

Section: 11 PREA: Sexual Abuse/Sexual Harassment

Subject: 11.8 Resident Reporting

Effective Date: November 1, 2016

POLICY:

Reporting by residents of any sexual misconduct is encouraged, and residents shall be afforded several means by which to report such incidents.

PROCEDURES:

1. General
 - a. Residents shall be encouraged to report any incidents of sexual misconduct as soon as possible.
 - b. Retaliation by residents against residents, employees, or other parties for reporting sexual misconduct will not be tolerated. Residents who retaliate will face disciplinary action.
 - c. False Reporting: Substantiated incidents of deliberate malicious false reports by residents or other parties may result in disciplinary action or criminal charges.
 - a. Residents who are victims of, or have knowledge of sexual misconduct should immediately utilize one of the following reporting methods:
 1. Report the incident directly to a staff member. However, residents do not need to submit a grievance alleging sexual abuse to a staff member who is the subject of the complaint. In such cases, the grievance may be submitted to another staff member, in a sealed envelope if desired, for delivery to any key staff member;
 2. Utilize the formal grievance procedure at any time to report sexual misconduct in accordance with NMRRC procedures and as outlined in the NMRRC Resident Sexual Misconduct Grievance policy, regardless of when the incident is alleged to have occurred. However, while resident may utilize the grievance procedure, they are not required to go through the informal resolution step to report allegations of sexual misconduct. Designated staff will process such grievances as a high priority in accordance with established facility emergency grievance procedures and immediately forward copies to the PREA Coordinator;
 3. Residents may use an NMRRC business telephone, in a private setting, to report sexual misconduct. Residents are not required to file written reports; however, staff who receive verbal reports from residents are required to file written incident reports as set forth in this policy;
 4. Third-party reports of sexual misconduct shall be accepted verbally or in writing, and shall be documented and forwarded to the Director and the PREA Coordinator for further action as outlined in the facilities policies and procedures. Such reports may be made through email, telephone, or in person.