

Subject: PREA Reporting, Client and Staff

Section: 6.5

Revised: 02/11/13, 03/20/15,  
01/28/2020

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Reference: Department of Corrections Contract K10128

Approved: \_\_\_\_\_

## POLICY

American Behavioral Health Systems, Inc. (ABHS) has implemented policies and procedures for reporting incidents of sexual misconduct, sexual abuse, sexual assault, and sexual harassment against clients who are under Department of Corrections (DOC) supervision.

This policy applies to all ABHS employees, volunteers, vendors, and contractors. ABHS will maintain a zero tolerance standard for sexual misconduct, of any nature, whether or not consensual.

## PROCEDURE

### A. Reporting by Clients

Clients, visitors, family members and other community members can report any allegation of sexual misconduct in the following ways.

1. Verbally notify a staff member.
2. Verbally notify your counselor.
3. Written Needs Resolution.
4. Written notes to staff or administrator.
5. Letter directed to ABHS PREA Coordinator: Attention PREA Coordinator, P.O. Box 141106, Spokane Valley, WA. 99214.
6. Notify your Community Corrections Officer verbally, in writing, or both.
7. Contact the Staff of Duty.
8. Contact the on-site program manager.
9. Contact the Director of ABHS in Spokane, WA. (509-232-5766).
10. Report it directly to local police: Chehalis (360) 748-8605, Spokane (509) 456-2233.
11. Call the Department of Corrections toll free number @ 1-800-586-9431.
  - a. The toll free number is posted throughout each facility
  - b. The toll free number is confidential and accessible to clients during authorized phone times only

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12. Clients can report an allegation anytime, regardless of when the event occurred.

13. ABHS permits clients to use a third party including, but not limited to, fellow residents, staff members, family members, attorneys, and outside advocates, to assist residents in filing reports related to allegations of sexual abuse and for those third parties to file such requests on behalf of residents.

a. If a client declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the client's decision to decline.

#### B. Reporting by Staff

1. ABHS Staff will keep all information as confidential as possible.
2. Staff will begin the investigation immediately upon notification, limiting information to only those needed to secure the facility and assist in the investigation.
3. Staff will call 911 if it is an emergent issue, following **ABHS Notification Procedures**.
4. All allegations/incidents are reported to the supervisor on shift immediately. In the event the report is made during off-hours staff will notify the on-site Administrator via phone upon notification for all allegations.
5. For any sexual allegation, ABHS Staff will ensure the safety of the potential victim by separating the perpetrator and victim for the remainder of their treatment with ABHS.
6. Staff will secure all evidence and any room/area will be sealed until local authorities arrive on the site.
7. Staff will document and complete all incidents using the ABHS Incident Report Form by the end of the shift. (see attached **ABHS Incident Report Form**)
  - a. Incident Report forms will be as detailed as possible including, but not limited to:
    - i. Date & time reported
    - ii. Date & time of incident
    - iii. Location, being as descriptive as possible
    - iv. Names of those involved, for each client involved a separate incident report will be issued.
    - v. Source of information
    - vi. Description of incident, being as specific as possible
    - vii. Who was notified & at what time

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viii. If 911 was called the name of the reporting officer and time they arrived on the scene

ix. Name of witnesses if any

x. What was done to ensure the safety of the victim

xi. When, if any, mental health services were offered and if the client chose to utilize them

8. ABHS Staff, at the direction of the program manager/administrator, will notify the local police department and report the allegation.

(i) PHONE NUMBERS FOR REPORTING non-emergent allegations to Local Police: Chehalis Police- 360-748-8605, Spokane Valley Police- 509-477-3300

(ii) If local law enforcement assumes the investigation, the PREA Coordinator, or other designated party will request updates at least weekly on the ongoing investigation until completion and document in the investigative file.

1. All potential victims will be referred to mental health counseling, at no cost to the client.

2. If the victim requests counseling, staff will refer them to their counselor during normal business hours. If it is after hours staff will refer them to the crisis hot line and transport as needed, at no cost to the client.

a. In Chehalis- Human Response Network: 1-800-244-7414

b. In Spokane- Spokane Rape Crisis Center: 1-509-624-7273

### C. Reporting Requirements

1. Staff must immediately report any allegation of sexual misconduct, including knowledge of staff violation of responsibilities.

2. Any allegation made against the on-site Administrator will be reported to the Director of ABHS, (509-232-5766).

3. Allegations made against the Director will be reported to the Department of Corrections contract manager.

4. For any allegation of staff sexual misconduct with/from a client the staff will be removed from providing care for the client and prohibited from any interaction with said client, until such time as the investigation is complete.

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5. Failure to report an allegation, or knowingly or willfully submitting, threatening another, or submitting false information will be treated as a separate offense subject to disciplinary action up to and including prosecution if applicable. (See [PREA Reporting Poster](#), [PREA Reporting & Evidence Procedure](#)).
6. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
  - a. In the case of staff sexual misconduct, clients are not subject to disciplinary sanctions.
  - b. In the event that a client falsely accused, as determined by a preponderance of evidence, an innocent person the client will be remanded to Department of Corrections custody and removed from the ABHS facility.”