

1.4.B.16 PREA Institutional Risk Screens

I Policy Index:



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Office of Primary Responsibility: DOC Administration

II Policy:

The Department of Corrections (DOC) will utilize the PREA Inmate Admission Screen and the PREA Admission Review Screen to determine an inmate's potential vulnerability to a sexual assault or risk of sexually abusive behavior.

III Definitions:

Direct Staff Supervision:

For the purpose of this policy, direct staff supervision is defined as staff being present in the same area as the inmate(s) and within reasonable hearing distance of the inmate(s).

Facility:

For the purpose of this policy, facility refers to inmate housing locations within the Department of Corrections (DOC). DOC facilities include:

- South Dakota State Penitentiary (including Jameson Prison Annex and Sioux Falls Community Work Center)
- Mike Durfee State Prison
- Yankton Community Work Center
- Rapid City Community Work Center
- South Dakota Women's Prison (including Unit E and Pierre Community Work Center)

Institution:

Any state or federal prison, county jail or juvenile detention facility.

PREA:

The Prison Rape Elimination Act of 2003. A federal act addressing the prevention, detection and punishment of prison sexual abuse and harassment (See DOC policy 1.3.E. 5 [Compliance with Prison Rape Elimination Act](#)).

PREA Risk Screen:

An assessment (screen) based upon the Final Adult PREA National Standards. The goal of this screening is to aid in the determination of an inmate's potential for sexually abusing others (aggressor) or being sexually abused by others (victim).

IV Procedures:

1. PREA Risk Screens:

- A. Inmates will receive the following PREA Risk Screens.
 - 1. Initial Risk Screen.
 - 2. PREA Risk Screen.
 - 3. Risk Screen Review.
- B. The PREA Risk Screen is the same assessment for all three screens (See [Attachment 1: PREA Risk Screen](#)). The PREA Risk Screens results shall be based upon the information available at the time the screen is administered.

2. Initial PREA Risk Screen:

- A. All inmates admitted to the DOC will have an Initial PREA Risk Screen completed within 72 hours of intake at the facility, or transfer to another facility.
 - 1. An Initial PREA Risk Screen will be administered to inmates returning to the DOC as a parole violator, suspended sentence violator or with a new (or additional) sentence.
 - a. Any previous PREA code assigned to the inmate will be updated based on results obtained from administration of the Initial Risk Screen. Changes captured by the subsequent assessment shall be applied.
 - 2. An Initial PREA Risk Screen will be completed on all inmates or parole detainees housed at a DOC facility longer than 72 hours.
 - a. Detainees from the Community Transition Program (CTP) arriving at an Admissions and Orientation (A&O) unit from another DOC housing unit, will have their current PREA risk code reviewed according to Section 4 of this policy.
- B. The Initial PREA Risk Screen will include information from and about the inmate's demographics, results of an NCIC background check, and any documented/known institutional or parole/suspended sentence behavior(s).
- C. An inmate's answers/responses to the Initial PREA Risk Screen may not be used to the inmate's detriment by staff or other inmates.
 - 1. Inmates may not be disciplined for failure to respond, answer or provide complete answers to the screening questions.
- D. The screen will be used to determine an inmate's PREA Risk Screen score. Inmates will be assigned a cell (housing assignment) based in part on their assigned initial PREA Risk Screen score.
- E. During the admission process, staff will present the inmate with information explaining the DOC's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or

suspicions of, sexual abuse or sexual harassment (See DOC policy 1.4.A.2 *Inmate Admission*). This information is contained in the *Inmate Living Guide*, which inmates has access to upon admission to a DOC facility, either in printed format or through their DOC issued tablet or a kiosk.

1. Unit staff completing the Initial PREA Risk Screen will document the presentation of *Prevention of Sexual Abuse/Harassment Information*- part 1 on [Attachment 4](#).

F. Medical / Mental Health referral.

1. If the intake screening indicates an inmate has previously perpetrated sexual abuse, whether this occurred in an institutional setting or in the community, staff will ensure the inmate is offered a follow-up meeting with Sex Offender Management Program staff within 14 days of the intake screening.
2. If the intake screening indicates an inmate has experienced prior sexual victimization, whether this occurred in an institutional setting or in the community, staff will ensure the inmate is offered a follow-up meeting with medical or mental health staff within 14 days of the intake screening.

3. PREA Risk Screen:

- A. All inmates admitted to the DOC will have a PREA Risk Screen (See [Attachment 1](#)) administered by a A&O case manager trained to administer the screen, within 30 days of arrival at the facility.
 1. The PREA Risk Screen will include the inmate's demographics, results of a NCIC criminal background report, sentencing information and PSI (if available), classification and assessment information, documented/known institutional behavior and other relevant information.
- B. Newly received inmates will remain in the Admissions & Orientation (A&O) Unit until the assessments are completed.
- C. An inmate's answers/responses to the PREA Risk Screen may not be shared with unauthorized staff or other inmates. Information shall not be used to the inmate's detriment by staff.
 1. Inmates may not be disciplined for failure to respond to, or provide complete answers to the screening questions.
- D. Within 30 days of intake, unit staff will provide comprehensive education to inmates, either in-person or through video, regarding the inmate's right to be free from sexual abuse/sexual harassment and from any retaliation for reporting sexual abuse/sexual harassment. This information may be provided electronically through the inmate tablets.
 1. A&O unit staff completing the PREA Risk Screen will document the presentation of the *Prevention of Sexual Abuse/Harassment Information* part 2 PREA Review information on [Attachment 4](#) and in COMS/Assessment/PREA Admissions &Orientation class.

4. PREA Risk Screen Review:

- A. A PREA Risk Screen Review (See [Attachment 1](#) PREA Risk Screen) will be completed on an inmate with an existing PREA screen for the following reasons:
 1. When the inmate transfers in from another facility. Exceptions to this rule include the following:
 - a. When the transfers are from an Admissions and Orientation unit or status.
 - b. When the transfers are temporary (less than 30 days), i.e. for medical procedures, hearings, etc.
 - 1)Extended temporary transfers shall have a PREA Risk Screen Review completed by the 30th day of their arrival at the new facility.
 2. If there is a recorded incident of substantiated sexual abuse involving the inmate.

- a. Following a conviction for an institutional rule violation or civil or criminal charge involving sexual abuse.
 - b. Following a report the inmate was the victim of sexual abuse.
 3. If new, verifiable and documented information becomes available involving sexual abuse of the inmate.
- B. A PREA Risk Screen Review can be initiated by staff to ensure the inmate's safety from sexual abuse.
1. An inmate's PREA Risk Screen score will be reviewed by unit staff when an inmate's classification is reviewed (See DOC policies 1.4.B.2 [Male Inmate Classification](#) or 1.4.B.14 [Female Inmate Classification](#)).
 2. A PREA Risk Screen Review will be initiated by the Unit Case Manager if an incident/event has occurred since the last screen that is likely to change the inmate's score. Some examples of an incident/event that require a review of the inmate's score include:
 - a. A new sentence. The case manager will review the PREA Screen when new sentence information becomes available.
 - b. A Special Investigations Unit investigation determines an inmate was either a victim or a perpetrator of sexual abuse. Staff with the Special Investigations Unit will notify the inmate's case manager of this determination within 72 hours.
 - c. Sex Offender Management Program (SOMP) staff determine an inmate has a sexual behavior issue (See DOC policy 1.4.B.9 [Sexual Behavior Issue Review](#)). SOMP will notify the inmate's case manager of this determination within 72 hours.
 - d. Mental Health staff determines the inmate has a COMS Mental Health Alert: No Move - Contact CBH code. Mental Health staff making the determination will notify the inmate's case manager of this determination within 72 hours.
 - e. A unit staff member believes an inmate has been incorrectly assessed/incorrect PREA code. Any changes or updates must be accompanied with verifiable documents, reports or evidence.
 - f. When an inmate who self-identifies as transgender or intersex sends a request to the Gender Review Committee seeking certain accommodations (See DOC policy 1.3.E.5 [PREA Compliance with Prison Rape Elimination Act Standards](#)). The inmate's score or any changes in score must be sent to the Committee prior to making recommendations regarding accommodation.
 - g. When staff identifies or suspect an inmate is transgender or intersex, or following assessment of the inmate by behavioral staff and there are concerns about the safety of the inmate or other inmates where the inmate is currently housed.
 3. The reason for a PREA Risk Screen Review will be documented in the COMS PREA Risk Screen Comments section.
 4. When scoring the Risk Screen on COMS and scoring a PREA RISK screen item as a "YES", it is mandatory the assessor put comments in the Question Comments Field of COMS documenting why an Item was scored "YES".
- C. An initial PREA Risk Screen Review shall be completed within 72 hours of the inmate's unit staff being made aware of any of the above criteria being met. Revisions or changes may be made any time, including after 72 hours.

- D. The PREA Inmate Admission & Review Screen Scoring Guide (See [Attachment 3: PREA Inmate Admission & Review Screen Scoring](#)) will be used as a reference in completing the PREA Risk Screen Review.

5. PREA Screen Categories:

- A. The PREA screen distributes inmates into four (4) institutional categories (See [Attachment 3](#)), with designations of:
1. VP (Victim Potential): Inmates designated by the PREA screen as having characteristics of an inmate with a higher than normal likelihood to be sexually assaulted inside an institution.
 2. AP (Aggressor Potential): Inmates designated by the PREA screen as having characteristics of an inmate with a higher than normal likelihood to be sexually aggressive towards other inmates inside an institution.
 3. MX (Mixed): Inmates designated by the PREA screen as having both an aggressor potential (AP) and a victim potential (VP).
 4. NS (Not Scored): Inmates that did not fit into the criteria in the PREA Screen Score to be designated as a VP, AP or MX.

6. Utilization of the PREA Risk Screen score:

- A. The PREA Risk Screen score will be utilized for assigning cells, rooms and beds for inmates at all DOC facilities, with the goal being to keep separate as reasonably possible, those inmates at a high risk of being sexually victimized from those at high risk of being sexually abusive.
1. In barracks' housing, the PREA Risk Screen score will be taken into consideration to keep VP, MX, and AP designated inmates as separated as possible, given the lack of physical barriers in this type of housing environment. This may include bunking inmates at opposite sides of the barracks or placing vulnerable inmates in areas more likely to receive more direct and frequent staff supervision.
- Note:** If the PREA Risk Screen score can be accommodated consistent with the custody classification and AIMS code, then it should be used in these assignments.
2. Individualized facility, housing and programming decisions for transgender and intersex inmates must be made based on consideration of all information available at the time, including the inmate's PREA Risk Screen score and individualized assessment. Placement shall be reviewed a minimum of twice a year and documented in COMS in the case notes.
 3. When deciding whether to place a transgender or intersex inmate at a male or female facility, staff shall consider on a case-by-case basis, the inmate's PREA Risk Screen Score and whether the placement would ensure the inmate's health and safety, and if the placement would present management or security problems or is contrary to the legitimate penological interests of the DOC. Serious consideration will be given to the inmate's own views with respect to their safety and self-identified gender identity.
- B. Inmates' PREA Risk Screen category cannot be used to override custody classification or AIMS classification (male inmates only-See DOC policy 1.4.B.3 [Adult Internal Management System \(AIMS\)](#)).
- C. The inmate's security classification, criminal and disciplinary history, current gender expression, medical and mental health information and needs, vulnerability to sexual victimization and likelihood of perpetrating abuse shall all be considered, in addition to the PREA Risk Screen score, when determining facility, housing and programming placement. In addition, facility-specific factors, including but not

limited to, inmate population, staffing patterns and physical layout of the facility, may influence inmate placement at a facility, housing and programming.

- D. An inmate's rights, privileges or custody levels may not be forfeited, changed, determined or affected on the basis of his/her assigned PREA Screen category. Inmates may file a request for Administrative Remedy if they perceive the Risk Screen process or their assigned PREA Risk Screen score causes detriment to them (See DOC policy 1.3.E.3 [Administrative Remedy for Inmates](#)).
- E. The PREA Risk Screen score will be taken into consideration when determining housing, cell, work, education, and program assignments/programming for inmates with a high risk of being sexually victimized by those inmates determined to be a high risk of being sexually abusive.
- F. Any inmate who has compelled or coerced another person, by force or threat of serious physical harm or death, to engage in any sexual act or sexual abuse, may be referred for a Restrictive Housing (See DOC policy 1.3.D.4 [Restrictive Housing](#)).

7. Cell/Room Assignment Based on PREA Risk Screen score:

- A. PREA category impact on a cell/room assignment:
 - 1. Inmates in the AP category can be housed with an AP or NS category inmate.
 - 2. Inmates in the VP category can be housed with a VP or NS category inmate.
 - 3. Inmates in the NS category can be housed with any category inmate.
 - 4. Inmates in the MX category can be housed with a MX or NS category inmate.
- B. Inmates with an AP code may not be housed with inmates with a VP or MX code.

8. Programming / Education / Work Assignments Based on PREA Risk Screen score:

- A. Screening information shall be used in informing an inmate's programming, education or work assignments with the goal of keeping separate as reasonably possible, those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive or providing appropriate supervision to prevent instances of abuse. At a minimum, unsupervised contact between vulnerable and potentially abusive inmates shall be prohibited.
- B. Work supervisors and those providing education and programming to groups of inmates are responsible for knowing the identity of assigned inmates assessed with victim potential and aggressor potential, and providing necessary supervision to protect inmates participating in education and programming from sexual abuse. If vulnerable and potentially abusive inmates are present in the area at the same time, supervisors shall ensure heightened supervision and safeguards against sexual abuse and sexual harassment.
 - 1. Inmates with a VP category may be placed in a program, education or work assignment with an AP or MX provided there is direct staff supervision.
 - 2. Inmates with a MX category may be placed in a program, education or work assignment with an AP or another MX provided there is direct staff supervision.
 - 3. Inmates with a NS category may be placed in a program, education or work assignment with an AP, VP, MX, or another NS without direct staff supervision.

Related Directives:

- DOC policy 1.3.E. 5 -- [Compliance with Prison Rape Elimination Act](#)
- DOC policy 1.3.D.4 -- [Restrictive Housing](#)
- DOC Policy 1.3.E.3 -- [Administrative Remedy for Inmates](#)
- DOC policy 1.4.A.2 -- [Inmate Admission](#)
- DOC policy 1.4.B.2 -- [Male Inmate Classification](#)
- DOC policy 1.4.B.3 -- [Adult Internal Management System \(AIMS\)](#)
- DOC policy 1.4.B.9 -- [Sexual Behavior Issues Review](#)

VI Revision Log:

November 2013: New policy.

April 2015: Deleted "Admissions" from Section 2. Added "or providing appropriate supervision to prevent instances of abuse. Work supervisors and those providing education and programming to groups of inmates are responsible for knowing the identity of assigned inmates assessed with victim potential and aggressor potential and providing necessary supervision to protect inmates from sexual abuse." to Section 8 A.

May 2016: Deleted language in 1. and Replaced with 1. a. and b. in Section 4. A. Added "substantiated" in Section 4 A. 2. Added "and documented" in Section 4 A. 3. Deleted "SMI or SN Mental Health code" and Replaced with "COMS Mental Health Alert-No Move-Contact CBH code" in Section 4 B. 2. d. Added "Any changes or updates must be accompanied with verifiable and documented evidence" in Section 4 B. 2. e. Added 3 and 4 in Section 4 B. Added D. to Section 4. Revisions to Attachment 3.

January 2018: Added "This information is also contained in the *Inmate Living Guide*, which inmates have access to upon admission to a DOC facility, either in printed format or via an issued tablet or kiosk" in Section 2 E. Added "The inmates' score or any changes in score must be sent to the Committee prior to making recommendations for housing" in Section 4 B. 2. f. Added g. to Section 4 B. Added "with the goal being to keep separate as reasonably possible, those inmates at a high risk of being sexually victimized from those at high risk of being sexually abusive" in Section 6 A. Added "as possible, given the lack of physical barriers in this type of housing environment. This may include bunking inmates at opposite sides of the barracks, or placing vulnerable inmates in areas more likely to receive staff supervision" in Section 6 A. 1. Deleted "An inmate with a history of sexually assaultive behavior may be referred for an Administrative Segregation hearing" and Replaced with "Any inmate who has compelled or coerced another person, by force or threat of serious physical harm or death, to engage in any sexual act or sexual abuse may be referred for a Restrictive Housing" in Section 6 E. Added 2. and 3. to Section 6 A. Added C. to Section 6. Added "Inmates may file a request for Administrative Remedy if they perceive the Risk Screen process or their PREA Risk Screen score causes detriment (See DOC policy 1.3.E.3 [Administrative Remedy for Inmates](#))" in Section 6 D. Added "At a minimum, unsupervised contact between vulnerable and potentially abusive inmates shall be prohibited" in Section 8 A. Added "If vulnerable and potentially abusive inmates are present in the area at the same time, supervisors shall ensure heightened supervision and safeguards against sexual abuse and sexual harassment are implemented" in Section 8 B. Changes to Attachment 3.

June 2018: Reviewed with no changes.

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

06/25/2018

Date

Attachment 1: PREA Risk Screen

The **PREA Risk Screen** form is located on COMS under:

Institutional Management: > Case Management > Assessments

Under **Offender Assessments**

- Select **PREA Risk Screen** (fill in)

DOC#	Last Name	First Name	Middle Name	DOB	Age	Gender	Alerts
0001003042	TRAINER	DOUG		01/01/1987	26	MALE	HC

Date	Type	Authority	Score	Calculated Result	Override Result	Approved Result	Next Date
12/04/2012	Maintenance Polygraph	Parole Agent	1	No Deception Indic		No Deception Indic	06/02/2013
12/04/2012	Specific Polygraph	Parole Agent	1	No Deception Indic		No Deception Indic	06/01/2013
12/04/2012	Community Risk Assess	Parole Agent	14	Medium	Maximum	Maximum	
12/03/2012	Community Risk Assess		14	Medium		Medium	

Assessment Type	Authority	Facility	Assessor	Assessment Date
PREA Risk Screen	Admissions Case Manager	Jameson Annex	VAN MEVEREN, KEN	01/30/2013

- Select **Questionnaire** (complete 4 Potential Aggressor Questions)

Number	Question	Wording	Select	Notes
1	Institutional incidents of sexually abusing other offenders.	Yes	<input type="radio"/>	
2	Offender has prior acts of violent sexual abuse (non-institutional).	No	<input type="radio"/>	
3	Offender has prior convictions for violent offenses.		<input type="radio"/>	
4	Offender has prior violence within institutional setting or jails.		<input type="radio"/>	

- o Continue **Questionnaire** (complete 10 Potential Victim Questions)

The screenshot displays the 'ASSESSMENT QUESTIONNAIRE - (OCUNOQUE)' interface. It features a 'Questionnaire Sections' panel on the left with dropdown menus for 'Potential Aggressor', 'Potential Victim', and 'Aggressor/Victim Code Outcomes'. A 'Running Comment' text area is located at the top right. The main area is divided into 'Questions' and 'Answers'. The 'Questions' table lists items 5 through 9, with item 9 selected. The 'Answers' section provides radio button options for 'Yes' and 'No' for each question, along with a 'Notes' column. Navigation buttons for 'Previous Question', 'Next Question', 'Complete', 'Save', and 'Exit' are positioned at the bottom.

Number	Question
5	Offender is of slight physical stature: [Male: Less than 5'6" and/or less than 140lbs]; [Female: Less
6	Offenders first time incarcerated in prison.
7	Criminal History is exclusively non-violent.
8	Inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender
9	Offender has current or prior convictions for sex offenses against a child or adult.

Wording	Select	Notes
Yes	<input type="checkbox"/>	
No	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

- o Continue **Questionnaire** (complete Aggressor/Victim Outcomes)

This screenshot shows the 'ASSESSMENT QUESTIONNAIRE - (OCUNOQUE)' interface with questions 1 and 2 selected. The 'Questions' table contains instructions to enter outcomes from the 'Potential Aggressor' and 'Potential Victim' sections. The 'Answers' section includes radio button options for 'Offender scored as "AP" on aggressor section?' and 'Offender scored as "NS" on aggressor section?'. The interface also includes a 'Running Comment' field and navigation buttons at the bottom.

Number	Question
1	Enter outcome from Potential Aggressor section.
2	Enter outcome from Potential Victim section.

Wording	Select	Notes
Offender scored as "AP" on aggressor section?	<input type="checkbox"/>	
Offender scored as "NS" on aggressor section?	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

Attachment 2: PREA Risk Screen

The **PREA Risk Screen** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **PREA Risk Screen** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **PREA Risk Screen**.

SOUTH DAKOTA DEPARTMENT OF CORRECTIONS PREA RISK SCREEN		
INMATE	NUMBER	DATE
<input type="checkbox"/> Initial PREA Risk Screen:	All inmates newly admitted to the DOC will have a Initial PREA Risk Screen completed by trained facility Unit Staff within 72 hours of their arrival at the facility.	
<input type="checkbox"/> Admissions Risk Screen:	All inmates newly admitted to the DOC will have a Admissions PREA Risk Screen completed by trained A&O Case Manager within 30 days of their arrival at the facility.	
<input type="checkbox"/> PREA Risk Screen Review:	Reassess warranted due to a facility transfer, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.	
POTENTIAL AGGRESSOR:		
1. Institutional incidents of sexually abusing other offenders	_____ Yes	_____ No
2. Offender has prior acts of violent sexual abuse (non-institutional)	_____ Yes	_____ No
3. Offender has prior convictions for violent offenses	_____ Yes	_____ No
4. Offender has prior violence within institutional setting or jails	_____ Yes	_____ No
• SCORING: IF QUESTION 1 IS MARKED YES THEN SCORE AP. IF ANY 3 OR MORE ARE YES, THEN SCORE AS AP.		
POTENTIAL VICTIM:		
1. Presents or identifies a mental, physical, or developmental disability	_____ Yes	_____ No
2. History of prior sexual victimization (institutional)	_____ Yes	_____ No
3. History of prior sexual victimization (non-institutional)	_____ Yes	_____ No
4. Inmate is less than 21 years old or over 65 years old	_____ Yes	_____ No
5. Offender is of slight physical stature: Male: less than 5'6" and/or less than 140 lbs Female: less than 5' and/or less than 100 lbs	_____ Yes	_____ No
6. Offenders first time incarcerated in prison.	_____ Yes	_____ No
7. Criminal History is exclusively non-violent	_____ Yes	_____ No
8. Inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming	_____ Yes	_____ No
9. Offender has current or prior convictions for sex offenses against a child or adult	_____ Yes	_____ No
10. Offender believes he/she is vulnerable to being Sexually victimized in the institution	_____ Yes	_____ No
• SCORING: IF QUESTION 1 OR 2 IS MARKED YES THEN SCORE VP. IF ANY 3 OR MORE ARE YES, THEN SCORE AS VP.		
• SCORING: IF INMATE SCORES BOTH AS A AP AND A VP THEN THE INMATES INITIAL PREA SCORE IS MX		
• SCORING: IF NEITHER AREA SCORES, THEN INMATE INITIAL PREA SCORE IS NS.		
PREA Score _____		
STAFF SIGNATURE	DATE	
1/30/13		

Attachment 3: PREA Inmate Admission & Review Screen Scoring

SOUTH DAKOTA DEPARTMENT OF CORRECTIONS PREA RISK SCREEN SCORING GUIDE

Three types of PREA Risk Screens

- Initial** (72 HR) PREA Risk Screen: All inmates newly admitted to the DOC will have an Initial PREA Risk Screen completed by trained facility Unit Staff within 72 hours of their arrival at the facility.
- Admissions** (30 Day) Risk Screen: All inmates newly admitted to the DOC will have an Admissions PREA Risk Screen completed by trained A&O Case Manager within 30 days of their arrival at the facility.
- PREA Risk Screen Review:** Reassess warranted due to a facility transfer, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.
-

Staff conducting the PREA Risk Screen shall implement appropriate controls on the dissemination of inmate information and responses to questions asked pursuant to this risk screen in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

POTENTIAL AGGRESSOR:

1. **Institutional incidents of sexually abusing other offenders**

Review NCIC, Mainframe for prior PREA Codes, and any institutional (DOC or jail) reports. File information when available.

Ask inmate in interview. If reported as Yes, notify SOMP for follow up interview. HS/MH Review

Initial or Admissions Interview question: *Have you ever been involved in an incident where you sexually abused other inmates?*

For Reviews *there has to be documented reports or other evidence. Revised inmate statements cannot be changed later unless there is documented evidence from an accredited source.*

2. **Offender has prior acts of violent sexual abuse (non-institutional)**

Review NCIC, File information when available. Include offenses that were originally charges violent sex offense and plea bargained down at court (refer to SOMP), Ask inmate in interview. If reported as Yes, notify SOMP for follow up interview.*

***Note:** *Only count sexual charges that plea bargained down to a lesser charge - do not count if the charge was dismissed or not prosecuted.*

Initial or Admissions Interview question: *Have you ever been involved in an incident where you sexually abused other people outside of prison?*

For Reviews *there has to be documented reports or other evidence. Revised inmate statements cannot be changed later unless there is documented evidence from an accredited source.*

3. **Offender has prior felony convictions for violent offenses**

Review NCIC, Mainframe for prior felony incarcerations, use DOC Crime Codes & Classification for determination of violent offenses.

Note: *Count prior violent felony convictions only - do not count current charge or any misdemeanor offenses.*

4. **Offender has violence within institutional setting or jails**

Include any institutional (DOC or jail) reports.

Initial or Admissions: *If information not available yet, ask inmate.*

For Reviews *there has to be documented reports or other evidence.*

POTENTIAL VICTIM:

1. Presents or identities a mental, physical, or developmental disability

Check the Alert Status in COMS for the Mental Health code of “**No Move- Contact CBH - Support Living Environment - NOMOVE**”, and interview staff can make referral to Mental Health based upon observation. Mental Health will make the final determination in writing. Health Services will make an individual determination if a person has a physical or developmental disability.

***Note:** Health Services should determine if an individual inmates physical limitation are significant enough to make him/her vulnerable to other inmates (not just sexual abuse). Is the inmate’s ability to protect themselves to the same level of other inmates, compromised by this disability?

2. History of prior sexual victimization (institutional)

Check mainframe for prior PREA Codes. File information when available. Include all detention facilities. Ask inmate in interview. If reported as Yes, notify Mental Health for follow up interview.

Initial or Admissions Interview question: Have you ever been a victim of sexual abuse in prison or jail?

Note: Inmate admissions to sexual abuse victimization during the Initial or Admissions interview cannot be changed later unless there is documented evidence supporting the change.

For Reviews there has to be documented reports or other evidence. Revised inmate statements cannot be changed later unless there is documented evidence from an accredited source.

3. History of prior sexual victimization (non-institutional)

Review NCIC, Mainframe for prior incarcerations, use DOC Crime Codes & Classification for determination of violent offenses. Accredited sources can also be used. Examples of accredited sources: PSI, Treatment Needs Assessments, CD & SOMP Assessments, and/or psychosexual evaluations.

Initial or Admissions Interview question: Have you ever been a victim of sexual abuse in the community?

Note: Inmate admissions to sexual abuse victimization during the Initial or Admissions interview cannot be changed later unless there is documented evidence supporting the change.

For Reviews there has to be documented reports or other evidence. Revised inmate statements cannot be changed later unless there is documented evidence from an accredited source.

4. Inmate is less than 21 years old or over 65 years old

Check incoming or prior records on COMS. If information is not available yet, ask inmate.

5. Offender is of slight physical stature: Male: less than 5'6" and/or less than 140 lbs / Female: less than 5' and/or less than 100 lbs

Check incoming or prior records on COMS. If information is not available yet, ask inmate.

Note: inmate needs to meet only one of these criteria; the inmate does not have to meet both.

6. Offenders first time incarcerated in prison.

Review NCIC. File information when available.

Initial or Admissions interview question: If information is not available yet, ask inmate.

For Reviews there has to be documented reports or other evidence.

Note: 1) This is only scored on offender’s first admission to a state or Federal facility.

2) Inmates returning to prison after leaving prison on parole, probation or suspended sentence and having access to the community would not score.

Example: A first time offender who has been released to the community (or on CTP with access to the community) and is returning on a parole violation would not score.

7. Criminal History is exclusively non-violent

Review NCIC – include all (felony & misd.) convictions. File information when available. Use DOC Crime Codes & Classification for determination of violent offenses. If information is not available yet, ask inmate.

Note: All convictions - includes past and current.

8. Inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming

File information when available. Ask inmate in interview. Staff perception is based upon the interview with inmate and staff observation.

Must Ask Interview question: Are you gay/ lesbian, bisexual, transgender, intersex or gender non-conforming?

9. Offender has current or prior convictions for sex offenses against a child or adult

If available review NCIC – include all (felony & misd.) convictions.

At Initial or Admissions: If information not available yet, ask inmate.

Note: Inmate admissions to current or prior sex offences during the Initial or Admissions interview cannot be changed later unless there is documented evidence supporting the change.

For Reviews there has to be documented reports or other evidence. Revised inmate statements cannot be changed later unless there is documented evidence from an accredited source.

10. Offender believes he/she is vulnerable to being sexually victimized in the institution

This is only asked on the Initial or Admissions interview. **The only time this will be asked in a Review is if the inmate is self-identifying as a transgender. Otherwise it will not be asked in a review situation.**

Interview question: Do you believe yourself to be vulnerable to being sexually abused in prison?

NOTES: When scoring the Risk Screen on COMS and scoring a PREA RISK screen item as a “YES” it is mandatory that the assessor put comments in the Question Comments Field of COMS documenting why an Item was scored YES.

[COMS screenshot example](#)

The screenshot shows the 'ASSESSMENT QUESTIONNAIRE - (OCUNOQUE)' interface. It is divided into several sections:

- Questionnaire Sections:** A list of sections including 'Potential Aggressor', 'Potential Victim', and 'Aggressor/Victim Code Outcomes'.
- Running Comment:** A large text area for entering a running comment.
- Questions:** A list of questions with their numbers and descriptions. Question 4 is highlighted: 'Offender has prior violence within institutional setting or jails.'
- Answers:** A table for recording answers. The table has columns for 'Wording', 'Select', and 'Notes'. The 'Yes' row is selected, and the 'Notes' field contains 'H-4 staff assault'.

Wording	Select	Notes
Yes	<input checked="" type="checkbox"/>	H-4 staff assault
No	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

Attachment 4: PREA Acknowledgement of Prevention of Sexual Abuse/Harassment Information

The **PREA Acknowledgement of Prevention of Sexual Abuse/Harassment Information** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **PREA Acknowledgement of Prevention of Sexual Abuse/Harassment Information** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **PREA Acknowledgement of Prevention of Sexual Abuse/Harassment Information**

South Dakota Department Of Corrections Policy Distribution: Public	Attachment: Acknowledgement of Prevention of Sexual Abuse/Harassment Information 1.3.E.* Prevention of Sexual Abuse/Harassment of Offenders
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**Acknowledgement of
Prevention of Sexual Abuse/Harassment Information**

Initial PREA Risk Information: To be completed with the inmates Initial PREA Risk Screen (72 hrs) and initial briefing on PREA.

I acknowledge receiving information on the prevention of sexual abuse/harassment and the Department of Corrections policy on Zero Tolerance of sexual abuse/harassment.

INMATE _____ NUMBER _____ DATE _____

STAFF _____ NUMBER _____ DATE _____

Admissions PREA Risk Information: To be completed after the inmate has attended the PREA A&O Class and has had the Admissions PREA Risk Screen.

I acknowledge receiving information on my rights to be free from sexual abuse/sexual harassment and to be free from retaliation for reporting such incidents. (PREA A&O Class)

I acknowledge reviewing information on the prevention of sexual abuse/harassment and the Department of Corrections policy on Zero Tolerance of sexual abuse/harassment.

INMATE _____ NUMBER _____ DATE _____

STAFF _____ NUMBER _____ DATE _____

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