording the meeting.

Monie Johnson: Ok, Thank you.

Doris Smith: Ok. Just to pick up where we left off Monie, we just stated what's on the agenda, one of those is the proposal from ACASA for the PREA project and then the other item is the plan roll out of new VOCA funding that will be restricted to current service providers who are funded by DF&A to better help with some of their service needs. Okay? So, with that let's start with the ACASA PREA proposal money. If you have just a few minutes, can you just briefly describe this proposal since you're probably the better one to describe it to the group here.

Monie Johnson: Give me a couple of minutes to get into the car; because I'm standing outside.

Doris Smith: Okay, okay.

Monie Johnson: And I'm using crutches so this is kind of hard.

Doris Smith: Okay. I'm sorry.

Monie Johnson: If you could give me about 30 seconds.

Doris Smith: Okay. Has everyone had a chance to review the items that you've received?

Matt Smith: Yes Ma'am.

Doris Smith: Okay.

Monie Johnson: Okay. So do you want just a general overview?

Doris Smith: Yes. Please. Thank You.

Monie Johnson: Okay. We were approached by The Department of Corrections in Arkansas because of- they we're wanting to comply with the new PREA Law and so we worked for a couple of years on coming up with a plan where ACASA would provide a PREA coordinator who would also serve as an advocate for prisoners or inmates who needed an advocate for either a previous sexual assault or a sexual assault that occurred while they were incarcerated. The plan that you have now is a little different because... The funding really is well what we're going to use it for is basically a pilot project. And the pilot project will serve Hawkins and McPherson which are the two women's units and I was hoping that we could add the Pulaski County Sheriff's Office and jail but I'm not sure if that ever happened. I put in a request for that because they approached us for someone that would also provide advocacy for those people that are incarcerated in the jail.

Debbie Bousquet: Okay, Monie? Monie? This is Debbie. I've contacted OVW, and they gave us approval...

Monie Johnson: I can't hear very well.

Debbie Bousquet: Okay, I contacted OVW and they gave us approval to include Pulaski County.

Monie Johnson: Oh good, good.

Doris Smith: Okay, so a few things. We've gone through the proposal and for the record, Debbie and Monie have been working back and forth on this and kind of looking at it and there has been at least one meeting to discuss the specifics of the actual proposal. As I reviewed the proposal Monie, I noticed just a few things that need to be revised. Particularly just probably a little oversight, the budget amounts that are included don't necessarily match the budget amounts that are stated in the narrative part. So I'll need for you to...

Monie Johnson: Did you get the updated one because I did revise that and send that back in.

Doris Smith to Debbie Bousquet: Oh it matches in yours?

Doris Smith to Debbie Bousquet: In the narrative? Let me look at it. Maybe I had an old one in my hand. Looking at it right now.

Doris Smith: Okay, with that adjustment and also with the inclusion of that OVW has just approved, we also want to make that change.

Now I'm still seeing a different side. I think I know what you're referring to as the updated part Monie but, you probably don't have the document with you but particularly if you look at

pages 9 and 10, the numerical amount for instance, personnel cost is stated at \$48,488.00 but in your narrative part, it's written in as \$48,600. So probably just a couple of little oversights. That's on pages 9 and 10. So, and that's with the updated.

Monie Johnson: Okay, well I'll look at that. I thought I had fixed that.

Doris Smith: Yeah, and 10 the same way. The total fringe is \$15,000 and it's stated in the narrative as some a little more than \$12,000 and also include the update with the OVW approval of Pulaski County.

Monie Johnson: Okay, that's good.

Doris Smith: So, once you get those updates made...

Monie Johnson: Well, one thing I want to also add too is that I have been, I don't know if, I was not aware of this until last week right before I left and went in to have my surgery but, in the statute under Domestic Violence Advocacy, you are not allowed to use a cell phone and so, that. There is no statute for Sexual Assault that says you can't use a cell phone for a hotline. But, that's what we were going to do and I don't think that that is a very good idea now. And so, we're going to have to adjust that part too because we don't want to break confidentiality.

Doris Smith: Got ya.

Monie Johnson: And that's the reason that statute for DD is like that and so I think we need to match the same standards for hotline calls that DD has so I'll be changing that as well and I'll work with Debbie to do that.

Doris Smith: Okay, and as soon as you all make those final reviews or final changes, we'll put that back out to the advisory body in a final draft of the document.

Monie Johnson: Okay, I think that would be good.

Doris Smith: Very good. Okay, does anybody have any questions or anything else on this project proposal?

Doris Smith: For the record, you have 30 days to comment and advise on any changes. One of the reasons and I think Monie, I know that this kind of impacted your scheduling with your doctor's visit. One of the reasons that we needed to have this call today is one of the items on the agenda is the additional funding that we're intending to roll out and to be able to accomplish this this year under the grant time lines that we have in place from October to September along with the Federal Grant Program, We'd almost have to do this process today so that we could have allow for that 30 day comment and review period by the advisory body and then we can go ahead and roll it out publically.

Okay, so having said that, last chance, any comments on the PREA project and then we'll move on to the enhanced funding.

Okay, seeing none, we'll move to item #2 on the agenda. And it is in regards to the Victims of Crime Act additional funding that we will make available to service providers who are currently funded by DF&A. Just for background sake, particularly for Matt. The Victims of Crime Act Grant in the past normally ran about \$4 Million dollars or so annually. Within fiscal year 15 under the Federal Award they released the cap that was restricting the amount of funding's to the State and Arkansas being one of them, they opened the cap I'll say, they increased the cap and now Arkansas has received for fiscal year 2015 we received a little over \$18 Million and for fiscal year 16 it's around \$20 Million so, we are going to do a whole lot of good with VOCA. That is our plan. We most certainly need the engagement of the Advisory Body, we have a lot of work to do and yes, it does mean that we have it in a pretty short time frame because these funds are time restricted. By the time we get the actual award, the funding and are allowed to spend it, we actually have about three and a half years to spend it and that's not a lot of time. So we need to allocate monies to our first order. We have a plan in place and just a broad overview of the plan that DF&A has in place is going to work in 3 steps and it's going to work like this. I wish more of you were on the call but we will most certainly fill it in in the notes and provide it to everybody. Our Game Plan is to first shore up support to existing service providers who are funded by DF&A already. The 2<sup>nd</sup> step is going to be to... The 1<sup>st</sup> step is going to happen this October. So we're talking this October rolling into September of next year. The Grant year runs from October to September of next year. And then for October 2017 grant period which ends in September 2018 for that grant cycle, we are going to be seeking service providers who can offer targeted services as required by the Federal Program Rules. What we are seeking, and this is not an all-inclusive list, but there are underserved populations that are identified by the Federal Government and they require that we demonstrate that we have particularly sought to implement or provide services to those targeted populations. That includes the elderly, they include limited English speaking populations, and LGBT, Debbie I'm sure you have a whole list.

Debbie Bousquet: Disabled.

Doris Smith: Disabled. There is a particular subset of populations that are currently not being serviced as well in the general population that the Feds require us to take a specific look at and in some cases even have percentages and categories of funding that we must use toward those programs. We monitor those closely. We will devise between now and our solicitation for the next grant cycle starting next year. We'll devise several targeted solicitations or an approach that allows us to target certain populations in the application or request for funding. The 3<sup>rd</sup> part of that is where we're really engaging the youth of the survey to determine what

other services are needed in addition to the Programs that are already currently funded. We conducted a statewide survey a few months back.

It was completed quite successfully. A lot of participation. That survey has helped us to identify what particular communities are seeing in their own areas as need for victim services and has really brought to our attention where we can better engage with not just communities but other parties who can participate in making sure that programs that are needed in their area are able to be established. A part of that is and I want to make sure that I preference this right and we'll talk about this ongoing. That means that we really have to look at putting in or seeking new service providers and when I say new service providers, not to get into a long conversation because like I said, a lot of this information will come down in the few months that are coming ahead. We have a lot on our plate but what I mean by that is that a lot of states are looking at my old terminology is an incubation program. I think federal terminology kind of calls it capacity building and words like that but basically, there are areas in this state that have zero. They have no services. They don't have access to services in a reasonable manner and we are actively seeking a way to engage those areas to either provide services that are directly within those areas or to link them with services nearby. So that's under the broad umbrella and the hope is that what we have to implement new providers and that does not include people who are providing services that are not funded by DF&A, but these are people who have never provided services but does have the heart and the means do so but just needing the grant funding to support it. We need some kind of help or way to be able to make sure that those programs are successful, that they are somewhat self-sustaining and I don't mean that by just financial terms but in the people they use but that's just to give you like a broad framework of where we see it and we have a lot of work to do. And that's coming up next year. Now in the midst of all that, I will just share this with you so you know kind of where IGS see it. Hello, did someone just join? Okay, maybe Monie ended. For our purposes internally within our office, we are implementing a Grants Management System, which is an electronic system that will assist us to better administer these Federal Funds. In the past we have been doing it using Excel and Word documents as I'm sure a lot of you well know and we've done well with it but it is a lot of manual work so we will be implementing a new Grants Management System to go live sometime in the spring of next year. So that's my pie in the sky overview. Any questions?

Matt Smith: No Ma'am.

Doris Smith: Okay. Did I do okay? Because I kind of crunched it in. I'm sorry.

Matt Smith: Yeah. You did fine.

Doris Smith: Okay. So now let's just go ahead and talk about the available funds. This rollout of new monies that is going to occur in October. October is just right around the corner. To allow for a 30 day comment and advice period for the advisory body, we have to have this discussion today and then we'll have this 30 day period where you can advise us if you see anything that you think needs to be addressed differently or if you have some concerns or questions, you can contact us.

But the plan is to roll out Grant Funding to those who need it and everyone may not apply and some may apply at different levels. But the funding is such that based on what we have available in house and being responsible about how we spend it, the available funds is a maximum of up to \$54,000 per award. It will be funded from VOCA so that means that every applicant has to qualify for VOCA funding. The fact that they are currently funded by DF&A is not in and of itself enough. They have to qualify for VOCA funds. VOCA has specific requirements that have to be met. And some may or may not meet it who are currently funded by DF&A but may be funded by a different grant so it just depends on what the project is and what their application is that determines whether they're a fit for VOCA. We'll give them about the timeframe wise, we're looking at about 15-20, maybe 25 days for their response back to us about their new budget and what they would like to see funded. And then we will forward those budgets and requests to every member of the advisory body and allow you an opportunity to review and comment on them. If any of those providers are competing for funds that are within a program that your entity also receives funding under then you would need to recuse from reviewing and advising on those applications. And that is simply because you'd be competing for the same funding. Our goal here is to just make sure that we have a clear and transparent process. We will also just like we've sent to you we've sent the kind of our evaluation tool on Matrix that we'll use to evaluate the projects that are proposed under these enhanced monies under the \$54,000 in Grants and just to make sure that it complies with VOCA. That it's met all of the parameters of the application requirements and it should not be an overly complicated process or review but most certainly you have an opportunity to look at this document and all of these documents that we've presented to you and if you think something needs to be addressed or changed, most certainly let us know. So I'm going to pause here and give you an opportunity to comment and ask questions.

Matt Smith: I have no questions.

Doris Smith: Okay, Very good. Okay, either I'm doing a god job or you all are in a hurry.

Mary-Beth Luibel: Doris, this is Mary Beth.

Doris Smith: Oh, Hi Mary-Beth.

Mary Beth Luibel: Bare with me here; just to get clarification, about the statement as far as me as an advisory member reviewing any of the applications. My office doesn't plan to apply for any funds but I've got 17 or 18 programs that are current VOCA grantees that will be submitting a revised budget to try to get these funds. I need to recuse from review of those correct?

Doris Smith: Correct. Anything that falls within the same funding source that you are competing for, you need to recuse from reviewing those applications.

Mary-Beth Luibel: Well, I don't compete with them for funding but my allegiance and my support of my programs certainly presents a conflict of interest for me being an objective reviewer.

Doris Smith: Okay. Got you.

Mary-Beth Luibel: My next question, just for clarification and you may be going to get to this is, we're looking at.....

Doris Smith: Hello? I think she's traveling in her car so I think we may have lost her for just a second. We'll give her a second to get back on. Mary-Beth? Hello? Okay I'm not sure what happened with her. Maybe the call dropped. Does anyone else want to add any more questions while we're waiting for her to rejoin?

Matt Smith: No, I'm good.

Doris Smith: We'll wait a few minutes and see if she jumps back on. Ginger do you have any questions?

Ginger: No I don't. Thank you.

Doris Smith: Okay. Well while we're giving her a few minutes and I know it's just two of you. We'll double back with the rest but how do you feel about what we've discussed so far as kind of the goals and the plans for this VOCA funding. How we're looking at rolling out funding in the future?

Ginger: I think it looks and sounds good.

Doris Smith: Okay. Very Good. Thank you.

Matt Smith: Same here. You definitely hit the nail on the head. I'm trying to learn all this from what I can understand anyway. So, it sounds very good.

Doris Smith: Mary-Beth are you back?

Mary-Beth Luibel: Yeah. I came back in. I don't know where I got cut off. So, I'll just listen and try to get to where I can talk to you all better.

Doris Smith: Okay, Do you want to start over? I think you were just getting to where you were talking about you asked about the recusal part and then you were going to say your second question so you can pick up there.

Mary-Beth Luibel: Okay, my next question is about the actual process. This new opportunity for the extra \$54,000 is that going to be rolled into essentially the same grant? Or are they going to have the potential for two different grant awards going for this up-coming year? I'm just trying to think about it from your end of things. But also from our program end of things you know, how is that process going to work and I apologize if I'm getting ahead but.

Doris Smith: No that's fine. That's a good question.

Debbie Bousquet: Thank you for thinking about us Mary-Beth.

Mary-Beth Luibel: I know how tough it is. I was thinking you may have to double your staff.

Debbie Bousquet: Well, that's been my song and dance. We're looking at two separate awards.

Doris Smith: We almost have to because they're from two separate grant sources. For instance, if someone who has a STOP award qualifies for this VOCA funding and \$54,000 that's two separate awards and even if you currently have a VOCA grant, because they're under two separate funding sources, particularly just the grant itself has it's own ID. There's really no other way to run it except for a separate grant award. We are managing. It is difficult, I won't joke about that but that is one of the reasons why we're implementing an Electronic Grants Management System to help with that tremendously. And then you had a question on the same grant number and whether it's under the same grant that you currently have. And then you said a separate part of that that I didn't quite catch. What was that?

Mary-Beth Luibel: Hello Doris, Can you hear me?

Doris Smith: I can hear you.

Mary-Beth Luibel: It's basically just the same question about the process. So it's going to be a completely separate grant?

Doris Smith: Yes.

Mary-Beth Luibel: I get it. Maybe you all are going to be able to do a portion of the additional grant funds for your administrative costs. Will you all be having staff? I mean I appreciate the addition of the GMS system but will there be extra staff brought on to help with this?

Doris Smith: Yes. We have reallocated within our office. You know what Mary-Beth, we could really use your advocacy right now. I'm kidding. I'm joking. But we are, we are. We are get very few additions. What we have done internally is we have restructured staff. That's the best way to put it. We have restructured staff to move more bodies over to the VJA program and additionally we will be able to add I think one or two new. They're not new positions but they are positions that were vacant. We will be able to direct those towards these programs. But you are absolutely correct. It's a lot of work. We do have a small staff but that's why we laid this out in phases. For everyone's awareness. That is why we get a lot of calls and we've had a lot of requests and even a lot of push to just release this money and let it go out the door and I promise you we would have no real way to manage that if we did it like that. We don't have the staff, we don't have the ability to manage just a free flow of just letting money go. And so that's why we have to do it in phases so that it is manageable for us and beneficial to the programs because we can ensure the programs are going forward successfully in accordance with the rules. So that's just for informational sake and not to decry our position because we love it. I promise you for years we waited for an opportunity to have funding to even implement our Electronic Grants Management System. We wouldn't have it if it wasn't for this increased funding. So this is huge. It's a huge benefit for the state. We don't mind the additional responsibility. We'll get it done regardless of what it takes and we just need the engagement of the advisory body to really help us to make this a success for the state.

Mary-Beth Luibel: I understand. One other question just to see about the (inaudible) to get these funds out? Have you all basically just taken the number of current VOCA grantees and divided the total grant award amount by that number of programs to come up with the \$54,000? So are you all basically expecting all programs to apply for the maximum? Or are we going to end up- we're going to still have funds sitting on the table to be distributed later? What was your theory or thought process to come up with the \$54,000?

Doris Smith: Okay, our theory was it wouldn't be responsible to allocate all of the grant monies in one time awards. So, what we've done is we've sectioned off a part of the funding to provide this part, the enhanced funding that's coming up in October. We did divide it out by the total number of current providers and came up with \$54,000. So it is fair across the board. That way everybody is on that same wave length, you're not competing at different levels, you have opportunity for the same amount. The reason why we have to- we have to roll money forward just because we have to sustain programs, in addition to meeting the goals of targeting new programs and new service providers in the future. So, we have to be mindful of that. It's not as simple as just dividing the total award amount. We have to determine what a reasonable portion of that award that can be let out without causing, some of those programs not to be funded fully next year. That's a calculation and a process so, we've done that and

essentially what we've done is come up with \$54,000 per award. We do not expect that everyone will apply for it or that everyone will apply for \$54,000. If not, that money is available to roll forward. And so, we could potentially be doing something in another cycle similar to this. We don't lose the ability of the funding until the spending authority runs out. So, it's not crucial to just spend it all, all at once. We have to have a plan for spending it all before it expires. If that makes sense. So, hopefully I've answered your question. Did I hit on kind of what you were asking Mary-Beth?

Mary-Beth Luibel: Can you give me the breakdown of what you all have set aside for this enhanced funding to start being disbursed October 1 of this year and then what's being held out for the underserved community RFP which I assume is going to come about next year.

Debbie Bousquet: There has been no decision made on how much will be put into the RFP for the underserved community yet.

Doris Smith: Right. Because we don't exactly know. But I can tell you what's been set aside for this project here is \$6 Million. And that's because we currently have funding that's already in place so that new VOCA award includes all of the VOCA monies that we are going to get. So, we don't want to impact current programs that we are currently funding. We've set aside \$6 Million to fund \$54,000 a piece in additional funding and then the underserved and what I call the new service providers which is similar incubation type set up that we're hoping for, we have to leave monies available for that. We don't have a specific dollar amount that we just said we are going to limit them to this amount. But, it will once they are funded or once those projects are underway, it gives us an opportunity to review and analyze and see where we may have monies available or if we have monies that is more monies needed toward those goals then we have to allocate funding there too. So, it gives us a way to operate without putting IGS in a strain. We can't over promise so we have to make sure that we have given this process a chance to run and see what the needs are and then we'll determine what dollar amount belongs to it. Does that make sense Mary-Beth?

Mary-Beth Luibel: That makes perfect sense to me. Thank you.

Doris Smith: Okay.

Debbie Bousquet: I think that's Ginger.

Doris Smith: I'm sorry, was that Ginger? Did I get it wrong? Okay. Well, are there any other questions? I think we've kind of covered on our end what we need to cover. I just want to reiterate that you do have 30 days from today to kind of let us know if you recommend any changes, or if you see anything that brings about any concerns, most certainly send us an email or give us a call. An email is preferred. Let us know. If we don't hear back then we will

proceed with releasing the notice of available funding as discussed and make it available for anyone who is eligible to apply.

Matt Smith: Sounds good.

Doris Smith: Okay. Thank you guys so much for your time. I appreciate you being here.

All: Thank you.

Doris Smith: Thanks Mary-Beth for dialing in. You all have a wonderful weekend.

# Arkansas Coalition Against Sexual Assault

## PREA Project Proposal

### Abstract

The Prison Rape Elimination Act (PREA), a federal law enacted in 2003, was created to eliminate sexual abuse in confinement. The National Prison Rape Elimination Commission developed recommended national standards for reducing prison rape. The final standards became effective June 20, 2012 and were published by the Department of Justice (DOJ) in the Federal Register. More recently, the US Department of Homeland Security (DHS) released the final standards for DHS confinement facilities, effective May 6, 2014. Shortly after, Governor Mike Beebe stated that the Arkansas Department of Corrections should make every effort to work towards full compliance to meet the standards set forth in PREA.

Since that time, a PREA Advisory Committee was formed, including the Arkansas Department of Corrections PREA Coordinator and Victim Notification Coordinator, Arkansas Department of Community Corrections PREA Specialist, Arkansas Coalition Against Sexual Assault Executive Director, Ozark Rape Crisis Center Executive Director, and Partners for Inclusive Communities Crime Victims Project Director. This committee is working on a plan that will begin to address the proposed rule, Access to Outside Support Services (§§115.53, 115.253, 115.353) and will initiate an effort to meet the requirements of PREA to address access to outside support services and emotional support services for both those victims who are currently incarcerated and victims on probation. Also included are educational goals for the public at large and eventually, support groups for recently released inmates and individuals on probation.

### Narrative

Prison rape commonly refers to the rape of inmates in prison by other inmates or prison staff. In 2010, Human Rights Watch estimated that at least 140,000 inmates had been raped while incarcerated.<sup>[1]</sup> A United States Department of Justice report, *Sexual Victimization in Prisons and Jails Reported by Inmates*, states that "In 2011-12, an estimated 4.0% of state and federal prison inmates and 3.2% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff in the past 12 months or since admission to the facility, if less than 12 months."<sup>[2]</sup> However, advocates dispute the accuracy of the numbers, saying they seem to under report the real numbers of sexual assaults in prison, especially among juveniles.<sup>[3]</sup>

A meta-analysis published in 2004 found a prevalence rate of 1.91% with a 95% confidence interval between 1.37–2.46%.<sup>[4]</sup> In a survey of 1,788 male inmates in Midwestern prisons by *Prison Journal*, about 21% claimed they had been coerced or pressured into sexual activity during their incarceration and 7% claimed that they had been raped in their current facility.<sup>[5]</sup> According to the study conducted by the United States Department of Justice for the year 2006, there were 2,205 allegations of inmate-inmate non-consensual sexual acts reported in the U.S. prison system, 262 of which were substantiated.<sup>[6]</sup>

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Research has shown that juveniles incarcerated with adults are five times more likely to report being victims of sexual assault than youth in juvenile facilities,<sup>[7]</sup> and the suicide rate of juveniles in adult jails is 7.7 times higher than that of juvenile detention centers.<sup>[8]</sup>

In the United States, public awareness of the phenomenon of prison rape is a relatively recent development and estimates to its prevalence have varied widely for decades. In 1974 Carl Weiss and David James Friar wrote that 46 million Americans would one day be incarcerated; of that number, they claimed, 10 million would be raped. A 1992 estimate from the Federal Bureau of Prisons conjectured that between 9 and 20 percent of inmates had been sexually assaulted. Studies in 1982 and 1996 both concluded that the rate was somewhere between 12 and 14 percent; the 1996 study, by Cindy Struckman-Johnson, concluded that 18 percent of assaults were carried out by prison staff. A 1986 study by Daniel Lockwood put the number at around 23 percent for maximum security prisons in New York. Christine Saum's 1994 survey of 101 inmates showed 5 had been sexually assaulted.<sup>[9]</sup> Among women the number is one in forty and the offenders are more likely to be prison staff members.

Public attitudes that support contempt for inmates constitute a key barrier to ending sexual abuse in detention. Pop-culture representations of prisoner rape as a joke or as an inevitable fact of prison life are deeply ingrained in the American public consciousness.<sup>[10]</sup> This proposal includes education for the public at large. Many people on the "outside" try to envision what rape on the "inside" must look like. Some of these perceptions are further conceived through various media to which people are exposed. A common perception may be a gang of inmates violently attacks a prisoner who is alone in the shower, sticking a knife to his throat and ripping his clothes off. They imagine them saying "Don't you dare make a sound or we will kill you." After that, the gang rapes him, one after the other.

Although this is an imagined belief, it is not that inaccurate. Human Rights Watch has found this is fairly accurate and occurs in prisons around the country. When a prisoner is raped it can be almost unimaginably brutal. Gang assaults are not uncommon and victims may be left beaten, bloody, and in some cases, dead.

Not all assaults are forcible assaults, but are committed through coercion. The existence of freely given consent or, conversely, the absence of coercion, is a critical factor in distinguishing sexual abuse from mere sex.<sup>[11]</sup> But in the context of imprisonment, much more so than in the outside world, the concepts of consent and coercion are extremely slippery. Prisons and jails are inherently coercive environments. Inmates enjoy little autonomy and little possibility of free choice, making it difficult to ascertain whether an inmate's consent to anything is freely given.<sup>[12]</sup> Distinguishing coerced sex from consensual sex can be especially difficult.

- Example: The victim is usually tricked into owing a favor. This is usually drugs, with the perpetrator seeming to be, to the victim, a really nice guy. Soon, however, the victim is asked to repay all those joints or licks of dope--right away. Of course he has no drugs or money, and the only alternative is sexual favors. Once a prisoner is "turned-out," it's pretty much a done deal. A good many victims just want to do their time and not risk any trouble, so they submit. The coercion-type abuses continue because of their covert nature. From the way such attacks manifest, it can seem to others, administrators and prisoners, that the victims are just homosexual to begin with. Why else would they allow such a thing to happen, people might ask. This basic scenario is for the perpetrator to provide food, drugs, or other desirable items to a

potential victim, allowing the victim to build up a debt. At some point, the perpetrator insists that the debt be repaid via sexual favors. Again, if the victim hesitates, the perpetrator may make it terrifyingly clear to him that refusal is not an option, but this last step is often unnecessary.

In 2003, the Prison Rape Elimination Act was signed into law by President George W. Bush. The aim of the legislation was to put into practice methods and approaches for reducing the incidence of sexual abuse and sexual assault in the confinement setting, initiating protocols for appropriate response when incidents occur, and to hold accountable those administrators that do not institute best practices towards this effort. The ADC is pursuing efforts to meet these standards and in this effort has reached out to the Arkansas Coalition Against Sexual Assault (ACASA) and other community stake holders to develop an approach to deliver the necessary services to assist victims of sexual assault and abuse inside the state's correctional facilities. It is imperative that we as a professional community work to prevent these traumas from happening, identify opportunities to educate inmates, employees and the public, and put into place excellent practices in the response to incidents should they occur. ADC, as an agency is committed to this endeavor.

Currently, inmates are screened for risk of victimization and the propensity to abuse. The ADC has mental health services directed at victims. The ADC has developed an emergency response protocol as well as an investigative mechanism. Also provided is an internal PREA hotline for inmates which is monitored daily. There are also employee training and inmate education programs; all of these programs are in the process of being updated.

It is easy to see the gaps in services. This project will begin the process of addressing these gaps and finding solutions that will have a positive impact, not only on inmates, parolees and those coming out of the prison system, but also the community at large.

- Service areas: This pilot project plans to target two facilities which will include:
  - Hawkins
  - McPherson
- Target population: Individuals who are incarcerated and in transition for release.

## **Goals and Objectives**

### **GOAL #1: Increase and strengthen sexual assault response for incarcerated women.**

Objective 1.1 The PREA Coordinator will be trained to meet the standards of the Arkansas Department of Corrections, the Arkansas Community Corrections, and the Arkansas Coalition Against Sexual Assault before January 31, 2015.

Task 1) The ACASA PREA Coordinator will attend training that will include "The Dynamics of Prisoners", "Safety in Prison", "Games Prisoners Play", and "Security for Non-security" (a 40 hour course required of all non-security employees) through Arkansas Department of Corrections to meet the standards of a qualified sexual assault advocate working with the prison population.

Task 2) The PREA Coordinator will meet ACASA's training requirements to become a Certified Sexual Assault Victim Advocate.

Objective 1.2 A PREA Hotline will be established in the ACASA office to:

Task 1) Provide a PREA Hotline dedicated to the women who are incarcerated at the Hawkins and McPherson units.

Task 2) Information about the availability of the hotline will be made accessible to the target population.

Task 3) The PREA Hotline will be checked on a daily basis during the work week for calls. All calls will be discussed with the ADC PREA Coordinator. Any calls that are deemed legitimate will result in a discussion of discuss next steps. These steps are outlined in the project narrative.

**GOAL #3: Increase the capacity of victim service providers to support individuals who have recently been released from prison.**

Objective 2.1. Increase the capacity of victim service providers to provide education and training on the dynamics of sexual assault on women while incarcerated and the potential impact on the community upon release and recidivism.

Task 1) Develop literature (flyers, brochures, posters) that will be made available to the public for educational purposes. ADC will print the materials as an "in kind" donation.

Task 2) Arkansas Department of Correction will be working along with Arkansas Community Corrections and both agencies' respective Public Information Officers to craft a solid message about the implementation and the benefits to public safety.

Objective 2.2. Provide a support group for those individuals wanting to participate that will provide tools for them to use in their day to day lives.

**Strategies for accomplishing the Goals and Objectives identified in this project proposal:**

The ADC is committed to implementing the standards using best practices and seeks to develop a working relation with ACASA and other sexual assault victims support services along with other community stake holders within the state of Arkansas. In hopes of developing one of the best programs in the country and becoming a leader in this field, the Arkansas Department of Correction along with ACASA and other partners have proposed the creation of an ACASA PREA Coordinator through the ACASA office that could function as a partner in these efforts.

- Victim Advocacy – In accordance with standard 115.21(d) and (e) which requires victim advocacy be afforded any time an inmate is receiving a SANE (sexual assault nurse examination), and during investigatory interviews.
  - The Arkansas Department of Correction will seek to ensure any inmate who is a victim of sexual assault within a facility or while at a targeted locations within the specified time frame outlined by the national recommended protocols for sexual assault forensic examinations, will be transported by the ADC to a facility so services of a victim

advocate at the hospital can be afforded. Prior to transport the notification will be made to the ACASA PREA Coordinator, to ensure coverage during the examination.

- The ACASA PREA Coordinator will be available to train key staff at each of the ACC's residential centers to be able to provide supplemental internal victim advocate services when an outside advocate is unavailable.
- Hotline & Outside Reporting Contact – according to standard 115.51(b) Inmates within the Arkansas Department of Correction will be given access the ACASA Hotline and a designated post office box as a reporting mechanism and a system of support which is not within the Arkansas Department of Correction. This service would allow .8811 victims to call or write to request services and contact support to the extent that the agency can offer. This number would be another mechanism for families and staff to make anonymous reports. Currently, inmates have access to an internal PREA hotline to report PREA related incidents. This reporting avenue will not be eliminated when additional avenues for reporting and support systems are implemented.
- Procedure for calls:
  - Inmates will have access to a 24/7 hotline outside of the facility. The correctional facilities will post and promote as required. The phone call comes to a dedicated line which the coalition operates. Arkansas Coalition Against Sexual Assault will answer these calls live when available, but in the absence of the ACASA PREA Coordinator or a volunteer advocate, these calls will be recorded and checked on a daily basis. The line will be set up to allow control over the person the inmate is reaching. In conversations with ADC and law enforcement, there is concern with inmates manipulating the system and having a volunteer on a crisis line that may be a family member or friend to get messages out.
  - Once the call comes through the hotline and is reviewed by the PREA Coordinator or volunteer advocate, immediate crisis intervention will be initiated.
  - The PREA Coordinator or the volunteer advocate will make an inquiry to find out if the individual wants to report, remain anonymous, or if they want to report and speak in person to an advocate.
  - If the individual chooses to report, information will be reported directly to the PREA Coordinator at Hawkins or McPherson. If the individual does not wish to report and does not want an advocate, options will be given to them over the phone and that will be the end of contact.
  - If the individual does not want to report but does wish to speak to an advocate in person, a visit from the ACASA PREA Coordinator will be arranged through the ADC PREA Coordinator.
  - Reporting is done through the initial contact with the hotline. This will allow for communication between the ACASA PREA Coordinator and the victim to maintain confidentiality. Correctional employees will be educated about this process to understand it is not a reporting process but rather a victim support service.

- Training – The Arkansas Department of Correction will provide training to the ACASA PREA Coordinator and victim service providers including specific PREA training and Security for Non-security (a 40 hour course required of all non-security employees new to the Department) to ensure they are capable and ready to interact with inmates both inside and outside the institutions. In addition, Arkansas Department of Correction and Arkansas Coalition Against Sexual Assault will partner with various groups and the PREA Coordinators to provide training for individuals within the correction system that will provide respite and victim advocacy for the outlying units.
- Public Awareness - The Arkansas Department of Correction and Arkansas Coalition Against Sexual Assault will partner to provide opportunities and support for public education about PREA, the importance of the implementation of PREA, and the importance of providing services to victims of sexual assault. Arkansas Department of Corrections will be working along with ACASA to craft a solid message about the implementation and the benefits to public safety. The ADC PREA Coordinator will work along with the ACASA PREA Coordinator to present this message in any venue necessary.

**Budget Summary:**

<b>ARKANSAS COALITION AGAINST SEXUAL ASSAULT</b>			
<i>PREA</i>			
<b>BUDGET</b>			
	Cost	Subtotal	Total
<b>A. PERSONNEL</b>			
PREA Coordinator			
Fulltime @ \$37,500	\$37,500		
Fiscal Specialist (10% @ 35,000/year)	\$3,500		
Administrative Assistant			
8 hours/week @ \$19 x 52 weeks	\$7,488		
	\$48,488	48,488	
<b>B. FRINGE BENEFITS</b>			
PREA Coordinator			
FICA @ 7.65%	2,869.00		
State Unemployment \$12,000 x 3.6%	432		
Health Insurance - \$420/month x 12	5,040		
Worker's Compensation \$37500 x 2.7%	1013		
Retirement @5% salary	1875		
Criminal Background check/Drug testing	100		
Fiscal Specialist			

FICA @ 7.65%	267.75		
State Unemployment \$3500 x 3.6%	126		
Health Insurance - \$420/month x 12 x 10%	504		
Worker's Compensation \$3500x 2.7%	94.5		
Retirement @5% salary (3500)	175		
Administrative Assistant			
FICA @ 7.65%	573		
State Unemployment \$7600 x 3.6%	269.57		
Health Insurance - \$420/month x 12 (20% time)	1,008		
Worker's Compensation \$7600 x 2.7%	202		
Criminal Background check/Drug testing	100		
Retirement @ 5% salary (\$7488)	374		
TOTAL FRINGE	15,023.23	\$15,023	
<b>Total Personnel and Fringe</b>		63511.23	63511.23
<b>C. MAINTENANCE AND OPERATION</b>			
Printing/Production/Promotional Materials			
	\$2,000	1,000	
Office Supplies/Postage @ \$20/month x 12		240	
Travel			
7000 miles @ \$.42/mi = \$2940 plus per diem		3,576	
Telephone, \$300/month x 12		1,200	
Post Office Box @150/2 x's/year		300	
Language Line \$50/month x 12		0	
Training Resources		1000	
Equipment			
Laptop Computer		1,500	
Projector		0	
Answering Machine		0	
Office Space		8,470	
ACCESSIBILITY			
Interpreters		1,000	

**Budget Narrative:**

**A. PERSONNEL**

<b>Name/Position</b>	<b>Computation</b>	<b>Cost</b>
PREA Coordinator	\$37500/year	\$37,500
Fiscal Specialist	10% @35,000/year	\$3500

State Unemployment	\$7600x 3.6%	\$269.57
Health Insurance Stipend	\$420/mth x 20%	\$1,008
Worker's Compensation	\$7600 x 2.7%	\$202
Retirement	5% salary (7488)	\$374
Criminal Background check/Drug test	BG check \$35/Drug testing \$65	\$100
	<b><u>Total Fringe</u></b>	<b><u>\$15023</u></b>
	<b><u>TOTAL PERSONNEL AND FRINGE</u></b>	<b><u>\$63511.23</u></b>

ACASA is requesting fringe benefits for the PREA Coordinator, the Fiscal Specialist and the Administrative Assistant at a total cost of **\$12,598.83**. Also included in these calculations are the cost for Criminal Background Checks and drug testing required by the Arkansas Department of Corrections. Health Insurance reimbursement is also requested for each employee at \$420/month according to the percentage of time spent on the project.

**C. MAINTENANCE AND OPERATION**

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Printing/Production/Promotional Materials	\$1,000,	\$1,000
Office Supplies/Postage	@ \$20/month x 12	\$240
Travel	7000 miles @ \$.42/mi, plus per diem	\$3576
Telephone	\$100/month x 12	\$1,200
Post Office Box	Rental @ \$300/year	\$300
Training Resources	Public education/support group materials	\$1,000
Office Space		\$8470
<b>Equipment</b>		
Laptop Computer	Dell Laptop	\$1,500
Projector	LCD Projector for presentations	\$0.00
<b>Accessibility</b>		
Interpreters	Sign language interpreters	\$1,000
	<b><u>Total Maintenance and Operations</u></b>	<b><u>\$18,286</u></b>

Printing will provide materials that will be used to educate the public as well as materials to promote the hotline in the prison system and the community correctional facilities. Materials will be available at probation offices as well as any other facility identified as a reasonable place to have materials available for inmates, those who are leaving the prison system, and those who are on parole. Office supplies and

Administrative Assistant	8 hours/week @\$18 x 52 weeks	\$7488
<b>Total Personnel Cost</b>		<b>\$48,488</b>

ACASA is requesting a total of **\$48600** in personnel cost. The PREA Coordinator will be trained to the specifications of the Arkansas Department of Correction and will meet ACASA's training requirements to become a Certified Sexual Assault Victim Advocate. The PREA Coordinator will initiate an effort to meet the requirements of PREA to address access to outside support services and emotional support services for both those victims who are currently incarcerated and victims on probation. Educational materials for the public at large will be researched and obtained to incorporate public education into the project and eventually, support groups for recently released inmates and individuals on probation.

The Administrative Assistant is a full-time position to provide assistance to the Executive Director and the PREA Coordinator with the internal operations and training needs. Twenty percent of the Administrative Assistant's time will be devoted to this project.

ACASA request 10% of the salary for the Fiscal Specialist to oversee the financial reporting and payments of this project.

**B. FRINGE**

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
PREA Coordinator		
FICA	\$37500 x 7.65%	\$2,869
State Unemployment	\$12000 x 3.6%	\$432
Health Insurance Stipend	\$200/month x 12	\$5040
Worker's Compensation	\$37500 x 2.7%	\$1,013
Retirement	5% Salary \$37500	\$1875
Criminal Background check/Drug test	BG check \$35/Drug testing \$65	\$100
Fiscal Specialist		
FICA	\$3500 x 7.65%	\$267.75
State Unemployment	\$3500x 3.6%	\$126
Health Insurance Stipend	\$420/mth x 10%	\$504
Worker's Compensation	\$3500 x 2.7%	\$94.50
Retirement	5% salary (3500)	\$175
Administrative Assistant		
FICA	\$15600 @ 7.65%	\$573

postage will be used for advertising support groups as needed. Travel is figured at 7000 miles @ \$0.42 per mile = \$2940. Per Diem is added to supplement the PREA Coordinator when travel overnight is necessary. The added per diem is \$2060 which will cover hotel and meals if necessary. Also included are monies which will allow for maintenance and operation of the hotline which will be a cell phone.

Training resources will include curriculums found during the PREA Coordinator's research that can be purchased and used during educational seminars as well as support group leadership materials.

We are requesting a budget of \$8470 for office space. We will have to find new office space due to the addition of this employee.

Monies are requested to purchase the PREA Coordinator's laptop computer that will be used in the office as well as during educational seminars and/or support groups. ACASA will provide the Administrative Assistant's computer.

Finally, ACASA is requesting the amount of \$1000 be available for sign language interpreters in case there are any sexual assault victims that come forward that are in need of an interpreter to have accessibility to advocacy services.

<b>TOTAL PROJECT COST</b>	<b>\$81,796.83</b>
	<b>\$81,787.00</b>

**Closing Summary:**

Finally, Arkansas Department of Corrections and Arkansas Coalition Against Sexual Assault is committed to instituting best practices in the PREA standards to include prevention, detection, and response to PREA incidents. We are committed to improving training and education both for inmates, officers and the public. It is our hope this effort will begin to address the standards set forth in the Prison Rape Elimination Act and will become a program that can be duplicated around the state and eventually become self-sustaining.