

## Memorandum of Understanding

Boyd Andrew Community Services DBA the Elkhorn Treatment Center and the Helena Pre-Release Center and Safe Space enter into this Memorandum of Understanding (MOU). The parties' names, addresses, and telephone numbers are as follows:

Elkhorn Treatment Center	Helena Pre-Release Center	Safe Space, Inc.
1 Riverside Road	805 Colleen Street	207 Excelsior Ave
PO Box 448	Helena, MT 59601	Butte, MT 59701
Helena, MT 59632	442-6572 Extension (0)	(406)-782-9807
(406) 447-5300		

Whereas, the United States Department of Justice has promulgated national standards for the implementation and enforcement of the Prison Rape Elimination Act of 2003, Public Law 108-79, 117 Stat. 973, *et seq.*, 45 U.S.C. 15601, *et seq.* (PREA); and

Whereas, the PREA national standards are found in the regulations at 28 C.F.R. Part 115; and

Whereas, Subsection (d) of Section 115.221 and Subsection (d) of Section 115.221 of 28 C.F.R. Part 115 requires ETC/HPRC to attempt to make available to the victim of sexual assault or sexual abuse a victim advocate from a rape crisis center, either in person or by other means; and

Whereas, Safe Space, as a community-based organization that provides advocacy services to victims of sexual abuse and sexual assault, has agreed to provide crisis intervention and victim advocacy services to residents in the legal and physical custody of ETC/HPRC.

It is agreed between ETC/HPRC and Safe Space as follows:

1. 28 C.F.R. Section 115.21 and Section 115.221 requires ETC/HPRC to establish the following procedure to attempt to make available advocacy services to victims of sexual abuse and sexual assault who are residents in its custody:
  - a. Make involvement of certified rape crisis advocates a component of ETC/HPRC's standard response to a report of sexual abuse and/or a request for help from a survivor of sexual assault.
  - b. Any time that an incident or allegation of sexual abuse is discovered or reported within seventy-two (72) hours of the incident, ETC/HPRC will transport the victim of sexual abuse and/or sexual assault to St. James Healthcare or St. Peter's Hospital for a forensic medical exam, and to meet with a rape crisis advocate from Safe Space.
  - c. If the incident occurred more than seventy-two (72) hours prior to the report, ETC/HPRC will ensure that the victim receives a medical evaluation and any

needed medical treatment; a mental health evaluation, and contact information for Safe Space.

- d. Facilitate follow-up, whenever possible, between the victim of sexual abuse and/or sexual assault and a Safe Space advocate by mail or telephone while the she is residing in ETC/HPRC. This should be done without regard to the presence or status of an investigation.
  - e. Respect the confidential nature of communication between Safe Space advocates and residents residing at ETC/HPRC.
  - f. Ensure that Safe Space advocates are cleared to enter ETC/HPRC for meetings, training sessions, or to meet with residents. Provide for other logistical needs, such as a private meeting space for counseling sessions.
  - g. Communicate any questions or concerns to Safe Space staff.
2. Safe Space agrees to:
- a. Respond to requests from ETC/HPRC to provide advocacy when residents are brought to St. James Healthcare for sexual assault forensic exams.
  - b. Provide follow-up services and crisis intervention contacts to victims of sexual assault at ETC/HPRC as resources allow.
  - c. Work with designated officials of ETC/HPRC to obtain security clearance and follow all facility guidelines for safety and security, as necessary.
  - d. Maintain confidentiality of communications with residents residing at ETC/HPRC.
  - e. Make available a trained advocate, if requested, to accompany a victim during any investigative interviews.
  - f. Communicate any questions or concerns to ETC/HPRC.

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PREA Coordinator/Program Compliance Officer  
Helena Pre-Release Center  
Elkhorn Treatment Center  
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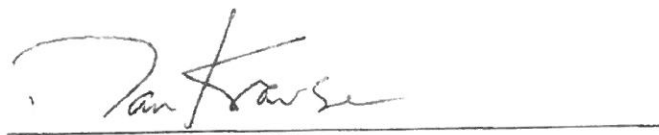
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We, the below listed administrators, agree to the terms and conditions of this Memorandum of Understanding (MOU). Any modification to the MOU must be in writing and be signed by the below listed administrators.

  
\_\_\_\_\_  
Tonya Garrity, Executive Director, Safe Space, Inc.

7-11-22  
Date

  
\_\_\_\_\_  
Dan Krause, COO BACS

7/13/22  
Date