



DEPARTMENT OF CORRECTIONS

Steven L. Beshear
Governor

Adult Institutions
P.O. Box 2400
Frankfort, Kentucky 40602-2400
Phone: 502-564-2220
Fax: 502-564-3520

LaDonna H. Thompson
Commissioner

James L. Erwin
Deputy Commissioner

Memorandum of Understanding

This Memorandum of Understanding (MOU) is between Kentucky Department of Corrections (**KDOC**) and Kentucky Association of Sexual Assault Programs (**KASAP**). The purpose of this MOU is to assure a unified effort between the entities involved to provide offenders with confidential emotional support services related to sexual violence as required by PREA (Prison Rape Elimination Act) standard 115.21 and 115.53.

Section I

Kentucky Department of Corrections agrees to:

1. Make involvement of designated rape crisis center personnel affiliated with KASAP member programs (list and contact info attached and will be updated as changes occur) a component of the standard response to a report of sexual violence and/or a request for help from a survivor of sexual violence by giving offenders contact information for access to outside victim advocates for emotional support services related to sexual violence.
2. Complete all necessary security clearances, as appropriate at each KDOC Facility.
3. Provide the required KDOC certified volunteer training at the respective institution for KASAP member program personnel. This training will include, but not be limited to: appropriate interaction between rape crisis personnel and any offender-victim, safeguarding of confidentiality, and other safety and security procedures necessary for each certified volunteer. For those volunteering at a Community Confinement Facility, the volunteer training will be set up through each respective facility and the content will be approved by the KDOC Contract Management Branch.
4. Allow entry of any rape crisis center personnel who meet all required guidelines as outlined in Section I Items 2-3 above.
5. Work with KASAP member programs to set up any requested crisis counseling sessions between offender-victims and rape crisis center personnel and provide an adequate meeting area where sufficient confidentiality can be maintained during the said counseling sessions. Up to three sessions will be provided for each requesting offender-victim as deemed necessary by the rape crisis personnel. For each KDOC institution, subsequent requests for counseling will be referred to in-house mental health staff by

submitting a mental health referral form to the prison medical department detailing the reasons for the referral. For each Community Confinement Facility, subsequent requests for counseling will be referred with a mental health referral form detailing the reasons for the referral to the facility director for appropriate action.

6. Facilitate any follow-up and on-going contact as requested by the KASAP member program between the offender-victim and rape crisis center personnel without regard to the status of an investigation.
7. Upon the request of rape crisis personnel, ensure that appropriate KDOC personnel is present to ensure the safety and security of all.
8. Contact the appropriate KASAP regional rape crisis center to request that rape crisis personnel accompany and support the offender victim through the forensic medical examination process and investigatory interviews. Offender victims from a KDOC Institution will be escorted to the hospital by a security officer who is not the identified perpetrator.
9. Communicate any questions or concerns to the appropriate KASAP staff or rape crisis center personnel.

Section II

Kentucky Association of Sexual Assault Programs, on behalf of its member programs, agrees to:

1. Respond to requests from any KDOC facilities located in the same area development district (list is attached as addendum and will be updated as changes occur) to provide support services related to sexual violence including, hospital accompaniment for an offender victim during the forensic medical examination process, in-hospital investigatory interviews, emotional support services (as defined in Section III), referrals, and follow-up crisis counseling on request of the offender-victim. Up to three sessions will be provided for each requesting offender-victim as deemed necessary by the rape crisis personnel. Subsequent requests for counseling for both prisons and community confinement facilities will be referred as noted in Section I Item 5 above. Crisis counseling provided via the crisis line will be available on a 24/7 basis. Prior to responding to a request for services, rape center personnel will contact the designated KDOC personnel to identify exactly who will be arriving to provide the service.
2. Maintain confidentiality as required by state and federal laws for rape crisis center personnel, and as required by KDOC Policy and Procedures, as covered in certified volunteer training. -
Work with all KDOC facilities to obtain necessary security clearances for appropriate rape crisis center personnel and follow all facility guidelines for safety and security identified in the certified volunteer training.
3. Ensure that rape crisis center personnel attend the required KDOC certified volunteer training. Communicate with the appropriate KDOC facility to request the certified volunteer training when additional rape crisis center personnel need training.
4. Maintain and provide KDOC with a list of current rape crisis center personnel by region, who have completed the certified volunteer training.
5. Communicate any questions or concerns to the KDOC PREA Coordinator or his designee at monthly in-person meetings or the appropriate facility staff, with phone calls in between meetings as needed.

Section III

For the purposes of this document:

Emotional support services are defined as 24 hr. crisis line, hospital accompaniment and in person crisis counseling.

Offender-victims are defined as persons incarcerated in a KDOC facility who has experienced sexual abuse or assault at any time in their life.

Designated rape crisis center personnel are defined as personnel affiliated with a designated rape crisis member program of KASAP who meet the qualifications for advocate and/or crisis counselor as defined in 920 KAR 2:010.

Rape crisis center advocate-client privilege is defined in KRE 506 as the right to refuse to disclose confidential communications between a client and a crisis counselor or victim advocate.

Certified volunteer means a citizen not salaried from Department of Corrections who provides specified services to the inmate population on an on-going basis and has met the certification training requirements.

Section IV

This Memorandum of Understanding (MOU) shall remain in force for one year from date of signature and can be renegotiated annually. This MOU can be changed or terminated by written notification of one entity to another entity.

Changes recommended will be effective by the signing of a new MOU.

Section V

The individuals executing this agreement on behalf of each party warrants that he/she is authorized to execute the agreement on behalf of their respective agencies and that the agency will be bound by the terms and conditions herein. The understanding between all parties is that there are no funds obligated under this agreement.

LaDonna H. Thompson
KDOC, Commissioner

DATE

Eileen A. Recktenwald
KASAP, Executive Director

DATE