

# PREA Facility Audit Report: Final

**Name of Facility:** Apalachee Correctional Institution

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 07/27/2018

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> James Curington	<b>Date of Signature:</b> 07/27/2018

AUDITOR INFORMATION	
<b>Auditor name:</b>	Curington, Jim
<b>Address:</b>	
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<b>Telephone number:</b>	352-538-2636
<b>Start Date of On-Site Audit:</b>	06/10/2018
<b>End Date of On-Site Audit:</b>	06/13/2018

FACILITY INFORMATION	
<b>Facility name:</b>	Apalachee Correctional Institution
<b>Facility physical address:</b>	35 Apalachee Drive, Sneads, Florida - 32460
<b>Facility Phone</b>	850-593-9600
<b>Facility mailing address:</b>	
<b>The facility is:</b>	<input type="radio"/> County <input type="radio"/> Federal <input type="radio"/> Municipal <input checked="" type="radio"/> State <input type="radio"/> Military <input type="radio"/> Private for profit <input type="radio"/> Private not for profit
<b>Facility Type:</b>	<input checked="" type="radio"/> Prison <input type="radio"/> Jail

Primary Contact			
<b>Name:</b>	Jonathan Hutchins	<b>Title:</b>	Assistant Warden
<b>Email Address:</b>	Jonathan.Hutchins@fdc.myflorida.com	<b>Telephone Number:</b>	850-593-9503

Warden/Superintendent			
<b>Name:</b>	John Barfield	<b>Title:</b>	Warden
<b>Email Address:</b>	JohnA.Barfield@fdc.myflorida.com	<b>Telephone Number:</b>	850-593-9501

Facility PREA Compliance Manager			
<b>Name:</b>	Jonathan Hutchins	<b>Email Address:</b>	Jonathan.Hutchins@fdc.myflorida.com

Facility Health Service Administrator			
<b>Name:</b>	Rhonda McAlpin	<b>Title:</b>	Health Service Administrator
<b>Email Address:</b>	McAlpin, Rhonda	<b>Telephone Number:</b>	850-593-9595

Facility Characteristics			
<b>Designed facility capacity:</b>	1670		
<b>Current population of facility:</b>	1971		
<b>Age Range</b>	Adults: 19 - 70	Youthful Residents:	
<b>Facility security level/inmate custody levels:</b>	level 4 ; community; minimum; medium ; close		
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	420		

AGENCY INFORMATION	
<b>Name of agency:</b>	Florida Department of Corrections
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	501 S Calhoun Street, Tallahassee, Florida - 32399
<b>Mailing Address:</b>	
<b>Telephone number:</b>	850-488-5021

Agency Chief Executive Officer Information:			
<b>Name:</b>	Julie Jones	<b>Title:</b>	Secretary
<b>Email Address:</b>	Julie.Jones@fdc.myflorida.com	<b>Telephone Number:</b>	850-488-5021

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Kendra Prisk	<b>Email Address:</b>	Kendra.Prisk@fdc.myflorida.com



## AUDIT FINDINGS

### **Narrative:**

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

The Prison Rape Elimination Act (PREA) audit for the Florida Department of Corrections (FDC) Apalachee Correctional Institution (APACI), is submitted and accomplished by James Curington, Department of Justice (DOJ) Certified PREA auditor, through AJF Correctional Counseling and Auditing, Inc..

Apalachee Correctional Institution (APACI) is a major facility with East and West Units run by the Florida Department of Corrections (FDC) for the state of Florida. The facility is located at 35 Apalachee Drive,, Sneads, Jackson County, FL 32460.

The auditor from AJF Correctional Counseling and Auditing was appointed/contracted by Ms. Kendra Prisk, FDC, Agency PREA Coordinator.

The auditor's methodology was to use a step-by-step process, which included the following:

1. Contacting and contracting with the agency/facility to accomplish the prison audit as outlined by the Prison Rape Elimination Act of 2003 using the Online Automated System (OAS). This included 43 standards of the Act, plus the two supplemental standards, Auditing and Corrective Action 115.401 and 115.403; and the evaluation instruments of the PREA Resource Center (PRC).
2. Sending a preaudit report form to the PRC (accomplished by the OAS).
3. Making contacts with the facility, the posting of audit notices, establishing an agenda for the site visit.
4. Obtaining the Pre-Audit Questionnaire and facility information, much included in the OAS.
5. Making a site visit to the community and the facility.
6. Making an assessment of compliance/noncompliance and the triangulation of a) pre-audit information; b) site visit, and review of the on-site information, and documentation; and c) post site visit review of materials, interviews and documents, and an assessment of compliance/noncompliance.
7. Completing an interim/final report-summary report.
8. Notifying the Agency/facility of the auditor summary report, and sending the summary report/post audit report/final report to the PRC.

It should be noted that to obtain the final report, the auditor again, used a triangulation method to bring together the assessment process, i.e., preaudit work, on-site work and summary review assessment work.

Specific to the audit. The following materials furnished by the PRC, through its website were used to assess and complete the audit report.

The PREA Auditor Handbook .

The PREA Report Template, April 2018, as a reference.

The PREA Audit Instrument, Adult Prisons and Jails, as a reference.

The Online Automated System as set up by the Agency, through the PRC for the auditors.

After notifications, contact information, posting of notices, review of information about the facility, the auditor began a review of the 12 sections of the Compliance Tool, and all 43 plus 2 standards in the Online Automated System. The 12 sections addressed: Prevention Planning; Response Planning; Training and Education; Screening for Risk of Sexual Victimization and Abusiveness; Reporting; Official Response Following an Inmate Report; Investigations; Discipline; Medical and Mental Healthcare; Data Collection and Review; Auditing and Corrective Action; and Post Audit Report and Audit Findings. Following this pre-audit review, the auditor began his site visit, the second part of the triangulation, on Sunday, June 10, 2018.

The site visit consisted of the following:

Sunday, June 10: evening dinner introductions meet and greet, general information, and the agenda for the site visit.

Monday, June 11: PREA audit discussion. Review of the schematics of the facility, review of the audit tour, review of the demographics of the facility, selection of staff (including volunteers, contractors, and interns) and inmate interviews, (inmate interviews to include LGBTI inmates, inmates who are limited English proficient, inmates in segregated housing, inmates, who reported victimization during a screening, inmates who reported sexual abuse, inmates placed in segregated housing for protection, as documented by the PREA Auditor Handbook).

Tuesday, June 12: visit and revisit institutional operational areas; review specialty program areas, including intake and orientation; make calls to the representative crisis center; interview sworn investigators; and continue with interviews of staff and inmates. Review PREA standards.

Wednesday June 13: continue with follow-up interviews with the Warden, key staff , and review, pre-audit information, on-site information and begin triangulation of the audit information. Depart APACI that afternoon.

The above schedule/agenda was accomplished, making adjustments as necessary for visiting all areas of the facility, reviewing the operations of the facility, scheduling interviews, and observing efforts for compliance with PREA.

The interviews with staff and inmates were conducted as outlined in the PREA Auditor Handbook. A) Thirty-nine (39) staff were formally interviewed from the scripted protocols (19 random staff and 20 specialized staff). B) Fifty-three (53) inmates were interviewed, including those listed and outlined by the PREA Auditor's Handbook Many informal discussions were held with inmates and staff. The auditor talked to staff on their posts and inmates in their housing, and work areas , this to generally understand and obtain information, helping assess the PREA program at APACI.

The methodology also included many discussions concerning zero tolerance of sexual abuse and sexual harassment and compliance with the PREA law.

It was noticeable throughout the facility that staff and inmates were aware of the zero tolerance policy and that the institution was taking a lead to eliminate sexual abuse and sexual harassment in prison. Clearly the Agency has established a zero tolerance policy by its Procedure 602.053 Prison Rape: Prevention, Detection and Response outlining overall compliance with the PREA standards preventing, detecting, and responding to sexual abuse and rape in prison.

Indicative of the FDC's commitment to zero tolerance and PREA compliance, the auditor quotes the back cover of the Apalachee Correctional Institution Inmate Manual. This back cover page is evidence of APACI's efforts for the safety and security of staff and inmates.

"Inmates are encouraged to immediately report any concern or fear of possible sexual battery to any

correctional staff member. "We want to know." No staff member will demean the situation through any type of humiliation or harassment. Treatment and counseling opportunities are available through mental health staff.

Victims of sexual battery should try to preserve as much physical evidence of the battery as possible. Prior to reporting a sexual battery, there should be no showering, washing, etc., of the body and/or of clothing or bed linen."

The back page goes on to define sexual battery and sexual harassment. The auditor was especially impressed with the institution's emphasis by using this back cover page to tell inmates that they want to know about sexual abuse.

Additionally, the auditor was especially impressed with the Florida Department of Corrections comments made in their PREA Procedure 602.053 Prison Rape: Prevention, Detection, and Response. To quote the Procedure "All staff, volunteers, and contractors will ensure that they foster an environment within the facility that precludes sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment." Moreover, it is noted that the FDC directs that "Any employee who fails to report or take immediate action regarding these incidents, or intentionally manifest actions to embarrass, demean, or humiliate any victim or informant, or trivializes a report of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will be subject to discipline, up to and including termination." This position that the FDC takes, accentuates its commitment to changing the culture of silence, the culture of you get what you deserve when you go to prison, the culture of inattention; and establishing its commitment to preventing rape in prison and changing one life at a time. Note the mission statement.

## AUDIT FINDINGS

### Facility Characteristics:

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

The Apalachee Correctional Institution (APACI) of the Florida Department of Corrections (FDC) is an adult all male, close custody two unit facility (a East Unit, and a West Unit) located in the Panhandle of Florida on Lake Seminole (the damned confluence of the Chattahoochee and Flint Rivers bordering Florida, Georgia and Alabama) at 35 Apalachee Drive., Sneads, FL 32460. It is part of the third-largest state system of Corrections in the USA (Florida behind Texas and California in inmate population). The system itself holds approximately 100,000 inmates, and approximately 25,000 employee positions. APACI has 2087 inmates. There are 891 inmates at the West Unit and 1196 at the East Unit with staffing of approximately 420 staff which may have duties and responsibilities at one or both units. Inmates are of four security levels: community, minimum, medium, and close security. The age range is 19 - 70. The average length of stay is 6.84 years.

The facility itself consists of 33 buildings with a large staff housing complex on the property. The East Unit and the West Unit are separately fenced compounds about a half mile from each other. The fenced compounds are patrolled by armed perimeter security (24/7). There are two security/special housing areas, one at each unit. There are a total of 12 open bay/dormitory inmate housing units [five (5) at the East Unit, seven (7) at the West Unit] and four (4) cell housing units [three (3) at the East Unit, one (1) at the West Unit] at APACI. The facility is in itself a small town with an infirmary, medical and mental health care clinics, food service, dining halls, kitchens, Chapels, administration buildings, laundries, recreation facilities, education buildings, maintenance shops and etc.

Inmate work programs include food service, laundry, maintenance, janitorial, clerks, orderlies, housekeeping, grounds, farming, gardening, and etc. All to assist in facility operations. Inmate Programming includes: medical (24/7), mental health, and dental health care programs; academic programs, vocational programs; substance abuse programs; religious, volunteer and chaplaincy services programs; reentry programs; institutional development programs, (Alcoholics Anonymous, Anger Management, Thinking for a Change); transition programs; and community work squads (Public work squads, Interagency Community Service work squads).

The history of Apalachee Correctional Institution is quoted from the cover of the 2018 PREA welcome book "Apalachee Correctional Institution was established in 1949 is a Youthful Offender facility. In 1959 the name was changed to East Unit when the Prison Labor Camp was acquired from the Division of Mental Health and the new property was designated as West Unit. In 1990 the profile was changed to adult males. This facility was originally established as a Prison Labor Camp under the Division of Mental Health to grow food and provide labor support for Florida State Hospital in Chattahoochee. In 1959 the facility was incorporated with the Apalachee Correctional Institution, and was designated as West Unit. It continued to house adult males and the farm program grew until in 1985 the Department of Corrections entered a lease agreement with PR IDE to manage all lands not essential for the operation of the institution (approx. 7000 acres). The facility currently houses adult male inmates."



The Mission of Apalachee Correctional Institution is: "provide a continuum of services to meet the needs of those entrusted to your care, creating a safe and professional environment with the outcome of reduced victimization, safer communities and an emphasis on the premium of life."

Apalachee Correctional Institution is an American Correctional Association, Accredited Facility.

## AUDIT FINDINGS

### Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.

Auditor Note: No standard should be found to be "Not Applicable" or "NA". A compliance determination must be made for each standard.

<b>Number of standards exceeded:</b>	2
<b>Number of standards met:</b>	43
<b>Number of standards not met:</b>	0

Number of Standards exceeded: two subtotal exceeds (2)

Standard 115.54 Third-Party Reporting (compliant form is on the OIG website)

Standard 115.61 Staff and Agency Reporting Duties (no staff will demean the situation, etc.)

Number of Standards met: Forty-three (43)

Standards, 115.11 to Standard 115.89 (less 115.54 & 115.61 exceeds), (41); and the two added standards of 115.401 and 115.403 (2), subtotal met (43)

Total exceeded (2) and met (43) Standards 45

Number of standards not met: zero (0)

Corrective action was not required.

## Standards

### Auditor Overall Determination Definitions

- Exceeds Standard  
(Substantially exceeds requirement of standard)
- Meets Standard  
(substantial compliance; complies in all material ways with the stand for the relevant review period)
- Does Not Meet Standard  
(requires corrective actions)

### Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Beginning with the Online Automated System (OAS) and using the Pre-Audit Questionnaire (PAQ)/preaudit information supplied by the Florida Department of Corrections (FDC), and through the on-site visit and interviews at Apalachee Correctional Institution (APACI) and this summary review of the organizational charts, the facility, the Prison Rape Elimination Act (PREA), and posters and notices for the inmates, staff, visitors, and contractors; it was clear that the FDC, and specifically Apalachee Correctional Institution are committed to a zero tolerance policy of sexual abuse and sexual harassment. The leadership of the PREA Coordinator for the Agency, and the PREA Manager for the Institution substantiates compliance required by this standard, 115.11. The subsections a, b, and c are addressed by the Agency Procedure 602.053 Prison Rape: Prevention, Detection, and Response. The procedure specifically outlines its purpose, "to establish the zero-tolerance PREA standards for sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender or sexual preference, through accountability of perpetrators, and the punishment of those institutional and community correctional officials who fail to prevent, detect, and respond to sexual abuse, sexual battery, and sexual harassment crimes for incarcerated inmates and those offenders under departmental jurisdiction."</p> <p>The organizational charts themselves, as well as appointment memos and job descriptions for the PREA Coordinator and the Institutional PREA Manager, further demonstrate the Agency's and the Institution's commitment to PREA standards compliance. The auditor worked closely with the Agency PREA Office and the Assistant Warden of Programs, (the APACI PREA Compliance Manager) to fully review the Agency's and Institution's commitment to zero tolerance and the ability to implement PREA compliance. The Institution has gone so far as to appoint auxiliary/alternate PREA Compliance Manager's at the direction of a memo by the Warden, " Subject: PREA-Designation of Compliance Managers".</p> <p>Also noted in Procedure 602.053, it is outlined and it is directed that the Office of Institutions for the FDC, through its PREA Coordinator, and Compliance Managers, is responsible for the administration of the PREA compliance program. Specifically, addressing implementation of effective strategies, compliance with federal laws, maintaining records, and "planning, directing, and coordinating all activities related to the compliance program, including administrative, financial, and operational issues,".</p> <p>Based on the scripted interviews with the Secretary of the Florida Department of Corrections and her commitment to zero tolerance; interviews with the above-mentioned key staff, randomly selected staff, and inmates; based on the Procedure 602.053; based on the observation of posters at the facility; and based on the orientation and screening process as observed by the auditor; the auditor assesses this standard as compliant, "meets standard".</p>

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Apalachee Correctional Institution does not contract with other entities for confinement of inmates, thus, this standard is non-applicable. The Florida Department of Corrections does have facilities with which it contracts for the housing of inmates/offenders and these facilities are required by contract to comply with PREA. These contracts are monitored and comply with PREA.</p> <p>Based on the fact that APACI does not contract with another agency to hold its inmates/offenders, and based on the fact that the auditor interviewed the Secretary of the Department, the PREA Coordinator, and a FDC Contract Manager, each of whom indicated that facility contracts for housing FDC inmates/offenders were required to stipulate strict compliance with PREA, it is the auditor's assessment that this standard is compliant and "meets standard".</p>

115.13	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The APACI Security Department, in conjunction with the Bureau of Security Operations for the FDC, and approved by the Deputy Secretary of the Institutions for the FDC, establishes staffing level guidelines which are used, based on the security levels of inmates (level I, level II, level III,), to establish post staffing for each facility and assist with roster management, and to help outline staffing priorities. The auditor reviewed the Apalachee Correctional Institution staffing plan and noted that the staffing plan addressed in its written plan the following:</p> <ol style="list-style-type: none"> <li>1. Generally accepted detention and correctional practices</li> <li>2. Any judicial findings of inadequacy (none)</li> <li>3. Any findings of inadequacy from federal investigative agencies (none)</li> <li>4. Any findings of inadequacy from internal or external oversight bodies (annual evaluations and reviews are continuing)</li> <li>5. All components of the facility's physical plant</li> <li>6. The composition of the inmate population</li> <li>7. The number and placement of supervisory staff</li> <li>8. Institutional programs occurring on a particular shift</li> <li>9. Any applicable state or local laws, regulations or standards</li> <li>10. The prevalence of substantiated and unsubstantiated instances of sexual abuse</li> <li>11. Any other relevant factors</li> </ol> <p>The PREA auditor carefully reviewed the staffing plan, the post charts, and video monitoring for both the East and West Units and notes that APACI has documented a staffing plan that provides for staffing and video monitoring to protect inmates against sexual abuse. It is also noted by the auditor that deviations from the staffing plan are documented.</p> <p>Supervisory reviews, rounds, and unannounced rounds for security concerns and safety issues are made by higher-level staff. These rounds, including unannounced rounds, are documented weekly for administrators. Daily rounds as well as unannounced rounds are made by supervisory staff. Staff are prohibited by policy from alerting other staff that rounds are being made and supervisors make an extra effort to ensure that unannounced rounds are varied, not patterned, and support effective monitoring..</p> <p>Based on interviews with higher level and intermediate security staff, random line security staff, and the review of the staffing plan, the post orders, the post-charts, weekly and daily logs, and based upon the facility review/on-site visit, this standard is assessed as compliant, "meets standard".</p>

<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>APACI is an adult correctional institution and there are no youthful inmates under the age of 18 at Apalachee Correctional Institution. The FDC does not house inmates under the age of 18 at this facility. This standard is assessed as non-applicable, thus "meets standard". This is outlined in the facility profile.</p> <p>It is noted that 2018, Florida Statutes indicate that inmates under the age of 18 will not be housed with inmates 18 or older. Youthful offender inmates under the age of 18 will be housed at youthful offender facilities and APACI is not a youthful offender facility.</p>

115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>APACI strictly adheres to the FDC Procedure 33-602.204 Searches of Inmates. This procedure clearly outlines 1) searches of inmates while clothed; 2) strip searches of inmates and; 3) body cavity searches of inmates. The policy stipulates "searches of clothed male inmates may be conducted by staff who are of the opposite sex from the inmates. Clothed searches of female inmates by male staff will only be conducted during an emergency situation as determined by the shift supervisor... Strip searches of inmates shall be conducted only by correctional officers who shall be of the same sex as the inmate, except in emergency circumstances.... Body cavity searches of inmates shall be conducted only by appropriate health services staff...".</p> <p>There have been zero (0) number of cross gender patdown searches of female inmates in non-exigent circumstances at APACI. APACI does not have female inmates, thus, this section concerning female inmates is not applicable to APACI.</p> <p>The facility documents all cross gender strip searches and cross gender visual body cavity searches of inmates.</p> <p>The facility has implemented procedure and practice that enables inmates to shower, perform bodily functions and change clothes without being viewed by nonmedical staff of the opposite gender. Showers and toilet areas in the housing units were reviewed by the auditor. There is privacy regarding breast, buttocks, or genitalia, assisted by screens, shower curtains, stalls, and walls as appropriate.</p> <p>The facility correctional staff does not examine transgender or intersex inmates for the sole purpose of determining the inmates genital status. This is outlined by administrative direction/policy.</p> <p>100% of the staff have been trained on how to conduct cross gender patdown searches in a professional and respectful manner consistent with security needs.</p> <p>Based on interviews of staff and inmates, the review of policy and procedures, as well as the auditor's review and observation of operations at APACI, the auditor assesses this standard as compliant, "meets standard".</p>

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Apalachee Correctional Institution; through the Agency Procedures 602.053 Prison Rape: Prevention, Detection, and Response, and 604.101, Americans with Disabilities Act Provisions for Inmates, and through the Inmate PREA Education Facilitators Guide Instruction for Permanent Facilities; makes sure that appropriate steps are taken such that inmates with disabilities and those with Limited English Proficiency (LEP) can benefit from all aspects of the Agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment in prison. The FDC, through these procedures, address education, qualified translations services, and disability services.</p> <p>The Inmate PREA Education Facilitators Guide Instruction for Permanent Facilities is comprehensive in addressing inmates who are limited English proficient, have a disability, need a translator or language line operator, need close captioning and/or American Sign Language (ASL), inmates who are blind, inmates with cognitive or learning disabilities, inmates who have mental health issues, all addressing the emphasis of providing PREA education to teach inmates about their right to be free from sexual abuse and sexual harassment.</p> <p>The auditor observed APACI inmate handbooks/orientation materials in Spanish, posters in Spanish, and other materials available to the inmate population detailing PREA information or how to obtain PREA information.</p> <p>The Agency prohibits the use of inmate interpreters or other types of inmate assistants except in limited circumstances. In the past 12 months, there have been zero (0) instances at APACI that required the use of inmate assistants.</p> <p>Based on the above procedures and observation of the language assistance, materials, and interviews with staff and inmates, the auditor assesses this standard as compliant, "meets standard."</p>



115.17	<b>Hiring and promotion decisions</b>
	<p data-bbox="248 170 898 203"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="248 248 523 282"><b>Auditor Discussion</b></p> <p data-bbox="248 327 1442 573">The Florida Department of Corrections has established policies to assist with hiring and promotion of anyone who may have contact with inmates who may have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force or such sexual battery or sexual activity, to assist in the prevention of sexual abuse or sexual harassment as outlined by PREA.</p> <p data-bbox="248 624 1485 960">Specifically, Florida Statute Chapter 435 Employment Screening; FDC Procedure, 208.049 Background Investigation and Appointment of Certified Officers, Procedure 602.016 Entering and Exiting Department of Corrections Institutions (including APACI); and Personnel Rules and Regulations help direct employment of staff, contractors, and interns; help in maintaining up-to-date information on staff, contractors and volunteers, and help impose on employees a continuing affirmative duty to disclose misconduct, as well as help assisting in outlining hiring and promotion procedures. All of this to set forth guidelines for conducting background investigations that apply to the Florida Administrative Code, and to PREA.</p> <p data-bbox="248 1012 1485 1644">All employees are required by law to be screened, which includes fingerprinting, statewide criminal history checks [these through the Florida Department of Law Enforcement (FDLE)], national criminal history checks [these through the Federal Bureau of Investigation (FBI)], local criminal records checks as appropriate, and a Background Investigation Checklist (the checklist includes 35 checkoff items from, #1-veterans preference to #35-new hire form). The Florida Department of Corrections uses "live scan" by Information International Incorporated, in conjunction with a law enforcement reporting system that alerts the FDC to any arrest of staff. The Agency also requires staff to self-report misconduct. This "live scan" is more accurate and more up-to-date than yearly or five year background checks. Applicants may also be disqualified based on the Department's "moral character and background guidelines,". Annual National Crime Information Center (NCIC) and the Florida Criminal Information Center (FCIC), the Human Resource Tracking System (HRTS) database, and the FDC's Facility Access Secured Tracking (FAST) along with personal disclosure information and driving record information, all emphasize a comprehensive updated background check/information on staff, contractors and others.</p> <p data-bbox="248 1695 1481 1859">The PREA auditor reviewed the statutes, the policies and procedures, the background checks, and interviewed the APACI Human Resource staff, and security staff reference background information. It was obvious the Agency uses back ground information to employ and promote qualified, honorable, and ethical staff.</p> <p data-bbox="248 1868 1445 1989">It was especially enlightening to review the Agency's commitment to "good moral character" which is expected of staff and is defined as "refers to the ability to distinguish between right and wrong, as demonstrated by past conduct and outlined by the Department".</p> <p data-bbox="248 2040 1394 2161">Based on the above statutes, policies and procedures, based on the "live scan" and background information system, and based on interviews with supervisory staff, Human Resource staff, and higher and intermediate staff, the auditor assesses this standard as</p>

compliant, "meets standard."

115.18	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>There has been some modification to the APACI facilities since the last audit that has improved privacy for the inmates in reference to Cross Gender Viewing, Standard 115.15. There has also been modification to the APACI audio/video system at the facility to assist with supervision and monitoring Standard 115.13. The PREA auditor reviewed, during the on-site visit, the dormitory areas. Video monitoring was also reviewed.</p> <p>Screens and barriers have been placed in every dormitory latrine and shower area to allow inmates privacy from staff of the opposite gender.</p> <p>The facility has updated and installed additional monitoring/surveillance to their camera system and monitoring technology, meeting standards and helping further prevent, detect and respond to sexual abuse and sexual harassment. The auditor reviewed the camera/video monitoring system and the system has had repairs and some modifications, as technology improves the systems further expand and are improved. Fixed cameras are located in all the housing units and the administrative and disciplinary confinement units. These cameras record activity on a 24-hour basis with a 30 day retention. Review is primarily located in the shift supervisor's office with the auxiliary review in the Warden's complex and video systems take into consideration privacy issues for the inmates.</p> <p>The Sexual Abuse Incident Review Committee (SAIRC) reviews each completed allegation of sexual abuse at the facility excluding only unfounded incidents, and takes into consideration whether monitoring technology should be deployed or augmented to supplement supervision by staff. Additionally, the team examines the area where the alleged incidents occurred and whether physical areas may enable abuse. The SAIRC, which is headed by the PREA Manager (Assistant Warden) makes recommendations and forwards them to the Warden and, on a monthly basis, reports recommendations for improvements to the PREA Coordinator, this outlined in Procedure 602.053, Prison Rape: Prevention, Detection, and Response.</p> <p>Based on the Institution's Pre-Audit Questionnaire that outlines modifications to the facility, including screens and barriers, and video monitoring equipment enhancements (which takes into consideration privacy issues of this standard); based on the interviews with key staff; based on interviews with inmates; and based on the auditor's on-site visit and the auditors review of operations at APACI, this standard is assessed as compliant, "meets standard."</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The FDC's responsive planning as it relates to this PREA Standard, 115.21 Evidence Protocol and Forensic Medical Examinations is comprehensive and supports the Agency's efforts to change the culture of prison rape and help prevent, detect, and respond to sexual abuse in prison.</p> <p>The Agency is responsible for conducting administrative sexual abuse investigations and the Office of the Inspector General (OIG), who reports not only to the Agency Secretary, but also to the Inspector General of the governor's office and has Florida statutory authority and responsibility to conduct criminal investigations at Apalachee Correctional Institution and in all of the FDC. This statutory authority and responsibility takes it out of control (in this auditor's opinion) of the Agency and complies with PREA.. The OIG follows a uniform evidence protocol. This protocol meets the Department of Justice requirements.</p> <p>The facility offers all inmates who experience sexual abuse, forensic medical examinations on site. These medical examinations are offered without cost and are accomplished by the Panhandle Forensic Nurse Specialists (these are Forensic Nurse Examiners-FNEs, with FDLE evidence kits supplied by the nurses). The auditor reviewed the agreement between the Panhandle Forensic Nurse Specialists, and the FDC. Eight forensic exams have been conducted during the past 12 months, and have been done by the FNEs.</p> <p>Victim Advocates are available through the Gulf Coast Children's Advocacy Center, Incorporated. There is a contract #C2891 between the Advocacy Center and the FDC. The contractor provides a 24/7 toll-free rape crisis hotline, staffed by certified Victim Advocates; provides a mailing address for correspondence; provides a certified Victim Advocate for forensic exams and investigatory interviews; provides follow-up services and crisis intervention to victims of sexual assault; maintains privileged communication and provides other services consistent with PREA. The Agency also has staff Victim Advocates who are certified by the Florida Attorney General's Office, if needed.</p> <p>In addition to the agreement with Panhandle Forensic Nurse Specialists; the contract with Gulf Coast children's Advocacy Center, Incorporated; and the OIG's website related to PREA, the auditor also reviewed the following:</p> <ol style="list-style-type: none"> <li>1) the forensic sexual assault examination/general information, and forensic examination standardized treatment protocol record sheet</li> <li>2) the FDC Procedure 108.015 Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations (authority of the Inspector General)</li> <li>3) the Bureau of State Investigations website (including a complaint form available on the website to assist with investigations, including PREA investigations).</li> <li>4) the FDC Procedure 602.05, Prison Rape: Prevention, Detection, and Response, and</li> <li>5) the Florida Department of Corrections Sexual Abuse Awareness pamphlet and its mission statement.</li> <li>6) a Victim Advocate Certification from the Florida Attorney General's Office</li> <li>7) and the Victim's Rights Brochure of the FDC Victim Services Office.</li> </ol>

Based on the PREA auditor's review of the above documents, websites, contracts, procedures, and based on interviews with specialized staff, including 2 OIG Investigators, the SAFE/SANE coordinator, the crisis center Director, the Agency PREA Coordinator, and based on formal and informal interviews with inmates, this standard is assessed as compliant, "meets standard".

115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The Apalachee Correctional Institution ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. APACI, as directed by the Post Sexual Battery Guidelines in the FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response, and makes sure that the [Office of the Inspector General shall conduct all investigations of sexual abuse, sexual battery, sexual misconduct, and sexual harassment, pursuant to section 944.31, F. S., (Investigative Process, Procedure 108.003, and "Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations," Procedure 108.015.).</p> <p>The auditor also reviewed FDC Procedure 108.001 Authority of the Inspector General, that has as its purpose to, "provide guidelines for members of the Office of the Inspector General (OIG) in carrying out their duties and responsibilities as outlined in section (s) 20.05, five, 901.15, 944.31, and 957.09, F. S., It is noted by the auditor that the Inspector General "has a duty to ensure all the rules and directives issued by the department are observed and followed", and that the "Inspector General shall have the primary responsibility for the investigation of civil, criminal, and administrative matters relating to the Department and within the jurisdiction of the Department." The policy further goes on to discuss general applications and arrests. Specifically, the Office of the Inspector General, Bureau of State Investigations website explains that the OIG "conducts and coordinates complex investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government". Also in the website. It is outlined that "our top investigative priorities include investigations into custody deaths, public corruption and criminal efforts to compromise the safety and security of our prisons from violence, introductions/smuggling of contraband and sexual crime/PREA (Prison Rape Elimination Act)".</p> <p>APACI has documented in its Pre-Audit Questionnaire that in the past 12 months, there have been 33 allegations of sexual abuse and sexual harassment that were received and that 21 allegations resulted in an administrative investigation, zero (0) allegations were referred for criminal investigation, and that some allegations are pending completion by the Inspector General's office. Again, it is noted that the Department ensures that administrative or criminal investigations are completed for all allegations of sexual abuse and that sexual abuse or sexual harassment are referred to the OIG, who has the legal authority to conduct criminal investigations (unless the allegation does not involve potentially criminal behavior). The auditor reviewed 16 cases.</p> <p>Based on the interview of two OIG investigators (one of whom instructs PREA investigations), based on interviews with the Grievance Administrator, based on interviews with the Agency PREA Coordinator/staff, the Institutional PREA Manager, and the acting Warden, this standard is assessed as compliant, "meets standard".</p>

115.31	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Apalachee Correctional Institution and the FDC train all employees who have contact with inmates regarding PREA. Employee training is outlined and directed by procedure 602.053, Prison Rape: Prevention, Detection, and Response. This procedure indicates that all staff will be thoroughly trained and informed about the Department's zero-tolerance policy. The Department has comprehensive and thorough training plans that cover the following topics:</p> <ol style="list-style-type: none"> <li>1. A summary of objectives.</li> <li>2. Sexual terms in Florida.</li> <li>3. Defining sexual battery in Florida.</li> <li>4. Sexual abuse within federal law.</li> <li>5. Defining sexual harassment.</li> <li>6. Defining sexual misconduct.</li> <li>7. Sexual misconduct.</li> <li>8. Terminology regarding LGBTI GMC/GV inmates/offenders.</li> <li>9. Why define these terms.</li> <li>10. Zero-tolerance.</li> <li>11. Inmate rights.</li> <li>12. Reporting sexual abuse.</li> <li>13. Imbalance of power.</li> <li>14. Appropriate communications.</li> <li>15. Correctional officers working in opposite gender units.</li> <li>16. Cross gender patdown searches.</li> <li>17. Dynamics of sexual abuse and sexual harassment in confinement</li> <li>18. Common reactions of victims.</li> <li>19. Avoiding inappropriate relationships.</li> <li>20. What is a sexualized work environment.</li> <li>21. Dress code.</li> <li>22. Code of silence.</li> <li>23. Inmate protection.</li> <li>24. Requirement to report sexual abuse.</li> <li>25. Interpreters and hearing impaired.</li> <li>26. Responsibilities of staff reporting.</li> <li>27. Responsibilities of staff.</li> <li>28. Securing evidence.</li> <li>29. Sexual harassment investigation.</li> <li>30. Scenarios.</li> <li>31. Answers.</li> <li>32. Questions.</li> </ol> <p>These sections, numbered by the auditor, were all topics listed in the training curriculum and were further explained by the training outline. The training topics and outlines are considered by the auditor as supporting documents for the very positive effectiveness and efficiency of training within the FDC. Moreover, it is noted that this training occurs annually, exceeding the two-year training requirement that has been established by PREA. This training is described as gender neutral but addresses, as noted above, gender issues and such is further</p>

addressed with "post orders" and duty and responsibility outlines.

Documentation was reviewed, supporting the fact that all staff who have contact with inmates received this training, and that investigative and healthcare staff received not only this training, but additional/supplemental training (see Standard 115.34 and Standard 115.35).

Based on the auditor's review of training records, the staff's course completion history for training, training acknowledgment forms, the curriculum, course outline, and based on the interviews, both formal and informal with staff, this standard is assessed as compliant, "meets standard".



115.32	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>APACI trains all its contractors and volunteers who have contact with inmates, as outlined in Procedure 602.053, Prison Rape: Prevention, Detection, and Response. This procedure directs that the "institution shall ensure that all contractors and volunteers who have contact with inmates are trained in their responsibilities under this and related policies via the Staff Development and Training lesson plan, titled Prison Rape Elimination Act Training for Interns, Volunteers and Contractors "Read and Sign"". A number of signed forms (form NI 1-127) indicating that the volunteers and contractors had been trained, were reviewed by the auditor.</p> <p>The Pre-Audit Questionnaire documents that 136 volunteers and contractors (60 volunteers and 76 medical and mental health contractors) who may have contact with inmates have been trained in the Agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response. Specifically, contractors and volunteers were interviewed and asked about the zero tolerance policy regarding sexual abuse and sexual harassment and were also asked about how to report incidences of sexual abuse and sexual harassment, and all interviewed, responded intelligently and appropriately.</p> <p>Based on the above procedures 602.053, and the training extended to the contractors, volunteers and interns, supplemented with the signed acknowledgment forms, the auditor assesses this standard as compliant, "meets standard".</p>

115.33	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The FDC has a Procedure 602.053, Prison Rape: Prevention, Detection, and Response, that indicates inmates will receive information concerning sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment and be oriented/educated in accordance with the FDC Inmate Orientation Procedure 601.201. Additionally, procedure 602.053, directs that each institution "will ensure that the inmate orientation process will encourage inmates to immediately report any concern or fear of possible sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment to the correctional staff." The procedure further indicates that inmates with limited English proficiency, and/or who have a disability will be educated referenced their right to be free from sexual abuse and sexual harassment, zero tolerance, and how to report. The instruction guide for permanent facilities specifically addresses using a translator (staff member or language line operator), closed captioning, American Sign Language, verbal information, mental health staff assistance, special education teacher assistance, and etc.</p> <p>The auditor was present at APACI inmate reception/intake when new inmates were received into the facility. The auditor observed this reception and orientation process, including the video regarding PREA and the processing by medical, security, and classification staff.</p> <p>Specifically for inmates at their permanent facility three obvious documents are extended/accessible upon arrival; one, the inmate handbook; two, the sexual abuse awareness pamphlet; and three, notices and posters throughout the facility. Supplemental information may be available in the housing units near the inmate telephones, supplemental information is available in the library/law library, supplemental information is available on kiosks accessible by the inmates and supplemental information is available on bulletin boards. Further, inmates can see security staff, classification staff, health services staff and mental health services staff for additional information.</p> <p>Additionally, the auditor again reviewed the updated, Deputy Secretary's memorandum concerning this assessment process to make sure the entire inmate population receives the appropriate PREA training, and follow up.</p> <p>The auditor formally interviewed 53 inmates and informally interviewed numerous inmates at APACI (asking questions according to script, and/or questions about zero tolerance for sexual abuse and sexual harassment, and their right to be free from sexual abuse and sexual harassment; and questions about personal safety). Based on these interviews, and based on the orientation and intake process, and based on the auditor's review of acknowledgment forms, documents, inmate education procedures, the auditor assesses this standard as compliant, "meets standard".</p>

<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The FDC and the Office of the Inspector General require that all investigators are trained in conducting sexual abuse investigations in confinement settings. The Procedure 602.053, Prison Rape: Prevention, Detection, and Response, requires that in addition to the general PREA training that all staff receive, the OIG investigators who work regularly with inmates receive specialized training. The curriculum for specialized training include:</p> <ul style="list-style-type: none"> <li>A) investigating sexual abuse in the confinement settings,</li> <li>B) techniques for interviewing sexual abuse victims,</li> <li>C) proper use of Miranda and Garrity warnings.</li> <li>D) collection of evidence in confinement settings and</li> <li>E) criteria and evidence required to substantiate any case for administrative action or prosecution referral. According to the preaudit information, 96 investigators currently employed have completed the required training. Note, the auditor has reviewed the training documentation form "training attendance report" DC 2-901, and the E train report. E train home page required courses and selected elective courses.</li> </ul> <p>The PREA auditor interviewed two sworn and certified OIG Investigators, and discussed with them their duties and responsibilities, the issues they face concerning PREA, their training, and their commitment to professional and expert law enforcement. The auditor was impressed with their dedication to the State of Florida, their overall knowledge and expertise, and their commitment to help eliminate rape in prison by compliance with PREA. As mentioned in another standard one of the investigators actually teaches PREA investigation.</p> <p>Based on the auditor's review of the specialized training,,the records documenting the specialized training, and interviews with the investigative staff, this standard is assessed as compliant, "meets standard".</p>

115.35	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The Agency has a policy that all medical, and mental health practitioners who work regularly in the Department of Corrections facilities, including contracted staff (healthcare for APACI, and the FDC is contracted through Centurion of Florida, LLC), will be trained. This Office of Health Services Policy, Health Services, Bulletin NO. 15.0336 direct that the specialized training will include the following:</p> <ol style="list-style-type: none"> <li>1. How to detect and assess signs of sexual, abuse and sexual harassment;</li> <li>2. How to preserve physical evidence of sexual abuse;</li> <li>3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment and;</li> <li>4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.</li> </ol> <p>The auditor also noted that this health service bulletin "is to established guidelines for the appropriate clinical management, in an alleged incident of rape." The bulletin goes further to alert medical staff that they should review the FDC Procedure 602.053 "for additional post rape guidelines and responsibilities."</p> <p>It was also noticed by the auditor that this Health Services Bulletin 15.0336 has numerous relevant forms and documents that assists the health care staff with PREA compliance. Forms as follows: alleged sexual battery protocol; medical encounter coding form male/female; chronological record of health care; consent and authorization for disclosure, inspection and release of confidential information; management of viral hepatitis; syphilis treatment protocols; HIPPA privacy policy; testing inmates post communicable disease exposure per section 945.35, Florida Statutes; and the FDC Procedure 602.053 mentioned previously.</p> <p>The Pre-Audit Questionnaire indicates that 76 health care staff (100%) were trained as directed. This training is documented by attendance rosters, and reviewed by the auditor.</p> <p>The contracted Centurion healthcare staff do not perform forensic examinations at APACI. Forensic examinations are performed at APACI by contracted Forensic Nurse Examiners as detailed in Standard 115.21.</p> <p>Based on the policy and procedures above, the documentation of training attendance, and based on interviews with specialty healthcare staff, and random healthcare staff, this standard is assessed as compliant, "meets standard".</p>

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The auditor has reviewed the intake and screening processes several times at FDC facilities and specifically at the APACI. The process at Apalachee Correctional Institution and at other facilities observed is efficient, effective, and consistent with PREA expectations. The Procedure 602.053 Prison Rape: Prevention, Detection, and Response, directs the identification, safety, and security during inmate orientation on all newly received inmates. The Procedure 601.210 Inmate Orientation details the processes "to clearly articulate PREA orientation requirements." This Procedure 601.210, outlines the required documentation and information to not only meet PREA but to assist classification, medical, and security with the screening process.</p> <p>The following systems are outlined:</p> <ol style="list-style-type: none"> <li>1. The Computer-Assisted Reception Process (CARP), which encodes and stores inmate information, and classification assessments.</li> <li>2. The Offender Based Information System (OBIS), electronic records database.</li> <li>3. Biometric Identification System (BIS), verifying the inmates identity and criminal history, this also includes in the NCIC and the FCIC information systems, and</li> <li>4. Assessment systems, Inmate Behavior Assessment Scale (IBAS), and Inmate Risk Management System (IRMS). Additionally, the FPC Restricted Procedure 601.209 Reception Process-Initial Classification, and the supplemental Agency memo on PREA Orientation and Documentation also further outlines the screening process.</li> </ol> <p>The auditor reviewed the above systems, procedures, and policies supporting the appropriate screening for PREA. The above procedures, direct the objective screening systems/documents used by the classification office for initial reception, and facility intake and orientation of the inmate population.</p> <p>Also required by the FDC Procedure 602.053, inmates are screened, within 72 hours of intake, for the risk of sexual victimization or of sexually abusing inmates. The auditor observed this intake process, observed the video and notes that the Pre-Audit Questionnaire and classification records document that 3175 inmates entering the facility within the past 12 months, whose length of stay was for 30 days or more, were assessed for their risk of sexual victimization or of being sexually abusive. Inmates were also reassessed as required by PREA (referrals, requests, incident of sexual abuse, receipt of additional information, and etc.) were considered. The auditor notes that the procedure prohibits disciplining inmates for refusing to answer or not disclosing complete information.</p> <p>Information obtained during the screening process that is sensitive is appropriately controlled and used only to assist inmates with proper housing, work assignments, program assignments, and the inmate's safety and security.</p> <p>Based on the auditor's review of Apalachee Correctional Institution's receiving/intake process, the classification officers' participation in the intake process, healthcare staff's participation in the intake process; the Agency's procedures outlining the screening process; interviews with</p>

staff and inmates; and APACI's commitment to PREA compliance, the auditor assesses this standard as compliant, "meets standard".

<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Use of screening information for the reception screening required by Standard 115.41 to make informed housing, bed, work, education, and program assignments and with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, is directed and outlined by procedures and technical manuals. The Technical Manual, a restricted document for the Bureau of Classification and Management, addresses external movement, automated bed space management, Americans with Disability Act (ADA), inmate behavioral assessments, scale and sexual risk indicators (as mentioned in Standard 115.41). Specifically, the inmate, behavioral assessments scale (IBAS) and the sexual risk indicators (SRI) alerts appropriate staff to inmates who are identified as potential predators, or who are monitored as an aggression risk, in order to assist with inmate placement described above.</p> <p>Observation of operations and the classification procedures at APACI supports the auditor's assessment that the Agency and APACI makes an individualized determination about how to insure the safety of each inmate. There is teamwork, good communication, and positive interaction between classification, medical and security departments that helps ensure safety and security of the inmates.</p> <p>The auditor also reviewed the FDC Procedures 602.053, Prison Rape and 403.012 Identification and Management of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria; the Florida Department of Corrections IBAS Factors and Scores/Profile Comparison Summary Sheet that includes the inmates name, number, bed, location, IBAS, SRI, age, race, custody, height, weight, release date, medical grade, mental health grade, work grade, status, and other identifying information/data. These procedures and summary sheets assist with the accumulation and use of screening information.</p> <p>Based on the auditor's review of the screening at APACI, review of the information screens and the observation of operations including intake/orientation, and review of the assessment process; and based on interviews with staff and inmates, the auditor assesses this standard as compliant, "meets standard".</p>

<b>115.43</b>	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>According to a FDC procedure, inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives have been made. This prohibition is outlined in the FDC procedures and policies regarding administrative segregation and close management. The procedures also indicate that inmates who are vulnerable or predatory "will be given work/program assignments, consistent with custody level, and medical status.". FDC procedure (Florida Administrative Code 33-602.220) indicates that an inmate who is assigned to involuntary segregated housing will receive a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p>According to and documented by the Pre-Audit Questionnaire, there have been zero (0) number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months.</p> <p>Based on FDC's administrative segregation policies, and based on APACI's use of protective custody/involuntary segregated housing, and based on interviews with staff and inmates, this standard is assessed as compliant, "meets standard".</p>



115.51	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The Florida Department of Corrections has established multiple ways for inmates to report privately about sexual abuse or sexual harassment, retaliation by other inmates or staff. The ways to report are documented on posters in English and Spanish throughout the facility, in the Inmate Manual, in the handout Sexual Awareness, through FDC Procedures, including Procedure 602.053, at the library/law library, and on the Agency website. The most obvious ways to report are as follows:</p> <ul style="list-style-type: none"> <li>Call an outside entity (Gulf Coast Children's Advocacy Center) to report by dialing 8466</li> <li>Call the TIPS line by dialing *8477</li> <li>Report to any staff member, volunteer or contractor, including medical and mental health care staff</li> <li>Submit a grievance or an inmate request</li> <li>Report to the facility's PREA Compliance Manager (the Assistant Warden of Programs)</li> <li>Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on the inmates behalf through a third-party grievance, through the online citizens complaint form, or by contacting the PREA office at <a href="mailto:PREA@fdc.myflorida.com">PREA@fdc.myflorida.com</a></li> <li>Submit a report on someone's behalf, or someone at the facility can report for the inmate using the methods listed above.</li> </ul> <p>This information taken from an APACI poster (this poster information throughout the facility, as observed by the auditor).</p> <p>Additionally, concerning reporting to staff, the auditor noted that the Agency takes a stand that indicates "no staff member will demean the situation through any type of humiliation or harassment." This is an indication of the Agency's commitment to eliminate rape in prison as outlined by PREA.</p> <p>Based on the auditor's review of the Agency procedure, the information on the Agency website, the information presented to the inmate at intake, based on the information posted in the dormitories, based on the Inmate Manual, based on the Employees Handbook, based on the testing of the hotline from an inmate phone, and based on interviews with staff and inmates confirming their knowledge of reporting, this standard is assessed as compliant, "meets standard".</p>

## **115.52 Exhaustion of administrative remedies**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Florida Department of Corrections allows inmates to submit a grievance regarding sexual abuse and allows inmates to submit an emergency grievance alleging substantial risk of imminent sexual abuse. As indicated in Standard 115.51, Reporting, FDC Rules and their procedures allow inmates to submit a grievance or an inmate request as an administrative remedy.

FDC Rules 33-103.005 Informal Grievance, and 33-103.006 Formal Grievance outline the procedures for administrative remedies. Specifically, if an inmate believes he or she is the victim of sexual abuse, they should immediately report. There are several ways allegations of sexual abuse may be reported; filing a grievance is one of these ways. These rules were established to meet the requirements of the Prison Rape Elimination Act (PREA) of 2003. These rules go on to indicate that there is no time limit to initiate a grievance regarding sexual abuse. There are instructions not to file the grievance to the individual who is the subject of the complaint. Third parties, including fellow inmates, staff members, etc. are permitted to assist inmates in filing grievances. The extension of time, up to 70 days may be claimed if the normal response time is insufficient to make a decision or the need for an additional investigation (it shall be done in writing), and an inmate may file an emergency grievance if they believe they are subject to a substantial risk of imminent sexual abuse.

In the past 12 months, there have been six (6) grievances that have been filed alleging sexual abuse. These six grievances alleging sexual abuse were answered and a final decision was reached within 90 days. None of these grievances required an extension. This information provided in the Pre-Audit Questionnaire. It is noted by the PREA auditor that grievances filed are sent to the OIG Investigative Office. The Grievance Administrator was interviewed and indicated that as soon as it is recognized that it is a PREA grievance, it is directly forwarded to the OIG.

It is also outlined in FDC Procedure 602.053 that an inmate who has filed a PREA report in bad faith is subject to the inmate discipline process. In the past 12 months, there have been zero (0) number of grievances alleging sexual abuse that resulted in disciplinary action by the Agency against the inmate for having filed a grievance in bad faith. This information detailed in the institutional Pre-Audit Questionnaire.

Based on the auditor's review of Rules, procedures, grievances, the Sexual Abuse Incident Review Committee Reports, and based on the interviews with the OIG investigators, the Institutional Grievance Administrator, and the Institutional PREA Manager, this standard is assessed as compliant, "meets standard".

## **115.53 Inmate access to outside confidential support services**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

As outlined in Procedure 602.053 and documented in the contract with the local advocacy center, APACI provides inmates with access to outside victim advocates for emotional support services related to sexual abuse.

The FDC and Apalachee Correctional Institution have a contract with the Gulf Coast Children's Advocacy Ctr., Incorporated that stipulates the Center will provide advocacy services to inmates who are victims of sexual violence. The contractor will maintain confidentiality and will provide such services as outlined in Standard 115. 21. This contract was reviewed by the PREA auditor. Additionally, pamphlets are available to assist inmates with access to victim advocates and victim services.

The FDC Sexual Abuse Awareness Pamphlet is distributed at intake/orientation. This pamphlet furnishes addresses for support services and supplies information for the inmate about sexual battery, sexual abuse avoidance, what to do if you are sexually assaulted, how to report, facts for the inmate that sexually assaults other inmates, and did you know questions and answers. Further, there is a Victim's Rights Brochure, which addresses "your rights as a victim or witness".

Telephone numbers are posted on the walls/bulletin boards with numbers for advocacy services. Telephone numbers and addresses are also extended in brochures and information pamphlets. The advocacy line was tested and was found to be not working but was subsequently repaired and when retested, was working. Follow-up written notification to the PREA auditor was made that the telephones were working and PREA compliant.

Based on the above agency procedures, the above contract services offered, and the auditor's review of the pamphlets, and the properly working telephone system corrective procedures, and based on the inmate interviews and staff interviews, this standard is assessed as "meets standard".

## **115.54 Third-party reporting**

**Auditor Overall Determination:** Exceeds Standard

### **Auditor Discussion**

As noted in Standard 115.51 and Standard 115.52, the institution, APACI and the FDC provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. Specifically, a third party report can be made directly to the OIG by using the form located on the OIG Bureau of State Investigations website. Additionally, as stipulated in the Florida Administrative Code Rule 33-103.006, Formal Grievance "Third parties must use the official form, DC 1-303, which can be obtained from subsection (1) of this rule. The form may also be requested from the inmates current location or the Department's Central Office...".

The Agency distributes this information as mentioned above, through the OIG website and by the Citizens Complaint Form. Further, the Agency indicates if you have any questions about filing a sexual abuse grievance, you may call the Bureau of Policy Management.

Based on the information and websites above (including the complaint form on the website), and based on the interviews with staff and inmates, the auditor assesses this standard as "exceeds standard".

## 115.61 Staff and agency reporting duties

**Auditor Overall Determination:** Exceeds Standard

### **Auditor Discussion**

The Florida Department of Corrections requires all staff to report immediately and according to state law and agency policy, any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in the facility. Florida Statute 794.027 Duty to Report Sexual Battery requires that a person who observes the commission of the crime of sexual battery is required to report to law enforcement (detailing other stipulations). Additionally, Florida Statute 944.35, requires "each employee who witnesses, or has reasonable cause to suspect, that an inmate or offender under the supervision of the department in the community has been unlawfully abused or is the subject of sexual misconduct pursuant to this section shall immediately prepare, date, and sign an independent report specifically describing the nature of the force used, or the nature of the sexual misconduct,..."

Importantly, the Florida Department of Corrections and APACI also requires by Procedure 602.053, Prison Rape: Prevention, Detection, and Response that "All incidents or allegations of sexual abuse, sexual battery, staff sexual misconduct and sexual harassment will be reported...". Employees, volunteers and contractors must notify the shift supervisor, the Chief of Security, the Warden, or the Office of the Inspector General, who will then take immediate steps to evaluate the inmates concern/allegation. The Emergency Action Center (EAC), Procedure 602.012 and the Management Information Notification System (NIMS) Procedure 108.007 further outline reporting procedures and address, retaliation, staff neglect, and confidentiality of records. All allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, are investigated.

The auditor noted that the contracted agency for healthcare, Centurion, also requires its medical and mental health practitioners to report according to FDC policy/procedure and PREA law.

Notable in this series of Standards 115.61-116.68 "Official Response Following an Inmate Report," is the following "any employee who fails to report and take immediate action regarding these incidents, or intentionally manifest the actions to embarrass, demean, or humiliate any victim or informant, or trivializes a report of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will be subject to discipline, up to and including termination." The auditor believes this directive emphasizes the FDC's commitment to PREA compliance.

The FDC also states the following:

"All staff, volunteers, and contractors will ensure that they foster an environment within their facility that precludes sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment."

Based on the auditor's interviews with random staff, specialized staff, immediate and higher-level staff, investigative staff, and the review of policies, procedures, training documents, and training videos, this standard is assessed as compliant, "exceeds standard".

## 115.62 Agency protection duties

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

APACI takes immediate action when the facility learns that an inmate is subject to substantial risk of imminent sexual abuse. This is outlined in FDC Procedure 602.053, Prison Rape: Prevention, Detection, Response, the procedure directs that that "staff/security concerns will immediately be addressed by the shift supervisor.". Immediate steps are taken to evaluate the inmates concerns/allegations, to separate the alleged victim from the abuser, including administrative confinement pursuant to provisions of the Administrative Confinement Rule 33-602.220. The rule indicates that administrative confinement is "the temporary removal of an inmate from the general inmate population in order to provide for security and safety until such time as more permanent inmate management processes can be concluded."

According to the documentation provided by the Pre-Audit Questionnaire, in the past 12 months, APACI had zero (0) number of times the facility had an inmate that was subject to substantial risk of imminent sexual abuse.

Based on the procedures above and based on the interviews with inmates and staff, including supervisory staff, the PREA Manager, and the acting Warden, this standard is assessed as compliant, "meets standard".

## **115.63 Reporting to other confinement facilities**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The FDC Procedure 602.053, Prison Rape: Prevention, Detection and Response directs and outlines that "If staff at a receiving institution receives information that sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment occurred at another institution, the receiving institution's Warden shall notify the sending institution's Warden within 72 hours of receiving the allegation. The notification shall be documented on DC 6-210. The receiving institution, where the allegation is reported, will be responsible for contacting EAC, completing a DC 6-210, and entering the appropriate information into the MINS for appropriate handling".

The Pre-Audit Questionnaire (PAQ) submitted to the PREA auditor indicates that in the past 12 months, there have been zero (0) number of allegations the facility received that an inmate was abused while confined at another facility. Additionally, the PAQ indicates that in the past 12 months, there have been zero (0) number of allegations of sexual abuse the facility received from other facilities.

Based on the auditor's review of the Agency's procedure and interviews with the acting Warden and the Institutional PREA Manager (Assistant Warden) and interviews with other key staff, this standard is assessed as compliant, "meets standard".

## **115.64 Staff first responder duties**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Agency's Procedure 602.053 Prison Rape: Prevention, Detection, and Response, directs first responder duties. The titled section "Official Response Following an Inmate Report," directs that the first security staff member shall be required to:

"a) separate the alleged victim and abuser; b) preserve and protect any potential crime scene until appropriate steps can be taken to collect any evidence; c) if the alleged abuse occurred within a time frame that still allows for collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including but not limited to, washing, bathing, brushing teeth, changing clothes, urinating, defecating, drinking or eating; and d) if the first responder is not a security staff member request that the alleged victim not take any action that would destroy physical evidence, and then notify security staff."

In the past 12 months, there were 30 allegations of sexual abuse. Of these 30 allegations, security staff responded and separated the alleged victim from the abuser. Additionally, of these allegations, nine (9) were in the timeframe available for the collection of physical evidence (the timeframe is 72 hours for institutional security unless the timeframes are extended as determined by the OIG. Of allegations that an inmate was sexually abused in the past 12 months, there were zero (0) number of times a nonsecurity staff member was the first responder. These reported numbers were documented by the Pre-Audit Questionnaire.

Staff, when interviewed, responded with answers closely resembling a paraphrasing the above first responder duties and responsibilities. Training records support first responder training. This first responder training is accomplished annually. Additionally, e-learning, and briefings further supplement training for staff.

Based on the above policies and procedures and interviews with staff, the auditor assesses this standard as compliant, "meets standard".



## **115.65 Coordinated response**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

APACI has a PREA coordinated response plan.. The plan is titled "Apalachee Correctional Institution PREA Coordinated Response."

The plan details the individual and facility response, including what to do upon learning of an allegation, notifications, security precautions, and the coordination, as appropriate, by the shift supervisor of the following:

Chief of Security, security staff

Sexual Abuse Response Team (SART)

Emergency Action Center (EAC)

OIG

Medical staff

Mental health staff.

Based on the Apalachee Correctional Institution PREA Coordinated Response plan and based on interviews with staff; including specialized security, medical, mental health, and investigative staff, as well as the acting Warden, this standard is assessed as compliant, "meets standard".

## **115.66 Preservation of ability to protect inmates from contact with abusers**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Florida Department of Corrections has the ability to protect inmates from contact with abusers reference collective bargaining agreements. Specifically, the Agency has an agreement with the Teamsters Local Union 2011 Security Services Bargaining Unit, but this agreement does not interfere with the ability of the FDC to remove the alleged staff abusers from contact with inmates.

Based on the PREA auditor's interviews with the Secretary of the Florida Department of Corrections, the Agency PREA Coordinator, and based on the information supplied in the Pre-Audit Questionnaire concerning the facility and the collective bargaining unit, this standard is assessed as compliant, "meets standard".

## **115.67 Agency protection against retaliation**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Agency has a policy to protect all inmates and staff, who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations, from retaliation by other inmates or staff. The FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response, specifies, "inmates and/or staff who report sexual abuse will be monitored for retaliation for at least ninety (90) days, with at least three (3) contact status checks to occur within the (90) day monitoring at the thirty (30), sixty (60), and ninety (90) day marks from the date of the allegation." The procedure goes further to discuss conduct and treatment, and changes in demeanor of staff and more inmates that will be observed and monitored during the review period. Additionally, monitoring continues beyond the minimum of at least 90 days unless the allegation of retaliation is determined to be unfounded.

The Assistant Warden, the Classification Supervisor, and the Colonel are responsible for monitoring retaliation.

Based on the auditor's review of the Agency's procedures, and the interviews with the acting Warden, the investigators, the Institutional PREA Manager, and random staff and inmates, this standard is assessed as compliant, "meets standard".

## **115.68 Post-allegation protective custody**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse, in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. The FDC Procedure 602.051, Prison Rape: Prevention, Detection, and Response, section (4) Response directs that an inmate may be placed in administrative confinement pursuant FAC Rule 33-302.220, however, the Institutional Classification Team (ICT) will conduct a 72 hour review period during the review. The inmate victim will indicate her/his housing preference on a PREA Victim Housing Preference form. The team will take into consideration the inmate's preference and all available alternative housing options, and then issue a final decision. The number of inmates who allege to have suffered sexual abuse, who were held in involuntary segregated housing for 1 to 24 hours at APACI is two (2). The number of inmates who allege to have suffered sexual abuse, who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days is zero (0). These numbers obtained from the Pre-Audit Questionnaire. The two (2) inmates held in segregation signed the PREA Victim Housing Preference form and the form is documented. No other available housing alternatives were available as determined by the Institutional Classification Team.

The auditor reviewed the Administrative Confinement Rule, the Agency policy and the form concerning victim housing preference and noted that administrative segregation was judiciously used at APACI and that inmates are evaluated on an individual basis by the ICT.

Based on interviews with staff and inmates, and based on the rules of administrative confinement, the observation of the use of confinement, and the Agency's procedures concerning PREA, the auditor assesses this standard as compliant, "meets standard".

## **115.71 Criminal and administrative agency investigations**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The FDC has zero tolerance for sexual abuse and sexual harassment. Further, all allegations of sexual abuse and sexual harassment will be reported to the Office of the Inspector General and the Management Information Notification System (MINS). This is detailed in the FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response.

The specific procedures for investigation are outlined in the Florida Statutes, Florida Administrative Code, in Procedure 108.007 Investigations, in the Emergency Action Procedure 602.012, and some of this is detailed on the Agency/OIG website. These procedures direct the following: that the "OIG shall be notified and respond to the scene of the crime without unnecessary delay", that the Bureau of State Investigations is a "CFA Accredited Inspector General, Sworn Law Enforcement Statewide Authority, Investigative Agency" and that "investigations are conducted pursuant to the Association of Inspectors General, Principles and Standard for Office of the Inspector General." This taken from the Bureau of State Investigations website.

It is noted by the PREA auditor that an electronic complaint form, that goes directly to the OIG for review, is available on the website <<http://www.dc.state.fl.us/apps/gcomplaint.asp>>, again, this information obtained from the website.

Based on the above information, the auditor's review of the policy and procedures, the Agency and OIG websites, investigations, and the interviews with the two OIG Investigators, the auditor assesses this standard as compliant, "meets standard".

## **115.72 Evidentiary standard for administrative investigations**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

As defined in the Procedure 602.053, Prison Rape: Prevention, Detection, and Response, the Florida Department of Corrections/OIG utilizes the standard of a preponderance of the evidence (no higher than a preponderance of the evidence) for a sustained finding of an administrative investigation.

Based on the procedure, and based on the interviews with the Office of the Inspector General Investigators, the auditor assesses this evidentiary standard as compliant, "meets standard".

## **115.73 Reporting to inmates**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

As discussed in the PREA Standards 115.21 and 115.71, the Office of the Inspector General, through trained investigative staff, is responsible for the investigation of PREA incidents. The auditor notes that the two OIG investigators at APACI were very knowledgeable and professional and insightful into investigations in confinement facilities, and PREA in general. The investigative procedures and processes directed by Procedure 108.015, and Procedure 602.053 include reporting to the inmates. Every allegation is investigated and every investigated allegation is reported to the inmate with a finding of the completed investigation as to whether it was substantiated, unsubstantiated, or unfounded. This on the Bureau State Investigations website with Florida Statute information regarding FSS 943 Department of Law Enforcement.

In the past 12 months, there were 27 investigations of alleged inmate sexual abuse that were completed by the Agency/facility. Of these alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigation were 27. This information documented in the PAQ.

Based on the procedures, based on the website information, based on the Sexual Abuse Incident Review Committee (SAIRC) reports, based on the notifications to inmates, and based on the interviews with staff and inmates, the auditor assesses this standard as compliant, "meets standard".

## 115.76 Disciplinary sanctions for staff

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Florida Department of Corrections has a policy/procedure for disciplinary sanctions up to and including termination for violating Agency sexual abuse or sexual harassment policies. The FDC has zero tolerance for sexual abuse and sexual harassment of the inmate. Further, the Florida Statutes cover Use of Force in the State Correctional System (including sexual misconduct, cruel or inhumane treatment) under FS 944.35; the Executive Branch covers Disciplinary Standards and Range of Disciplinary Actions under the of Florida Administrative Code (601-36.005, and 33-208.003); and the Agency, through the Office of Human Resources, addresses discipline by Procedure 208.039, Employee Counseling and Discipline. These laws, rules and regulations emphasize the FDC's zero-tolerance for sexual abuse and sexual harassment and the Departments efforts to "set minimum standards of conduct, and to establish internal guidelines for administering counseling and disciplinary actions".

The Procedure 208.039 specifically lists the following:

1. Employee discipline standards.
2. Roles and responsibilities.
3. Employee counseling.
4. Types of disciplinary action.
5. Procedures for issuing discipline to permanent status career service employees.
6. Procedures for issuing disciplinary action to SES or promotion probationary status.
7. Procedures for suspension or dismissal of an OPS, or probationary status employee.

This Procedure supplements the above Florida Statutes, Florida Administrative Code, and the State Personnel Rules.

Further, the FDC directs "department employees are expected to act in a professional, reasonable, and respectful manner deserving of public trust and to foster a positive, healthy, and productive work environment."

In the past 12 months, there have been zero (0) number of APACI staff who had been disciplined or terminated for violating Florida, Agency, or Institutional sexual abuse and/or sexual harassment policies.

The auditor assesses this standard as compliant, "meets standard" based on the above information, policies, procedures and interviews with the acting Warden, higher-level and administrative staff, the Assistant Warden (PREA Manager), and the Human Resources Liaison.

## **115.77 Corrective action for contractors and volunteers**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Consistent with the Florida Statutes, Florida Administrative Code, the Agency Procedure on Employee Counseling and Discipline; the FDC requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing boards. Specifically FDC Procedure, 205.002, Contract Management, not only requires that contractors will be identified as "PREA covered contracts" but that contract staff will conduct themselves in accordance with Ethics Procedure 102.004 and moreover termination for cause will apply should "the contractor fail to comply with the Department's PREA policies and procedures and/or Federal Rule 28 C.F.R., Part 115."

In the past 12 months, there have been zero (0) number of contractors or volunteers who have been reported to law enforcement for engaging in sexual abuse of inmates. Additionally, in the past 12 months there have been no allegations of sexual abuse by contractors or volunteers.

Based on preaudit information, and based on interviews with staff, volunteers, contractors, the acting Warden, the Volunteer Coordinator, and key staff throughout the facility, the auditor assesses this standard as compliant, "meets standard".

## 115.78 Disciplinary sanctions for inmates

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Disciplinary sanctions for inmates and disciplinary procedures for inmates are outlined in the Florida Administrative Code specifically, Chapter 33-601.301 Inmate Discipline-General Policy, Chapter 33-601.314 Rules of Prohibited Conduct and Penalties for Infractions, Chapter 33-601.800 Close Management and the Inmate Manual of APACI. These disciplinary sanctions occur based on a formal disciplinary process following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse. The general policy on inmate discipline indicates that every inmate will have access to the rules and that the goals and purposes of discipline and disciplinary intervention are designed to eliminate disciplinary violations. The goals and purposes of discipline are incorporated into the staff training program.

As documented by the Pre-Audit Questionnaire for Apalachee Correctional Institution, in the past 12 months the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility is zero (0). Additionally, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility is zero (0).

The facility offers therapy, counseling, or other interventions to address motivations for abuse.

It is noted by the auditor, in the FDC's pamphlet on Sexual Abuse Awareness, there is a section "Facts for Perpetrators". These facts indicate that all reports will be referred to the Inspector General; sexual activity increases the risk of sexually transmitted diseases and HIV infection; and if an inmate has trouble controlling his actions he should seek help from mental health or try "talking to or writing a friend, meditate or do breathing exercises to relax, work on a hobby, or engage in some type of exercise."

Based on the auditor's review of the disciplinary process, based on the review of the policy and procedures, and based on interviews with staff and inmates, the auditor assesses this standard as compliant, "meets standard".



## **115.81 Medical and mental health screenings; history of sexual abuse**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Medical and mental health screenings are offered to all inmates at APACI who have disclosed prior sexual victimization during the screening process outlined in Standard 115.41. The FDC Procedure 602.053 states that "if results of an SRI (risk) assessment or medical assessment indicates that an inmate has experienced prior sexual victimization or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the inmate shall be offered a follow-up meeting with a medical or mental health practitioner within 14 days of screening." Additionally, this procedure indicates that information is to be available and limited to health care staff, and "other staff, as necessary to form treatment plans, and security and management decisions, including housing, bed, work, education, and program assignments..."

Informed consent is obtained from inmates who were victimized, not in an institutional setting and under the age of 18. This informed consent is documented.

Based on the medical and mental health care provisions of the procedure above, and based on interviews with specialized health care staff, and random staff and inmates, this standard is assessed as compliant, "meets standard".

## 115.82 Access to emergency medical and mental health services

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Inmates at Appalachian Correctional Institution, including inmate victims of sexual abuse, receive timely unimpeded access to emergency medical treatment and crisis intervention services. It is noted in the Inmate Manual for APACI that the facility "recognizes that medical care is essential for individual well-being. Unimpeded access to health and dental care will be available during your stay at Appalachee." The Inmate Manual further indicates that the state law has a five dollar copayment for any medical, dental, or psychological services they request, however, treated emergency medical problems (including PREA issues) are not subject to the copayment.

Further, Procedure 602.053 Section Medical and Mental Health Care stipulates that "alleged inmate victims of of sexual abuse, sexual battery, or staff sexual misconduct shall receive timely, unimpeded access to emergency treatment and crisis intervention services.....".

Healthcare staff at APACI are contracted through Centurion of Florida, LLC for the provision of comprehensive health care services at institutions in Florida. The contractors employ a managed care model to coordinate the provision of healthcare. Primary care is extended through a core of staff, clinicians, nurses, mental health and dental professionals. The nature and scope of services offered to the inmate population, including PREA issues, are determined by the medical and mental health practitioners at APACI, according to their professional judgment. Emergency Medical Services (EMS) are accessed by the direction of health care staff, 911 services, hospital services and, as determined/provided by health care practitioners on duty 24/7.

Inmates are also informed of what to do if they are sexually assaulted, what to do if the attack has just happened, and how to report. This information, and information about Sexual Abuse Awareness, Sexual Battery, and Sexual Abuse Avoidance, is made available to all inmates upon arrival by PREA video and the handout pamphlet, Florida Department of Corrections Sexual Abuse Awareness.

Forensic examinations are performed by contracted SAFE/SANE practitioners as noted in Standard 115.21.

Healthcare staff and institutional staff, when asked, all considered the level of healthcare, comparable to (or better than) the community level of healthcare. This question is asked as a part of the scripted formal interviews for healthcare staff, prepared by the PRC.

Based on the auditor's observation of daily operations; based on review of healthcare forms, mental health emergency evaluation forms, and staff request referral forms; based on interviews with key health care staff, interviews with the SAFE/SANE Coordinator, interviews with random inmates and staff, and the review of policy and procedure, the auditor assesses this standard as compliant, "meets standard".



## 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Apalachee Correctional Institution follows procedure 602.053, Prison Rape: Prevention, Detection, and Response, which directs and outlines the procedure for compliance with subsections, (a) through (h) of this standard. Specifically, offering the following:

1. Medical and mental health evaluation and, as appropriate, treatment to those that have been victimized...,
2. Follow-up services, treatment plans and continued care,
3. Provide victims with medical and mental health services, consistent with the community level of care,
4. Not applicable by standard (male facility),
5. Not applicable by standard (male facility),
6. Victims are offered tests for sexually transmitted infections as deemed appropriate,
7. Victims are provided services without cost, whether the victim names the abuser or cooperates with the investigation, and
8. The facility attempts to conduct a mental health evaluation of all known inmate on inmate abusers within 60 days of learning of such history.

Ongoing medical and mental health care for those victimized by sexual abuse is available at Apalachee Correctional Institution or at the local community hospitals in Marianna and Tallahassee. For those at the facility, if appropriate, referrals or transfers can be made to other institutions for the needed level of care. Additionally, referrals are made, as necessary, for the victim when released from custody, and as directed by the Procedure 602.053.

Based on interviews with Centurion health care staff, random staff and inmates, and based on the review of the procedures, documentation, and medical records, the auditor assesses this standard as compliant, "meets standard".

## 115.86 Sexual abuse incident reviews

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

APACI conducts a Sexual Abuse Incident Review at the conclusion of every criminal or administrative sexual abuse investigation (unless the investigation has been determined to be unfounded). These reviews are conducted according to FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response. The review team, according to the procedure, consists of the Assistant Warden (Chairperson and PREA Manager), Chief of Security, Classification Supervisor, and input from line staff, supervisors, investigators, and medical or mental health practitioners. This is the Sexual Abuse Incident Review Committee (SAIRC).

The SAIRC as directed by the procedure, and considers the following:

- 1) a need to change policy or practice
- 2) motivation (race, ethnicity, gender identity to include LGBTI status or perceived status, gang affiliation, or other group dynamics)
- 3) the area in the facility where the alleged incident occurred
- 4) staffing
- 5) where monitoring technology should be deployed or augmented.

Recommendations and a Summary Report are then made to the Warden. The recommendations made in the report are implemented or are documented for not doing so. The Summary Report is ordinarily made within 30 days of the conclusion of the investigation and then appropriately maintained according to the retention policy. In the past 12 months, there have been 21 reviews, Summary Reports by the SAIRC. The PREA auditor reviewed 16 of these 21 Summary Reports which were from the past 12 months.

Based on the auditor's review of Procedure 602.053, the SAIRC Summary Reports (DC 6-2076), and interviews with the FDC Secretary, FDC PREA Coordinator, the Warden, and the SAIRC team members (all of whom acknowledged and support the review process), the auditor assesses this standard as compliant, "meets standard".

## **115.87 Data collection**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The Florida Department of Corrections collects accurate, uniform data for every allegation of sexual abuse at its facilities. The FDC uses the US Department of Justice Survey of Sexual Victimization State Prison Systems Summary Form to complete its annual reporting activities. The FDC has promulgated the Procedure 602.053 that directs "data collection and analysis". The procedure indicates that the data will be utilized to improve the Department's efforts to help prevent sexual abuse in prison, including identifying problem areas, taking corrective action, and comparing the current year's data and corrective actions to those of former years. The procedure also indicates that the Institutional Compliance Manager is responsible for compiling data and preparing an annual corrective action plan.

Apalachee Correctional Institution collects accurate, uniform data for each allegation of sexual abuse at APACI, East and West Units. APACI collects this data using the format of the Survey of Sexual Victimization (SSV), 2016 State Prison Systems Summary Form (SSV-2 2016) US Department of Justice, and the definitions template provided by the FDC Procedure 602.053 Prison Rape: Prevention, Detection, and Response. As indicated in the procedure, the Assistant Warden (PREA Manager) is responsible for an annual corrective action plan and for providing data to the Central Office..

Based on the auditor's review of the SSV, the facility annual report, the FDC's annual report, and based on interviews with the FDC PREA Coordinator, this standard is assessed as "meets standard".

## **115.88 Data review for corrective action**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

Interviews with the FDC Secretary (Agency Head), the Agency PREA Compliance Coordinator, the Institutional PREA Manager (Assistant Warden), and the acting Warden, confirm that the Agency and the APACI facility are continually assessing and collecting PREA data for corrective action, and to "improve the effectiveness of the Department's efforts toward sexual abuse prevention, detection, and response policies, practices, and training, including identifying data, problem areas, taking corrective action, and the preparation of an Annual Report that includes a comparison of the current year's data and corrective actions with those from prior years." This taken directly from FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response (Data Collection and Analysis p.14).

It is noted by the PREA auditor that in addition to the above, the Florida Department of Corrections website (<http://www.dc.state.fl.us/oth/PREA/index.html>) indicates "The Department has established a zero-tolerance policy for all forms of sexual abuse, sexual battery and

sexual harassment, pursuant to the Prison Rape Elimination Act of 2003.... All staff members, contractors and volunteers receive training on their duties and responsibilities under PREA and the Department's zero-tolerance policy. All staff members, contractors, and volunteers are informed that they are required by law to report any incident(s) or allegations of sexual abuse, sexual battery or sexual harassment immediately. FDOC has assigned a PREA Coordinator, and support staff to assist in developing, implementing and monitoring the Department's compliance of the PREA standards. For questions or comments regarding The Prison Rape Elimination Act (PREA), please contact us at [PREA@fdc.myflorida.com](mailto:PREA@fdc.myflorida.com)."

Additionally, the website includes the following:

1. Resources - instructions for filing a third party grievance; third party grievance form; Florida statute 944.31; sexual battery, sexual harassment, and sexual misconduct investigations; PREA final standards; the PREA resource center; PREA survivor stories.
2. Publications - Corrective Action Plans and Survey of Sexual Victimization (2012-2016).

The auditor reviewed the February 6, 2018-2017 facility corrective action plan/PREA by the assistant Warden/PREA Manager submitted to the agency PREA Coordinator addressing PREA Standards and corrective actions for those standards, as appropriate. This Corrective Action and Report based on the Agency's PREA Coordinator review (a PREA certified auditor).

The auditor also reviewed the Florida Department of Corrections 2017, Prison Rape Elimination Act Corrective Action Plan signed by the Secretary FDC 3/9/18.

Based on the auditor's review of the agency website, the Department of Corrections PREA Corrective Action Plan, the Apalachee Correctional Institution Corrective Action Plan, and based on interviews with the Secretary of the FDC, the Agency PREA Coordinator, the Institutional Acting Warden, and the Institutional PREA Manager (assistant Warden), the auditor assesses this standard as compliant, "meet standards."

## **115.89 Data storage, publication, and destruction**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

FDC Procedure 602.053, Prison Rape: Prevention, Detection, and Response directs collection and analysis of data concerning PREA. Specifically, the Procedure indicates that "The PREA coordinator will be responsible for the compilation and reporting of data related to PREA incidents as defined herein, including the data necessary to complete the PREA survey administered by the Federal Bureau of Justice Statistics using a "Survey of Sexual Victimization-Incident Form," SSV-1A and "Survey of Sexual Victimization-State Prison Systems Summary Form," SSV-2.". It is also noted that Institutional PREA Managers are responsible for uploading documents into the electronic retention files. The Pre-Audit Questionnaire for APACI also documents that the Agency removes all personal identifiers from published website reports, and that the Agency maintains sexual abuse data collected for at least 10 years after the date of initial collection, unless federal, state or local law requires otherwise.

The Agency has also outlined, through Procedure 602.053, specific duties and responsibilities for the PREA Coordinator and Compliance Managers, including the overall direction for "the compliance with federal laws"; including "planning, directing, and coordinating all activities related to the compliance program, including administrative, financial, and operational issues,"; and "prepare and maintain records of all compliance activities within her/his respective institution."

Based on the auditor's interviews with the Agency PREA Coordinator, the APACI Institutional PREA Manager, and based upon the above Procedure and information, this standard is assessed as compliant, "meets standard".

## **115.401 Frequency and scope of audits**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The auditor reviewed subsections a, b, h, l, m, n with key staff and reviewed the FDC Agency website. Based on these reviews, and based on the accessibility of all areas of the institution to the auditor, and based on the auditor's access to the inmates and the inmates access to the auditor, the auditor assesses this standard as compliant, "meets standard".

It should be noted that the auditor discussed with the Agency PREA Statewide Coordinator, and the staff of the Statewide PREA Office the subsections a and b, of this standard , which were discussed with the PREA Resource Center. This discussion was relayed to the auditor and supported the auditor's assessment of compliance for this standard. It is also noted that the auditor reviewed the previous APACI 2015 PREA audit which was on the Agency's website.



## **115.403 Audit contents and findings**

**Auditor Overall Determination:** Meets Standard

### **Auditor Discussion**

The auditor has reviewed the FDC Agency website, and the auditor has interviewed both the Secretary of the Florida Department of Corrections and the Agency PREA Coordinator. This standard has also been discussed with the Agency's PREA office on several occasions. Based on these formal interviews and discussions, and based on the review of the website that contained the previous published audit report for Apalachee Correctional Institution and finding this audit as part of the second cycle of audits, the auditor assesses this standard as "meets standard".

## Appendix: Provision Findings

### 115.11 (a) Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? yes

Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? yes

### 115.11 (b) Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

Has the agency employed or designated an agency-wide PREA Coordinator? yes

Is the PREA Coordinator position in the upper-level of the agency hierarchy? yes

Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities? yes

### 115.11 (c) Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.) yes

Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.) yes

### 115.12 (a) Contracting with other entities for the confinement of inmates

If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.) yes

**115.12 (b) Contracting with other entities for the confinement of inmates**

Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".)      yes

**115.13 (a) Supervision and monitoring**

Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?      yes

Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?      yes

Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring?      yes

Does the agency ensure that each facility's staffing plan takes into      yes

consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring?

Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? yes

Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? yes

Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? yes

Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring ? yes

**115.13 (b) Supervision and monitoring**

In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.) yes

**115.13 (c) Supervision and monitoring**

In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section? yes

In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies? yes

In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan? yes

**115.13 (d) Supervision and monitoring**

Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? yes

Is this policy and practice implemented for night shifts as well as day shifts? yes

Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? yes

**115.14 (a) Youthful inmates**

Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

**115.14 (b) Youthful inmates**

In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

**115.14 (c) Youthful inmates**

Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).) na

**115.15 (a) Limits to cross-gender viewing and searches**

Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners? yes

**115.15 (b) Limits to cross-gender viewing and searches**

Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.) yes

Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20,2017.) yes

**115.15 (c) Limits to cross-gender viewing and searches**

Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? yes

Does the facility document all cross-gender pat-down searches of female inmates? yes

**115.15 (d) Limits to cross-gender viewing and searches**

Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? yes

Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? yes

**115.15 (e) Limits to cross-gender viewing and searches**

Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? yes

If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? yes

**115.15 (f) Limits to cross-gender viewing and searches**

Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? yes

Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? yes

**115.16 (a) Inmates with disabilities and inmates who are limited English proficient**

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing? yes

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all

aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities? yes

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities? yes

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities? yes

Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.) yes

Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? yes

Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? yes

Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? yes

Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? yes

Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision? yes



**115.16 (b) Inmates with disabilities and inmates who are limited English proficient**

Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?      yes

Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?      yes

**115.16 (c) Inmates with disabilities and inmates who are limited English proficient**

Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?      yes

**115.17 (a) Hiring and promotion decisions**

Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? yes

Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? yes

Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above? yes

Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? yes

Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? yes

Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above? yes

**115.17 (b) Hiring and promotion decisions**

Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? yes

**115.17 (c) Hiring and promotion decisions**

Before hiring new employees who may have contact with inmates, does the agency: perform a criminal background records check? yes

Before hiring new employees who may have contact with inmates, does the agency: consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse? yes

**115.17 (d) Hiring and promotion decisions**

Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? yes

**115.17 (e) Hiring and promotion decisions**

Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees? yes

**115.17 (f) Hiring and promotion decisions**

Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? yes

Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? yes

Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? yes

**115.17 (g) Hiring and promotion decisions**

Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? yes

**115.17 (h) Hiring and promotion decisions**

Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.) yes

**115.18 (a) Upgrades to facilities and technologies**

If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.) yes

**115.18 (b) Upgrades to facilities and technologies**

If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.) yes

**115.21 (a) Evidence protocol and forensic medical examinations**

If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) yes

**115.21 (b) Evidence protocol and forensic medical examinations**

Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) yes

Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice’s Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) yes

**115.21 (c) Evidence protocol and forensic medical examinations**

Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate? yes

Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? yes

If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)? yes

Has the agency documented its efforts to provide SAFEs or SANEs? yes

<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
 <b>115.21 (e)</b>	 <b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
 <b>115.21 (f)</b>	 <b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
 <b>115.21 (h)</b>	 <b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.)	yes

<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes

**115.31 (a) Employee training**

Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes



<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	no
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	no
<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes

<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
		During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
		Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
		Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	Have all inmates received such education?	yes
		Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

<b>115.33 (d)</b>	<b>Inmate education</b>	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes

<b>115.33 (f)</b>	<b>Inmate education</b>	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes

<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

**115.34 (b) Specialized training: Investigations**

Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) yes

Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) yes

Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) yes

Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) yes

**115.34 (c) Specialized training: Investigations**

Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) yes

**115.35 (a) Specialized training: Medical and mental health care**

Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? yes

Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? yes

Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? yes

Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? yes

<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.)	yes
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere?	yes
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31?	yes
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32?	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

**115.41 (c) Screening for risk of victimization and abusiveness**

Are all PREA screening assessments conducted using an objective screening instrument? yes

**115.41 (d) Screening for risk of victimization and abusiveness**

Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes

<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess an inmate's risk level when warranted due to a: Referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Request?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes



**115.41 (i) Screening for risk of victimization and abusiveness**

Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates? yes

**115.42 (a) Use of screening information**

Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? yes

Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? yes

Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? yes

Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? yes

Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? yes

**115.42 (b) Use of screening information**

Does the agency make individualized determinations about how to ensure the safety of each inmate? yes

<b>115.42 (c)</b>	<b>Use of screening information</b>	<p>When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?</p> <p>When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?</p>	<p>yes</p> <p>yes</p>
<b>115.42 (d)</b>	<b>Use of screening information</b>	<p>Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?</p>	<p>yes</p>
<b>115.42 (e)</b>	<b>Use of screening information</b>	<p>Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?</p>	<p>yes</p>
<b>115.42 (f)</b>	<b>Use of screening information</b>	<p>Are transgender and intersex inmates given the opportunity to shower separately from other inmates?</p>	<p>yes</p>

**115.42 (g) Use of screening information**

Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? yes

Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? yes

Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? yes

**115.43 (a) Protective Custody**

Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers? yes

If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment? yes

**115.43 (b) Protective Custody**

Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? yes

Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? yes

Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? yes

Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? yes

If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? yes

If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? yes

If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? yes

**115.43 (c) Protective Custody**

Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? yes

Does such an assignment not ordinarily exceed a period of 30 days? yes

**115.43 (d) Protective Custody**

If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety? yes

If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? yes

<b>115.43 (e)</b>	<b>Protective Custody</b>	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
		Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
		Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.51 (b)</b>	<b>Inmate reporting</b>	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
		Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
		Does that private entity or office allow the inmate to remain anonymous upon request?	yes
		Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security?	yes

<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes

**115.52 (c) Exhaustion of administrative remedies**

Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)

yes

Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)

yes

**115.52 (d) Exhaustion of administrative remedies**

Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)

yes

If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)

yes

At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)

yes

**115.52 (e) Exhaustion of administrative remedies**

Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)

yes

Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)

yes

If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)

yes



**115.52 (f) Exhaustion of administrative remedies**

Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)

yes

After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)

yes

After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)

yes

After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)

yes

Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)

yes

Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)

yes

Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)

yes

**115.52 (g) Exhaustion of administrative remedies**

If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)

yes

**115.53 (a) Inmate access to outside confidential support services**

Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? yes

Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? yes

Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? yes

**115.53 (b) Inmate access to outside confidential support services**

Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? yes

**115.53 (c) Inmate access to outside confidential support services**

Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse? yes

Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? yes

**115.54 (a) Third-party reporting**

Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? yes

Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? yes

**115.61 (a) Staff and agency reporting duties**

Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? yes

Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment? yes

Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? yes

**115.61 (b) Staff and agency reporting duties**

Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? yes

**115.61 (c) Staff and agency reporting duties**

Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section? yes

Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? yes

**115.61 (d) Staff and agency reporting duties**

If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? yes

<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.62 (a)</b>	<b>Agency protection duties</b>	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

**115.64 (a) Staff first responder duties**

Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser? yes

Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? yes

Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? yes

Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? yes

**115.64 (b) Staff first responder duties**

If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? yes

**115.65 (a) Coordinated response**

Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? yes

**115.66 (a) Preservation of ability to protect inmates from contact with abusers**

Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? yes

**115.67 (a) Agency protection against retaliation**

Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff? yes

Has the agency designated which staff members or departments are charged with monitoring retaliation? yes

**115.67 (b) Agency protection against retaliation**

Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? yes

**115.67 (c) Agency protection against retaliation**

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? yes

Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? yes

**115.67 (d) Agency protection against retaliation**

In the case of inmates, does such monitoring also include periodic status checks? yes

<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
		Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
		Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
		Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes



- 115.71 (d) Criminal and administrative agency investigations**
- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution? yes
- 115.71 (e) Criminal and administrative agency investigations**
- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff? yes
- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? yes
- 115.71 (f) Criminal and administrative agency investigations**
- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? yes
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings? yes
- 115.71 (g) Criminal and administrative agency investigations**
- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible? yes
- 115.71 (h) Criminal and administrative agency investigations**
- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? yes

- 115.71 (i) Criminal and administrative agency investigations**
- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? yes
- 115.71 (j) Criminal and administrative agency investigations**
- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation? yes
- 115.71 (l) Criminal and administrative agency investigations**
- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).) yes
- 115.72 (a) Evidentiary standard for administrative investigations**
- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated? yes
- 115.73 (a) Reporting to inmates**
- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? yes
- 115.73 (b) Reporting to inmates**
- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) yes

**115.73 (c) Reporting to inmates**

Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit? yes

Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility? yes

Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? yes

Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? yes

**115.73 (d) Reporting to inmates**

Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility? yes

Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility? yes

<b>115.73 (e)</b>	<b>Reporting to inmates</b>	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
		Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes

<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
 <b>115.77 (b)</b>	 <b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
 <b>115.78 (a)</b>	 <b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
 <b>115.78 (b)</b>	 <b>Disciplinary sanctions for inmates</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
 <b>115.78 (c)</b>	 <b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes

- 115.78 (d) Disciplinary sanctions for inmates**
- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits? yes
- 115.78 (e) Disciplinary sanctions for inmates**
- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact? yes
- 115.78 (f) Disciplinary sanctions for inmates**
- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? yes
- 115.78 (g) Disciplinary sanctions for inmates**
- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.) yes
- 115.81 (a) Medical and mental health screenings; history of sexual abuse**
- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? yes

**115.81 (b) Medical and mental health screenings; history of sexual abuse**

If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)

yes

**115.81 (c) Medical and mental health screenings; history of sexual abuse**

If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?

yes

**115.81 (d) Medical and mental health screenings; history of sexual abuse**

Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?

yes

**115.81 (e) Medical and mental health screenings; history of sexual abuse**

Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?

yes

**115.82 (a) Access to emergency medical and mental health services**

Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?

yes

**115.82 (b) Access to emergency medical and mental health services**

If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? yes

Do security staff first responders immediately notify the appropriate medical and mental health practitioners? yes

**115.82 (c) Access to emergency medical and mental health services**

Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate? yes

**115.82 (d) Access to emergency medical and mental health services**

Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident? yes

**115.83 (a) Ongoing medical and mental health care for sexual abuse victims and abusers**

Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? yes

**115.83 (b) Ongoing medical and mental health care for sexual abuse victims and abusers**

Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? yes





**115.83 (h) Ongoing medical and mental health care for sexual abuse victims and abusers**

If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)

yes

**115.86 (a) Sexual abuse incident reviews**

Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?

yes

**115.86 (b) Sexual abuse incident reviews**

Does such review ordinarily occur within 30 days of the conclusion of the investigation?

yes

**115.86 (c) Sexual abuse incident reviews**

Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?

yes

<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes

<b>115.87 (c)</b>	<b>Data collection</b>	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
<b>115.87 (f)</b>	<b>Data collection</b>	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
		Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
		Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

<b>115.88 (b)</b>	<b>Data review for corrective action</b>	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes

**115.89 (d) Data storage, publication, and destruction**

Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? yes

**115.401 (a) Frequency and scope of audits**

During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.) yes

**115.401 (b) Frequency and scope of audits**

During each one-year period starting on August 20, 2013, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited? yes

**115.401 (h) Frequency and scope of audits**

Did the auditor have access to, and the ability to observe, all areas of the audited facility? yes

**115.401 (i) Frequency and scope of audits**

Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? yes

**115.401 (m) Frequency and scope of audits**

Was the auditor permitted to conduct private interviews with inmates, residents, and detainees? yes

**115.401 (n) Frequency and scope of audits**

Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? yes

**115.403 (f) Audit contents and findings**

The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) yes