




NMCSAP  
NEW MEXICO  
SEXUAL ASSAULT  
SERVICE PROVIDERS

# Prison Rape Elimination Act (PREA) Services

## I. Policy Statement



Access to services for incarcerated survivors who experience sexual assault during incarceration must now be provided by correctional facilities by statute in the Prison Rape Elimination Act. Sexual Assault Service Providers (“the agency”) are a critical resource to ensure that timely, survivor-centered, quality services are provided. It is the policy of the agency to work with correctional facilities in their service areas to develop PREA services, and when resources allow and within the parameters of the MOU with facilities, to provide services to incarcerated survivors. At initial contact with incarcerated survivors, or as soon as possible, survivors are to be provided with a description of PREA services offered by the agency or services that can be accessed through referral, as well as the potential benefits of using services to heal from sexual violence.

# PREA

## Key Services for Incarcerated Survivors

- Confidential Advocacy: in-person, by phone, or by mail\*
- Advocacy for Sexual Assault Nurse (SANE) Exams
- Crisis Intervention / Follow up Advocacy

Best practices for providing these services are that they be provided in consultation with a sexual assault service provider agency that is independent of correctional facilities or by staff from such an agency.

## Key Services for Incarcerated Survivors

- Facilities and the agencies will utilize collaborative methods for developing services for incarcerated survivors.\*
- MOUs between each facility and agency will be established to outline, at minimum: services to be delivered by the agency; protocols and procedures by which services will be requested and delivered; procedures for cross-training of correctional facility and agency staff; procedures for agency involvement in facility SART teams; policies to ensure the safety of agency staff; policies to ensure the safety of incarcerated survivors; and facilities' responsibility for liability for PREA services.
- MOUs and protocols will include procedures by which correctional facilities will ensure the confidentiality of survivor-advocate contacts.

## Best Practices Provided by Agency

- The agency will provide PREA-specific training and resources to advocates responding to incarcerated survivors, including resources for self-care.
- Advocates will provide services based on the current needs of survivors only and will redirect all references by survivors and/ or corrections staff regarding survivors' criminal history to present-day advocacy needs.
- The agency will identify with correctional facilities ways that these facilities will build internal capacity to serve incarcerated survivors.

## Requirements for Agencies that Refer Incarcerated Survivors for Services

- The agency will screen providers for expertise in providing services for trauma related issues and preferably for expertise in sexual violence-related trauma.
- The agency will develop with providers a protocol for referring clients.
- The agency will offer to help incarcerated survivors with linking with providers for services and will assist with referrals if the survivors choose\*\*.
- The agency will follow up with survivors whenever possible regarding the referral and the survivors' satisfaction with services provided by other service providers.

\* While this is best practice, it is recognized that it is based on the facilities' willingness and capacity to work collaboratively.

\*\* Communications between advocates and survivors are confidential and protected by state statute.