

TITLE: RI 200-29 PRISON RAPE ELIMINATION ACT (PREA) IMPLEMENTATION PROGRAM

PAGE: 1 OF 3

CATEGORY: RIGHTS AND RESPONSIBILITIES

VERSION: 4

APPROVER: Genna Brisson (VP Operations)

SUPERSEDES: 01/19/2018

EFFECTIVE: 04/10/2019

REVIEWED: 04/10/2019

**1. PURPOSE**

The purpose of this policy is to provide guidance on the PREA Implementation Program for all Wellpath Recovery Solutions, LLC Facilities. The Prison Rape Elimination Act (PREA) is a federal law that prohibits and seeks to eliminate sexual assaults and sexual misconduct in correctional institutions and community corrections settings. Wellpath Recovery Solutions, LLC is committed to providing a safe and healthy environment for Employees, Volunteers, or Contractors and Residents in any Wellpath Recovery Solutions Facility.

**2. SCOPE**

This policy provides all Wellpath Recovery Solutions, LLC facilities with guidance on the Prison Rape Elimination Act (PREA) Standards.

**3. POLICY**

3.1. Wellpath Recovery Solutions, LLC has zero tolerance relating to nonconsensual acts, offender on offender sexual abuse, sexual misconduct, and staff sexual harassment in accordance with the standards set forth in the *Prison Rape Elimination Act of 2003* (PREA). It is the policy of Wellpath Recovery Solutions to have zero tolerance towards any form of Sexual Abuse and Sexual Harassment in all its facilities. Wellpath Recovery Solutions prohibits sexual conduct between Employees, Volunteers, or Contractors with any resident in a Wellpath Recovery Solutions Facility regardless of consensual status. Such behavior is subject to administrative as well as criminal and disciplinary sanctions. This prohibition includes conversations or correspondence of a romantic or sexual nature. All Employees, Contractors, and Volunteers are expected to have a clear understanding that Wellpath strictly prohibits any type of sexual relationship with Residents in a Wellpath Recovery Solutions Facility. This shall be considered a serious breach of the Standards of Employee Conduct, Volunteer agreements as well as vendor, service and Contractor agreements and these relationships will not be tolerated.

3.2. Engaging in a romantic and/or sexual relationship with Residents in a Wellpath Recovery Solutions Facility may result in employment termination and/or termination of the Contractual or Volunteer status, and/or criminal charges. Program staff must take prudent measures to ensure the safety of Residents in a Wellpath Recovery Solutions Facility or Program, Employees, Contractors, and Volunteers. Retaliation against Residents in a Wellpath Recovery Solutions Facility or Program or Employees for filing a complaint will not be tolerated.

TITLE: RI 200-29 PRISON RAPE ELIMINATION ACT (PREA) IMPLEMENTATION PROGRAM

PAGE: 2 OF 3

CATEGORY: RIGHTS AND RESPONSIBILITIES

VERSION: 4

APPROVER: Genna Brisson (VP Operations)

SUPERSEDES: 01/19/2018

EFFECTIVE: 04/10/2019

REVIEWED: 04/10/2019

3.3. In accordance with this policy, all Employees, Contractors and Volunteers have an affirmative duty to report all allegations or knowledge of Sexual Abuse, Sexual Harassment, romantic, or sexual contact that takes place within any Wellpath Recovery Solutions Facility or program. All cases of alleged sexual conduct shall be thoroughly investigated. Upon substantiation of any allegations of sexual conduct, appropriate disciplinary actions will be taken against Employees, Contractors or Volunteers, including possible criminal prosecution.

**4. INTERPRETATION**

It is the responsibility of the Wellpath Recovery Solutions Corporate Director of Security Operations to define, interpret, and administer this policy.

**5. PROCEDURE**

- 5.1. Due to client contract requirements, some Facilities may be required to follow specific client PREA policy. If for some reason, client policy is less restrictive than Section 28 C.F.R. Part 115 of the National PREA Standards, the PREA Standards shall prevail and a site-specific supplemental policy shall be developed. Each Wellpath Recovery Solutions, LLC Facility shall have a current policy in place to ensure that:
- 5.2. Where a Wellpath Recovery Solutions Facility falls within the scope of the Prison Rape Elimination Act of 2003 (PREA) and the National Standards To Prevent, Detect, and Respond To Prison Rape; Final Rule, dated, June 2012, the National Standards should be appropriately incorporated into policy;
- 5.3. Employees, Contractors and Volunteers are informed of Wellpath Recovery Solutions' zero tolerance policy regarding Sexually Abusive behavior;
- 5.4. Residents in a Wellpath Recovery Solutions Facility are informed of Wellpath Recovery Solutions' zero tolerance policy regarding Sexually Abusive behavior;
- 5.5. Standard procedures are in place to detect and prevent Sexually Abusive behavior at all Wellpath Recovery Solutions Facilities;
- 5.6. Victims of Sexually Abusive behavior receive a prompt and effective response to their physical, psychological and security needs;
- 5.7. Allegations of Sexually Abusive behavior receive prompt intervention upon report; and.

TITLE: RI 200-29 PRISON RAPE ELIMINATION ACT (PREA) IMPLEMENTATION PROGRAM

PAGE: 3 OF 3

CATEGORY: RIGHTS AND RESPONSIBILITIES

VERSION: 4

APPROVER: Genna Brisson (VP Operations)

SUPERSEDES: 01/19/2018

EFFECTIVE: 04/10/2019

REVIEWED: 04/10/2019

5.8. Perpetrators of Sexually Abusive behavior are disciplined and, when appropriate, referred for prosecution in accordance with Wellpath Recovery Solutions policy and Federal, State or Local laws.

## 6. DEFINITIONS

6.1. **Contractor** means a person who provides services on a recurring basis pursuant to a contractual agreement with the Agency.

6.2. **Employee** means a person employed by Wellpath Recovery Solutions or any operational subsidiary. An **employee** may also be referred to as **staff** or **staff member**.

6.3. **Residents in a Wellpath Recovery Solutions Facility or Program** means Residents, Detainees, Clients, Participants, Persons Served or individuals receiving services.

6.4. **Volunteer** means a resident, not an employee, who donates time and effort on a recurring basis to enhance the activities and programs of Wellpath Recovery Solutions.

## 7. REFERENCES

7.1. 28 CFR Part 115

7.2. Prison Rape Elimination Act of 2003 (PREA)

7.3. Prison Rape Elimination Act National Standards – Prisons & Jails