

**PREA AUDIT: AUDITOR'S SUMMARY REPORT
ADULT PRISONS & JAILS**



Name of facility:	State Correctional Institution at Somerset		
Physical address:	1590 Walters Mill Rd. Somerset, PA 15510		
Date report submitted:	November 6, 2015		
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Date of facility visit:	October 5-7, 2015		
Facility Information			
Facility mailing address: (if different from above)			
Telephone number:	814-443-8100		
The facility is:	<input type="checkbox"/> Military	County	Federal
	<input type="checkbox"/> Private for profit		X State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
Name of PREA Compliance Manager:	Allen G. Joseph	Title:	Corrections Classification Program Manager
Email address:	ajoseph@pa.gov	Telephone number:	814-443-8100 ext. 8251
Agency Information			
Name of agency:	Pennsylvania Department of Corrections		
Governing authority or parent agency: (if applicable)	Commonwealth of Pennsylvania		

Physical address:	1920 Technology Parkway, Mechanicsburg, PA 17050		
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Agency Chief Executive Officer			
Name:	John E. Wetzel	Title:	Secretary of Corrections
Agency-Wide PREA Coordinator			
Name:	Jennifer Feicht	Title:	PREA Coordinator
Email address:	jfeicht@pa.gov	Telephone number:	724-662-1837

AUDIT FINDINGS

NARRATIVE:

A Prison Rape Elimination Act Audit of the State Correctional Institution at Somerset was conducted from October 5, 2015 to October 7, 2015. The purpose of the audit was to determine compliance with the Prison Rape Elimination Act standards which became effective August 20, 2012.

An entrance meeting was held the morning of the onsite audit with the following persons: Superintendent- Trevor Wingard, DSFM- Melissa Hainsworth, Acting DSCS- Brian Hyde, Major of Unit Management- Craig Wadsworth, PREA Coordinator- Jennifer Feicht, Corrections Classification and Programs Manager/PREA Compliance Manager- Allen Joseph, Security Captain- Robert Snyder, Acting CHCA- Gerald Puskar, LPM- Kevin Dempsey, PREA Lieutenant Mark Brothers, and PREA Administrative Officer- Pamela Warchola.

The auditor wishes to extend its appreciation to Superintendent Trevor Wingard and his staff for the professionalism they demonstrated throughout the audit and their willingness to comply with all requests and recommendations made by the auditor.

The auditor would also like to recognize PREA Coordinator Jennifer Feicht and PREA Compliance Manager Allen Joseph for their hard work and dedication to ensure the facility is compliant with all PREA standards.

After the entrance meeting, the auditor was given a tour of all areas of the facility, including; all general population housing units, Restrictive Housing Unit, control room, visitation, medical/infirmarium, intake, dining, dietary, arts and crafts building, commissary, maintenance, CI laundry, program services, chapel, library, law library, roofing and riding, masonry room, various classrooms, GED classroom, barber shop, gymnasium, CI warehouse, auto shop, central plant, outside storage shed, and the range trailer. During the tour, several informal interviews were conducted with inmates and staff throughout the facility.

A total of 27 staff were interviewed with at least one staff member interviewed from each interview category, with the exception of the interviews related to educational staff who work with youthful inmates, line staff who supervise youthful inmates, and non-medical staff involved in cross-gender searches (these interview types were not applicable to this facility).

Staff interviews were conducted on all three shifts.

A total of 21 inmates were interviewed with at least one inmate interviewed from each interview category, with the exception of the interviews related to youthful inmates and interviews related to inmates placed in segregated housing for risk of sexual victimization (these interview types were not applicable to this facility).

Telephone interviews were conducted with the Agency Head, Agency Contract Administrator, and the SAFE/SANE staff.

The count on the first day of the audit was 2360. The count on the final day of the audit was 2355.

Throughout the pre-audit and onsite audit, open and positive communication was established between the auditor and facility staff. During this time, the auditor discussed his concerns with PREA Coordinator Jennifer Feicht and PREA Compliance Manager Allen Joseph. Through a coordinated effort by these key staff members as well as other staff, all issues were addressed and corrected to the satisfaction of the auditor prior to the completion of the Final Report.

When the audit was completed, the auditor conducted an exit briefing on October 7, 2015. The auditor gave an overview of the audit and thanked the staff for all their hard work and commitment to the Prison Rape Elimination Act.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Groundbreaking for SCI-Somerset began in September 1991 as part of an administrative initiative to increase cell space and to ease overcrowding in the PA Correctional System. The architects were LD Astorino. SCI-Somerset was officially dedicated by Governor Robert P. Casey on April 13, 1993. Initial construction appropriation was \$82.2 million. An additional \$10 million was allocated for the construction of two housing units in 1997.

The institution is located in Somerset County. The facility is part of an overall plan to add some 10,000 cells to the correctional system statewide. The institution is situated on approximately 300 acres of land, with 63 acres of said land situated inside a double 14' fence. Inside the fence are six L-3 housing units with a capacity of 128 cells each, two new housing units of custody L-4 design with 128 cells each, one L-2 housing unit, one L-5 unit, twelve infirmary beds, 2 isolation cells, 4 psychiatric observation cells, an education/activities complex, a maintenance/ industries complex, a dietary complex, and laundry facilities.

Outside Control (Perimeter Description):

-SCI-Somerset has double fencing.

-Detection systems in place are: microwave and passive infrared system at Sally Port (Sally Port and Administration Building) Sen-Star system and fence shaker system and South West Microwave Micro tracked buried cable.

-Number of towers – none. There is an observation tower for Yard use only.

Religious Programming

The Chaplaincy staff at SCI-Somerset seeks to meet the spiritual needs of those incarcerated here, as well as providing personal and family counseling. The three staff chaplains (2 Protestant & 1 Islamic) work a rotating schedule that provides chaplaincy coverage seven days a week, with alternating weekend duty that provides a Sunday morning worship service. The Catholic contract chaplain works three days a week, helps provide coverage Sunday through Tuesday and the Islamic Chaplain works Monday through Friday. The Islamic Chaplain is a shared position with SCI-Laurel Highlands.

Jewish services are provided by a contract chaplain who is scheduled for 3-4 hours two days per month. The weekly Jehovah's Witness services are provided by volunteers and the Native American Chaplain provides bi-weekly Native American services. There are regular volunteer lead services three evenings each week (two Protestant and one Catholic) and a Protestant service with volunteers is provided on most Saturdays. Each member of the Chaplaincy staff teaches several weekly religious studies for their specific faith group, as well as serving on other committees and task groups within the institution. A religious library makes religious books and tapes of all accommodated faiths available to the inmate population three days each week. Individual and group counseling sessions are worked into the chaplains' busy schedules as needed.

Offender Work Programs

The Inmate Employment Office seeks to maintain optimum employment levels for the inmate population. Through the Employment Coordinator, inmates' skill levels are assessed and placements are made within Maintenance, Food Services, Correctional Industries, and various other areas of employment. Every effort is made to place inmates completing vocational training on a job that could enhance their newly acquired skills.

SCI-Somerset has 1918 inmates employed, 118 unassigned in the RHU (77 DC and 41 AC). Pay rates range from .19 to .42 hr. for those inmates working inside the institution. CWP inmates and licensed barbers are paid .51 hr. The employment rate at this institution is 85 to 89 percent. The numbers for employment in each area are as follows: Business office 22, Correctional Industries 150, CWP 20, Drug and Alcohol 53, Education 740, Food Service 331, Activities 40, Library 16, Maintenance 140, Medical 6, Block workers 420.

Academic and Vocational Education

Inmates are provided with the opportunity to further their education through the effort of the PA Department of Corrections, Bureau of Correction Education. A full-time School Principal provides administrative direction for the Education Department. Through this effort, inmates have the opportunity to receive diplomas and vocational certificates during their incarceration. The Library provides a setting for educational, recreational, and legal materials. Periodicals are available, as well as reference material, to meet the reading needs of the population. Audio/visual materials are available in the Library.

SCI-Somerset's Education Department provides academic and vocational curriculum for an incarcerated population of over twenty-three hundred. Academics provided include: Adult Basic Education (ABE), Secondary Education (GED), Special Education, English as a Second Language (ESL), and Limited English Proficiency (LEP). The Special Education students may receive a Commonwealth Secondary Development Diploma (CSD); other academic students may receive a General Education Development Diploma (GED). During the past three years, 199 out of 270 students have passed their GED. The average passing was 74%. During the same period of time, 49 students received their CSD. Post-secondary course work is offered as Certificate/Diploma programs from various accredited institutions.

Vocational training programs provide the student with entry level skills in the following vocational areas: Interior Finish/Roofing and Siding, Heating, Ventilation and Air-Conditioning (HVAC), Building Maintenance, Carpentry, Plumbing, Masonry, and Business Education classes offer various course work geared towards the business environment. The Barber program allows the student to obtain state licensure upon program completion. Pre-Voc class is offered as a precursor for the vocational programs to allow for National Center for Construction and

Education Research (NCCER) Certification. This certification is applicable to all vocational programs.

The Somerset Education Department also provides Victim Awareness Class (ACT-143) which is a legislatively mandated class for a segment of the population. SCI-Somerset has a Read to your Children program where inmates are taped reading to their children. The tape and book is then sent home.

During the past three years, they have been averaging between 900-1000 students in all of these classes.

Social Services

Psychological services are available to those inmates in need of group or individual counseling, testing, and evaluation. Additional Psychological Department services provided are: 1) crisis intervention of inmates in need; 2) observation of inmates in psychiatric observation cells; 3) commitment of inmates to mental health units; 4) psychological screening of newly hired officers; 5) psychological evaluations of officers in the RHU (over 1 year); and 6) consultation and training of institutional staff.

Counseling Services: Unit Counselors provide case management and basic counseling services to assist Inmates in their adjustment and progress towards release when appropriate. Three Treatment Specialist Counselors provide Standardized Programs including Batterers Intervention, Violence Prevention (moderate and high) and Thinking for a Change. Counselors, Psychologists and Chaplains collaborate to provide Fatherhood and Impact of Crime on Victims classes.

Centralized Services – Low Intensity, Sex Offender Programming, High-Moderate Intensity Sex Offender Programming, Sex Offender Booster, Alcoholics Anonymous, Read to Your Children, Victims Awareness Education, AOD Outpatient Programming, and AOD Dual Diagnosis. SCI Somerset also provides a 40 bed AOD Therapeutic Community.

Substance Abuse/Treatment Programs

The Cognitive-Behavioral approach is used in all treatment programming at SCI-Somerset. Standardized programs offered are: Thinking for a Change, Violence Prevention (Moderate and High), and Batterers Intervention.

Substance abuse concerns are addressed through a specialized drug and alcohol treatment staff. Education, therapeutic, and individual areas of addiction are emphasized to assist the inmates

with their recovery. Alcohol and Other Drug Programming includes a four month Therapeutic Community program, Outpatient Programming, Dual Diagnosis, and Self-Help Groups. Low Intensity and Moderate to High Standardized Sex Offender Programming are offered through the Psychology Department.

All assessments and program recommendations on initial receptions are completed at the CDCC. Convicted Parole Violators are assessed for AOD, Sex Offender and Standardized Treatment Programming by the staff at SCI-Somerset. Admissions for programming are based on the following priorities: RRRI, Parole Upon Completion, Parole Board Mandate, and Minimum Sentence.

Correctional Industries

SCI-Somerset has a Correctional Industries Laundry. The laundry processes 10.5 million plus pounds per year. Their 18 customers include the Department of Corrections, Department of Public Welfare, Veterans Homes and Universities. The work schedule is 0615-1415 during the day and 1330-2130 in the evenings.

There is an average of 72 inmates per shift and there is one Manager, one Supervisor, 5 Foremen, and 5 Equipment Operators on first shift. Second shift includes one Supervisor 4 Foremen and 2 Equipment operators. Correctional Industries also offers vocational certification to its inmate work force through correspondence courses. Through the experience and training received while employed at the Laundry plant they can become certified as a Wash Room Tech (CWT) or a Linen Tech (CLT).

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded:	4
Number of standards met:	37
Number of standards not met:	0
Not Applicable:	2

§115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

Exceeds Standard (substantially exceeds requirement of standard)

- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

DC-ADM008 Prison Rape Elimination Act (PREA) states it is the policy of the Department to prohibit any form of sexual abuse and/or sexual harassment of an inmate. The Department has zero tolerance for sexual abuse or sexual harassment of any individual under the supervision of the Department.

The Department will take appropriate actions to ensure zero tolerance toward all forms of sexual abuse and sexual harassment in order to promote the safety of inmates. The Department will implement federal Prison Rape Elimination Act (PREA) Standards to ensure that all aspects of operations work toward preventing, detecting, and responding to such conduct resulting in a safer environment.

The Department shall designate a statewide PREA Coordinator to develop, implement and oversee the Department's efforts to comply with the National PREA Standards across all facilities; and each facility shall designate a PREA Compliance Manager to coordinate the facility's efforts to comply with the Standards. The statewide PREA Coordinator shall report directly to the Executive Deputy Secretary/designee of the Department.

Definitions of prohibited behaviors regarding sexual assault and sexual harassment were located in the Glossary of Terms.

Sanctions for those found to have participated in prohibited behaviors were located in policy 801 Inmate Discipline, as well as DC-ADM008 Section 7- Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation for employees.

There is one statewide PREA Coordinator responsible for PREA compliance across the Department. The statewide PREA Coordinator's sole responsibility is to develop, implement and oversee Department efforts to comply with the Federal PREA Standards in all of the Department's facilities. The statewide PREA Coordinator will have the authority to make necessary decisions to ensure compliance and report directly to the Executive Deputy Secretary.

The Corrections Classification and Program Manager (CCPM) has been designated as the PREA Compliance Manager (PCM) at each facility and has been given sufficient time and authority to coordinate that facility's compliance with Department policy and Federal PREA Standards. The PREA Compliance Manager reports to the Deputy of Centralized Services.

Interviews with the PREA Coordinator indicates she is allotted ample time to oversee the agency's efforts to ensure PREA compliance in all of its facilities. There are 27 PREA

Compliance Managers that report to the PREA Coordinator. The PREA Coordinator communicates with the PREA Compliance Managers on a regular basis via telephone and email, and conducts regular site visits at the facilities.

Interviews with the PREA Compliance Manager indicates the agency recently allocated a PREA Lieutenant and a PREA Administrative Officer to his facility. These additional personnel assist him wherever needed. The PREA Compliance Manager indicated he has the appropriate resources, time, and authority to oversee the facility's PREA compliance.

During the onsite audit, the auditor was advised the agency sent the PREA Coordinator as well as other staff members to the Department of Justice Auditor Training. The auditor was advised this is an example of the agency's commitment to the Prison Rape Elimination Act.

§115.12 - Contracting with other entities for the confinement of inmates

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

DC-ADM008 Prison Rape Elimination Act (PREA) states the Department shall include in any new contract or contract renewal for the housing of an inmate (on or after the effective date of this procedure) with a private entity or other entity, including other government agencies, the entity's obligation to adopt and comply with the PREA Standards and the Department's policies related to PREA compliance.

The contracted entity will undergo regular, mandated audits on a three-year basis, as required by the National PREA Standards.

The Department shall provide for contract monitoring to ensure that the contract service provider is complying with the PREA Standards with any new contract or contract renewal.

There have been three contracts for the confinement of inmates that the agency entered into or renewed with private entities or other government agencies on or after August 20, 2012. The contracted facilities include: Lackawanna County, Columbia County, and York County. These agreements include specific language requiring the counties to agree to adopt and comply with all PREA regulations. These agreements also include the Department's right to inspect the facility at any reasonable time. The agency has existing contracts with approximately 16 other facilities. Through interviews with the PREA

Coordinator, it was discovered when these contracts come up for renewal, they will include language specific to PREA requirements.

Interviews with the Agency Contract Administrator indicates facilities the agency contracts with for the confinement of its inmates would be audited annually. In addition, monthly site visits would be conducted on the facility and investigations would be monitored to ensure compliance with the standards.

§115.13 – Supervision and Monitoring

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

DC-ADM008 Prison Rape Elimination Act (PREA) states the Department shall ensure that each facility develops, documents and makes its best efforts to comply on a regular basis, but no less than once a year, with a staffing plan as found in Department policy 6.3.1, Section 15 that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse.

In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration:

- 1) Generally accepted detention and correctional practices;
- 2) Any judicial findings of inadequacy;
- 3) Any findings of inadequacy from Federal investigative agencies;
- 4) Any findings of inadequacy from internal or external oversight bodies;
- 5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);
- 6) The composition of the inmate population;
- 7) The number and placement of supervisory staff;
- 8) Facility programs occurring on a particular shift;
- 9) Any applicable State or local laws, regulations, or standards;

10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and

11) Any other relevant factors.

In circumstances of non-compliance with the staffing plan, the Facility Manager/designee shall document, in writing, and justify all deviations from the plan. This documentation will be forwarded to the Executive Deputy Secretary, Regional Deputy Secretary, and Central Office Security Major.

Whenever necessary, but no less frequently than once a year, each facility shall assess, determine and document whether adjustments are needed to:

- 1) The facility's deployment of video monitoring systems and other monitoring technologies; and
- 2) The resources the facility has available to commit to ensure adherence to the staffing plan.

The annual reviews will be conducted in consultation with the PREA Compliance Manager at that facility and the statewide PREA Coordinator.

In circumstances of non-compliance with the staffing plan, the Facility Manager/designee shall document, in writing, and justify all deviations from the plan. This documentation will be forwarded to the Executive Deputy Secretary, Regional Deputy Secretary, PREA Coordinator, and Central Office Security Major.

6.3.1, Facility Security Procedures Manual Section 19 states unannounced PREA compliance inspections shall be conducted and documented to identify and deter sexual abuse and sexual harassment. These inspections can be incorporated with Administrative/Managerial Visits/Inspections, with the exception that they be documented separately.

The Major-of-the-Guard, Deputy Superintendents, and Facility Manager shall conduct unannounced rounds specific to PREA compliance measures no less than once per month and must occur on all shifts. These inspections shall be documented utilizing the PREA Administrative Tour Documentation Form.

PREA inspections should occur in any and all areas of the facility where there could be a potential for inmates to become a victim of sexual abuse.

Staff conducting PREA inspections shall pay particular attention to the staff and video monitoring of the facility to detect areas that may need enhancement to ensure the sexual safety of the facility.

Staff conducting PREA inspections shall talk with staff and inquire about any perceived areas of concern related to PREA or relating to any problem inmates relating to PREA.

Staff members will not inform anyone that these visits are occurring. Any staff member found to be alerting other staff or inmates to these unannounced visits will be subject to disciplinary action.

During the pre-audit, the auditor was provided with documentation of PREA Administrative Tour Forms.

A memo dated February 10, 2015 states, in accordance with PREA Standard 115.13 and the DC-ADM 008, intermediate and higher level management staff will be conducting unannounced rounds specifically focusing on housing units and other areas accessible to inmates. Staff are not to alert other staff that these rounds are being conducted. The job classifications of staff conducting these rounds will be: Superintendent, Deputies, CCPM, Majors, Captains, and the Facility Maintenance Manager.

Since August 20, 2012, the average daily number of inmates was 2,355, which was the same number of inmates on which the staffing plan was predicated.

During the 2015 audit cycle, there have not been any deviations from the staffing plan.

During the onsite audit, the auditor viewed the supervisor log books and discovered unannounced rounds were conducted consistently on all three shifts.

During the onsite audit, the auditor discovered the food aperature was open on some of the shower doors, while the inmates were showering. This enabled both staff and inmates to have the ability to view the inmates while they are in the shower. The auditor discussed this with facility staff and prior to the conclusion of the Final Report, the facility issued a directive to all staff to ensure that this door is closed whenever an inmate is placed in the shower.

During the onsite audit, the auditor discovered several inmate restrooms outside of the housing unit were left unsecure, creating a potential blind spot. The auditor discussed this with facility staff and prior to the conclusion of the Final Report, the facility issued a directive to all staff emphasizing the need to secure these doors when not in use and/or when not under direct staff supervision.

During the onsite audit, the auditor discovered single toilet inmate restrooms in dietary that were left unsecure. Facility staff explained to the auditor that there were a large number of inmates working in this area and there was frequently an inmate that would

need to use the restroom. While inspecting this area, the auditor discovered the outside of these restrooms were monitored by video. In addition, dietary staff frequently made rounds in this area. For this reason, the auditor did not recommend securing these doors; however, the auditor requested the facility place signs on the outside of the door, advising inmates that only one inmate is allowed in the restroom at a time. Prior to the completion of the Final Report, the auditor was provided with documentation that the facility had placed the signs on the restroom doors.

Staff interviews indicate the facility has developed a staffing plan based on the requirements under PREA. The PREA Coordinator is consulted regarding assessments and/or adjustments to the staffing plan. Interviews further indicate unannounced rounds are being conducted by intermediate and higher-level facility staff on a regular basis. These rounds are occurring daily on all three shifts. Unannounced rounds are documented in the housing unit log book. In addition, each supervisor is required to generate a summary report and document any areas of concern in the PREA Administrative Tour Documentation Form. Supervisors stress to staff they are prohibited from alerting other staff of the unannounced rounds being conducted. Failure to comply with this directive may result in disciplinary action.

§115.14 - Youthful Inmates

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

XX Not Applicable

DC-ADM 008 PREA Procedures Manual Section 2 states a youthful inmate (under the age of 18) shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters.

In areas outside of housing units, the facility shall either:

- 1) Maintain sight and sound separation between youthful inmates and adult inmates; or
- 2) Provide direct security staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

Upon initial reception to the Department, youthful inmates will enter into an expedited classification process as outlined in Department policy 11.2.1, "Reception and Classification."

- 1) Male youthful inmates will be transferred to SCI Pine Grove within 24 hours of reception by the Department.
- 2) Female youthful inmates, under the age of 18, will immediately be placed into the Youthful Inmate Unit at SCI Muncy.

Due to the extremely low number of female youthful inmates that the Department houses at any given time, there are specific provisions that must be followed.

- 1) Youthful inmates will have a separate housing unit, with sight and sound separation from adult inmates, where they are able to have a separate shower area, separate day room and separate sleeping quarters from adult inmates.
- 2) Any time that the youthful inmate leaves the separate housing unit, they must be accompanied and supervised directly by a staff member.
- 3) The staff member is to ensure that there is no inappropriate contact, physical, or verbal, between the youthful inmate(s) and an adult inmate.

The Department shall make every effort to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, the Department shall not deny youthful inmates daily large muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall have access to other programs and work opportunities to the greatest extent possible.

During the pre-audit, the auditor was advised SCI Somerset does not house youthful offenders.

§115.15 - Limits to Cross-Gender Viewing and Searches

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

6.3.1 Facility Security Procedures Manual Section 30- Searches states that female staff members may search female, male, transgender, or intersex inmates. Male staff members may search male, transgender, or intersex inmates housed in a male facility. Absent

exigent circumstances, male staff members shall not search female, transgender, or intersex inmates housed in a female facility.

SCI Somerset does not house female inmates; therefore, PREA standards pertaining to searches of female inmates are not applicable.

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states all cross-gender strip searches shall be documented on the Cross-Gender Strip Search Validation Form. Beginning August 20, 2015, all cross-gender pat searches of female inmates shall be documented on the Cross-Gender Pat Search Validation Form.

In the past 12 months, there have not been any cross-gender strip or cross-gender visual body cavity searches of inmates.

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states inmates shall be able 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. This limitation not only applies to in-person viewing, but also to all forms of remote viewing.

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states staff of the opposite gender shall announce their presence when entering an inmate housing unit in accordance with the following:

- 1) When the status quo of the gender supervision on a housing unit changes from exclusively same gender, to mixed- or cross-gender supervision, the opposite gender staff is required to verbally announce their arrival on the unit. The announcement is required for both custody and non-custody staff, and may include, for example, a clinician or case worker who spends time on the unit, or senior staff making supervisory rounds.
- 2) When an opposite gender staff member is entering a housing unit and it is unknown to him/her whether any other opposite gender staff are present, the entering staff member will announce their presence; and
- 3) This announcement may be made by the officer working the control desk via the intercom system; and
- 4) This announcement may also be made via a specific tone system that is utilized only for the purpose of announcing a member of the opposite gender entering the housing unit. Inmates will be educated on the tone system utilization.

DC-ADM 0008 PREA Procedures Manual Section 9- Working with Transgender/Intersex Inmates states the facility shall not search or physically examine a transgender/intersex inmate for the sole purpose of determining the inmate's status. If the inmate's genital status is unknown, it may be determined by 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.

During the pre-audit, the auditor was provided with a PowerPoint presentation of their training for offender searches.

The auditor was provided with a copy of staff training logs for conducting searches of Transgender/Intersex offenders. This training began recently and has been conducted on 55 staff. In-service training will be provided to all staff annually.

During the onsite audit, the auditor discovered some showers had shower doors, while others did not. The auditor was advised the facility was in the process of installing doors on all the showers. Prior to the completion of the onsite audit, the auditor was provided with work orders for these showers.

Interviews with random staff indicates staff were aware of the prohibition of conducting strip searches on transgender inmates for the sole purpose of determining their genital status. Interviews with both staff and inmates indicate when female staff enter the male housing units, an announcement is made of their presence and male inmates are rarely naked in full view of the female staff (when this occurs it appears to be accidental and extremely rare).

§115.16 - Inmates with Disabilities and Inmates who are Limited English Proficient

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

DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Manual Section 1-General Procedures, DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Manual Section 2- Accommodations, DC-ADM 818 Automated Inmate Telephone System, and DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Manual Section 3- Specific Disabilities outlines the agencies approach to providing services to inmates with disabilities.

DC-ADM 0008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states:

- 1) Pursuant to Department policy DC-ADM 006, "Reasonable Accommodations for Inmates with Disabilities," the Department shall ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the Department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.
- 2) Written materials will either be delivered in alternative formats that accommodate the inmate's disability or the information will be delivered through alternative methods, such as reading it to the inmate or communicating through an interpreter, which ensures the understanding of the PREA related material.
- 3) The Department shall take reasonable steps to ensure meaningful access to all aspects of the Department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide qualified interpreters. The PREA Compliance Manager will ensure that only staff members or qualified contractors who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary, provide translation for inmates. If a multi-lingual staff member is not available, then the "AT&T Language Line" or equivalent service must be utilized.
- 4) The Department shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter would compromise the inmate's safety, the performance of first response duties under PREA Standard, or the investigation of the inmate's allegations. Justification for any use of an inmate assistant shall be documented accordingly.

In the past 12 months, there have been no instances where inmate interpreters, readers, or other types of inmate assistants have been used.

During the pre-audit, the auditor was provided with a copy of a contract with Propio Language Services. This contract shows to be valid from September 1, 2014 to June 30, 2016.

During the onsite audit, the auditor observed PREA posters posted in the housing units that contained information in both English and Spanish.

Interviews indicate the agency has access to the TTY phone for the hearing impaired, a language line service for non-English speaking inmates, and provides handouts and inmate handbooks in both English and Spanish. In addition, the agency has recently used one of its facilities to transcribe text into braille for the vision impaired. While onsite, the auditor conducted an interview with a Spanish speaking inmate, utilizing the

language line. Using this service, the auditor was able to communicate effectively with the Spanish speaking inmate.

§115.17 – Hiring and Promotion Decisions

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

4.1.1 Human Resources and Labor Relations Manual Section 41- Employment of Job Applicants Having Prior Adverse Contacts with Criminal Justice Agencies states:

Consist with the Prison Rape Elimination Act (PREA), the Department shall not hire or promote anyone who:

- a. has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, or other correctional institution;
- b. 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;
- c. has been civilly or administratively adjudicated to have engaged in the activity described above; and/or
- d. the Department will consider any incidents of sexual harassment in determining whether to hire or promote anyone.

Centralized Clearances 1.1.4 states prior employment of contractors will be further investigated to ensure that the Department does not enlist the services of any contractor(s) who may have contact with inmates who:

- a. have engaged in sexual abuse in a prison, jail, lockup, community facility, juvenile facility, or other institution (as defined as 42 U.S.C. 1997); and/or
- b. have been convicted or civilly or administratively adjudicated for 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.

The Department shall consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates.

The PREA Current/Prior Employer Letter is used to solicit specific information from prior employers regarding the applicant's previous misconduct.

In the past 12 months, there were 36 out of 36 staff who may have contact with inmates who have had criminal background record checks conducted by the facility.

In the past 12 months, there were 21 contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates.

04.01.01 Human Resources and Labor Relations Manual Section 40- Conducting Employee Background Investigations states Human Resources Offices will be responsible for ensuring the PREA Annual Employee Compliance Verification Form is completed in conjunction with each employee's annual Employee Performance Review.

The DOC application requires employees to take an oath sworn before a Notary Public that this application and any attachments contain no misrepresentations, falsifications, omissions, or concealment of material fact.

Interviews with the Human Resources staff indicate criminal background checks are conducted on all newly hired employees. Through interviews with Administrative Staff, it was discovered the Agency utilizes "JNET," which notifies them immediately, anytime a staff member is arrested. This system is real-time; therefore, documented background checks for employees every 5 years is not necessary.

§115.18 - Upgrades to Facilities and Technology

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

DC-ADM008 PREA Procedures Manual Section 2 states:

- 1) When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion or modification upon the Department's ability to protect inmates from sexual abuse.
- 2) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Department shall consider how such technology may enhance the Department's ability to protect inmates from sexual abuse.

During the onsite audit, the auditor was provided with a list of recent camera upgrades, as well as proposed upgrades and upgrades currently in progress. Some cameras were repositioned to comply with PREA standards. Other cameras were either replaced, repaired, or repositioned to maximize viewing by staff.

Interviews indicate camera technology is not used to replace staff; however, it is used as a tool to supplement them and maximize visual contact throughout the facility with the goal of eliminating blind spots.

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

The facility is responsible for conducting only administrative investigations. Criminal investigations are conducted by the Pennsylvania State Police.

DC-ADM 008 PREA Procedures Manual Section 5- Investigating Allegations of Sexual Harassment and/or Sexual Abuse states to the extent the Department is responsible for investigating allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions, in accordance with the Response to Allegation of Sexual Abuse Checklists (Shift Commander Cover Sheet [refer to Attachment 4-A], Initial Response – Victim [refer to Attachment 4-B], Initial Response – Abuser [refer to Attachment 4-C], the Instructions for PREA Evidence Retention [refer to Attachment 4-E], and as well as Department policy 6.3.1, “Facility Security,” Section 15.

The protocol established for evidentiary purposes shall be developmentally appropriate for youth, where applicable, in accordance with PREA Standard 115.21.

Forensic Medical Examinations are offered at Somerset Hospital and are conducted by SANEs.

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse states treatment services shall be 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.

During the pre-audit, the auditor was provided with a documented MOU with Somerset Hospital. The MOU states Somerset Hospital will conduct forensic examinations on victims of sexual abuse which were allegedly committed in a state correctional institution. These examinations would be conducted by SANEs. The MOU was signed on September 30, 2015. In addition, the facility established a second MOU with Conemaugh Hospital. This MOU contains similar language to the MOU established with Somerset Hospital and is dated October 21, 2015.

The auditor conducted a phone interview with one of the SANEs at Somerset Hospital. She advised Somerset Hospital has qualified SANEs that are available to conduct forensic exams on inmates from SCI Somerset. The auditor was advised the hospital currently has two staff trained to conduct such exams, and another staff member in the process of getting trained. In the event one of their SANEs were unavailable, the exam would be conducted by a trained medical professional in their emergency room, or the inmate would be transferred to Conemaugh Hospital where forensic examiners are on site.

Within the last 12 months, there has been 4 forensic medical examinations conducted. All 4 were conducted by SANEs at Somerset Hospital.

During the pre-audit, the auditor was provided with a documented MOU for victim advocate services; Victim Services Inc.

During the pre-audit, the auditor was provided with an MOU between the Secretary of Corrections and the Pennsylvania State Police (PSP), dated September 24, 2013. The auditor was provided with documentation from PSP to the agency stating PSP will follow the subject standard of 115.21.

Interviews with a random sample of staff indicate the majority of staff are well aware of how to preserve evidence and to whom they need to forward reports of sexual abuse.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

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

DC-ADM 008 PREA Procedures Manual Section 5- Investigation Allegations of Sexual Harassment and/or Sexual Abuse states every report, complaint or allegation of sexual harassment/sexual abuse, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively.

During the past 12 months, there have been 82 allegations of sexual abuse and/or sexual harassment that were received. Of these, 81 were investigated administratively and one was investigated criminally.

DC-ADM 008 PREA Procedures Manual Section 5- Investigation Allegations of Sexual Harassment and/or Sexual Abuse states sexual abuse/sexual harassment investigations are conducted by the Office of Special Intelligence and Investigations (OSII) and/or the Pennsylvania State Police (PSP).

The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation. This policy is located on the Agency website.

Interviews indicate Criminal Investigations are conducted by the Pennsylvania State Police (PSP) or the Office of Special Intelligence and Investigations (OSII).

Administrative Interviews are conducted by trained facility staff and/or the Office of Special Investigation and Intelligence (OSII).

§115.31 - Employee Training

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states the PREA Compliance Manager, in conjunction with the Training Coordinator at each facility, shall ensure that all staff members are: informed that sexual contact with an inmate is prohibited and that an inmate has a right to report if sexual contact occurs, through the basic PREA training. This training will include, at a minimum, the following information:

- 1) The zero tolerance policy against sexual abuse and sexual harassment within the Department;
- 2) How staff are to fulfill their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures as defined in this policy;
- 3) Inmates' right to be free from sexual abuse and sexual harassment;

- 4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- 5) The dynamics of sexual abuse and sexual harassment in confinement;
- 6) The common reactions of sexual abuse and sexual harassment victims;
- 7) How to detect and respond to signs of threatened and actual sexual abuse;
- 8) How to avoid inappropriate relationships with inmates;
- 9) How to communicate effectively and professionally with inmates, including LGBTI or gender nonconforming inmates; and
- 10) How to comply with relevant laws of Pennsylvania related to mandatory reporting of sexual abuse to outside authorities.

A review of the 2015 PREA Course Lesson Plan indicates all topics above are covered during training.

Training is tailored to the gender of the inmates at the facility.

Employees who are reassigned from facilities housing the opposite gender are given additional training.

Between trainings the agency provides employees who may have contact with inmates with information about current policies regarding sexual abuse and sexual harassment. Policy updates are disseminated through management.

Employees who may have contact with inmates receive refresher training on PREA requirements annually.

At the conclusion of the training, all staff, contractors, and volunteers are required to sign the PREA Training and Understanding Verification Form.

Random staff interviews indicate staff had received the required PREA training.

§115.32- Volunteer and Contractor Training

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states contractors and volunteers (to include interns, contract service providers, public visitors, or Non-Department Employees) will receive training on their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. They will be trained during orientation sessions and annual training reflective of the level of contact that they have with inmates.

All contractors and volunteers will be required to sign and acknowledge the PREA Training and Understanding Verification Form. The Volunteer Coordinator at each facility will be responsible for documenting the PREA training that each volunteer has received and maintain the documentation in the volunteer file in accordance with Section 1 of this procedures manual. PCMs will be responsible for maintaining PREA Training and Understanding Verification Forms for all contractors. PREA Training will be effective for a period of one year.

In the past 12 months, there have been 60 volunteers and individual contractors who have been trained in agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response. This is 100% of all volunteers and contractors.

All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

During the pre-audit, the auditor was provided with a sample of documentation confirming that volunteers/contractors understand the training they have received.

Interviews with Volunteers/Contractors indicate Volunteers and Contractors are provided with PREA education including the agency's zero tolerance policy as well as to whom they would forward any sexual abuse reports.

§115.33 – Inmate Education

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states each facility shall provide inmate education explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and

what to do if he/she is the victim of such. This information shall be provided in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.

During the intake process, all inmates, including Parole Violators (PVs), shall receive information explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he/she is the victim of sexual abuse, sexual harassment or retaliation. Medical will provide a copy of the Sexual Abuse Awareness Informational Brochure to the inmate immediately upon intake and document.

Within the first 30 days of reception, additional information will be provided to all inmates, including Parole Violators, either during orientation at the Diagnostic and Classification Center (DCC) and reception sites or upon return to Department custody. All inmates will be shown a video regarding their rights to be free from sexual abuse, sexual harassment, and retaliation. They will also be provided information regarding Department policies and procedures for responding to such incidents. Inmate education may be provided to inmates individually or in groups. A staff member must be present at all times to facilitate discussion, in conjunction with the Facilitator's Guide (Attachment 2-J) and to answer questions.

The PREA video, "PREA: What You Need to Know" is available for use. Each facility shall have access to this video in Spanish and English, with subtitles.

- 1) An Intake Counselor shall remain in the room during the playing of the video to observe inmates, looking for reactions.
- 2) Additionally, the Intake Counselor shall ask questions, as outlined in the Facilitator's Guide, at the end of the video to determine comprehension on the materials.
- 3) As equally important, the Intake Counselor shall offer to meet privately with any of the inmates if they request, to discuss issues related to the video.

An inmate who did not receive the education at the DCC shall receive this training within one year of the effective date of the PREA standards. This education may be provided as a group presentation or individually during the inmate's annual/semi-annual case review, as needed.

Any inmate that is transferred must receive education upon transfer, only to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility.

- 1) The PREA video is to be played a minimum of two times each month over the inmate television channel.

2) During the inmate's annual review, the Counselor will discuss issues related to sexual abuse in prison and offer the inmate an opportunity to discuss related concerns. The counselor will provide a Sexual Abuse Awareness Informational Brochure at the time of his/her annual review.

3) Sexual abuse, sexual harassment and retaliation training shall be documented by the inmate signing the PREA Inmate Education Verification Form (Attachment 2-K). This form will be filed in the DC-14. Provision of PREA Inmate Education shall be documented in an Inmate Cumulative Adjustment Record (ICAR) entry.

During the past 12 months, 990 inmates were admitted and 775 received such information at intake. All 775 of these inmates received comprehensive inmate education within 30 days of intake. All inmates in the facility on the date of the audit have received comprehensive education within 30 days of intake.

Additional information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, and other written formats. During the pre-audit, the auditor was provided with a copy of the inmate handbook, PREA inmate educational posters, and PREA staff educational posters.

During the pre-audit, the auditor was provided with PREA educational brochures in both English and Spanish.

During an interview with a member of the intake staff, it was discovered inmates receive PREA education as soon as they arrive at the facility, as part of their orientation. This education consists of a brochure containing information on their rights under PREA as well as how to report information related to sexual abuse. The intake staff member discusses this information with the inmates and answers any questions the inmates may have. Within 72 hours, all new incoming inmates watch a PREA educational video. Inmates are required to sign an acknowledgement that they have received this education.

§115.34 - Specialized Training: Investigations

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states Investigations - In addition to the Basic PREA Training

provided to all staff, any staff designated to conduct sexual abuse investigations shall receive additional training in accordance with PREA Standard 115.31 and Specialized training: Investigations.

- 1) This specialized training will include, but is not limited to: interviewing sexual abuse victims, proper use of Miranda warnings, the Garrity rule, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecutorial referral.
- 2) This training will be facilitated by specially trained "PREA Specialized Security Training Teams." An updated list of these "PREA Specialized Security Training Teams" will be kept on file by the statewide PREA Coordinator/designee.
- 3) Training will be offered to outside law enforcement through mutual agreements facilitated by the Department.
- 4) Once all Security Office staff members and members of the Office of Special Investigations and Intelligence (OSII) have received this specialized training, it will take place on an annual basis unless it is deemed necessary to be held more frequently by the statewide PREA Coordinator or Facility Manager.
- 5) Staff will be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information will be kept in the staff member's official personnel file.
- 6) The Training Coordinator at each facility shall ensure that all current security office staff receives this training within six months of the effective date of this policy.
- 7) The Department, any state entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

Staff will be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information will be kept in the staff member's training file.

During the pre-audit, the auditor was provided with documentation showing six facility investigators have received 20 hours of Specialized PREA Training for Investigations.

During interviews with facility investigators, the investigators acknowledged receiving the training specific to PREA requirements. Investigators were knowledgeable that any case that appeared to be criminal would be referred for criminal prosecution. Investigators also acknowledged using a preponderance of evidence as the standard of evidence used to substantiate allegations of sexual abuse and sexual harassment.

§115.35 – Specialized training: Medical and mental health care

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states Medical/Mental Health Practitioners - In addition to the Basic PREA Training, any staff providing medical/mental health services, whether on a full or part-time status, shall receive additional training on working with victims of sexual abuse and sexual harassment. For the purposes of this training requirement, Medical staff will include all licensed medical staff, as well as non-licensed contact medical staff such as dental assistants, CHCAs and contracted provider staff.

- 1) This specialized training will include, but is not limited to: how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
- 2) This training will be coordinated by the statewide PREA Coordinator/designee.
- 3) The PREA Compliance Manager, in coordination with the Training Coordinator at each facility, shall ensure that all current medical/mental health staff receives this training within six months of the effective date of this policy.
- 4) All new medical/mental health staff shall receive this training within the first three months of employment with the Department.
- 5) Staff will be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information will be kept in the staff member's official personnel file in accordance with Section 1 of this procedures manual.

During the pre-audit, the auditor was provided with a PowerPoint presentation, participant guide, and draft quiz for medical and mental health.

During the pre-audit, the auditor was advised 27 medical and 7 mental health staff who work regularly within the facility have received the training required by agency policy. This equates to 100% of all medical and mental health staff.

Agency medical staff at this facility do not conduct forensic medical examinations. Such examinations are conducted at the Somerset Hospital.

Interviews with the medical and mental health staff indicate they were given approximately 4-8 hours of PREA training.

§115.41 – Screening for Risk of Victimization and Abusiveness

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states all inmates shall be assessed during the intake screening process, upon receipt into another facility, whenever an inmate is involved in an incident of sexual abuse and at their annual review, for risk of being sexually abused by other inmates or sexually abusive toward other inmates.

A reassessment will be conducted between day 20 and 30 of every inmate's arrival in the system or receipt into another facility utilizing the PRAT. Additionally, the Counselor will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility staff since the intake screening.

An inmate's risk level will be reassessed by the PCM when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of victimization or abusiveness utilizing the PRAT.

Inmates shall not be disciplined for refusing to answer, or for not disclosing, complete information in response to the questions regarding prior victimization, disabilities, their perception of vulnerability or their sexual orientation.

Inmates currently in Department custody, not assessed through the above means, shall be administered the PREA Risk Assessment at the semi-annual or annual review, to ensure that all inmates are assigned a risk level within the first six months of implementation. Assigned counselors will be responsible for administering the PREA Risk Assessment Tool (PRAT) (Attachment 2-F) during the annual review as directed by Department policy 11.2.1.

The information received through the administration of the PRAT questions shall be used to inform housing, bed placement, work, education, and program assignments with the goal of keeping separate those inmates at high risk for being sexually victimized from those at high risk of being sexually abusive. The sensitive information collected through

these tools shall be kept as confidential as possible so as not to be used to the inmate's detriment by staff or other inmates.

The PREA Risk Assessments shall be conducted utilizing the PRAT. The tool will be an objective instrument that shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization or abusiveness:

- a. whether the inmate has a mental, physical, or developmental disability;
- b. the age of the inmate;
- c. the physical build of the inmate;
- d. whether the inmate has previously been incarcerated;
- e. whether the inmate's criminal history is exclusively nonviolent;
- f. whether the inmate has prior convictions for sex offenses against a child or an adult; establishment of a dedicated unit wherein individuals can volunteer to live in that dedicated unit.

Once an inmate has been identified as a transgender/intersex individual, the local Gender Review Committee (GRC) will be activated to determine the appropriate placement.

In the event of a transgender/intersex transfer, the receiving facility shall be notified of transfer approval and scheduled arrival date.

There were 775 inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility.

There were 775 inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake.

While onsite, the auditor reviewed a random sample of PRATs. The majority of the initial assessments occurred within 72 hours of intake and the majority of the 30 day reassessments occurred within 20-30 days of intake. The existing inmate population is being screened on their annual and bi-annual reviews. The auditor was advised the facility anticipates all inmates to be screened before the end of the year.

During the pre-audit, the auditor was provided with a copy of the PRAT. A review of the instrument shows all the required questions are being asked and the tool is an objective point based screening instrument.

Interviews with the PREA Coordinator and PREA Compliance Manager indicates any inmate scoring affirmatively as a potential victim and/or potential predator would initiate a “housing concern” in the computer. Staff would have access to see the “housing concern” in the computer; however, they would not have any access to the actual results of the screenings.

§115.42 - Use of Screening Information

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states the information received through the administration of the PRAT questions shall be used to inform housing, bed placement, work, education, and program assignments with the goal of keeping separate those inmates at high risk for being sexually victimized from those at high risk of being sexually abusive. The sensitive information collected through these tools shall be kept as confidential as possible so as not to be used to the inmate’s detriment by staff or other inmates. The Department shall make individualized determinations about how to ensure the safety of each inmate.

DC-ADM 008 PREA Procedures Manual Section 9- Working with Transgender/Intersex Inmates states in deciding whether to assign a transgender/intersex inmate to a facility for male/female inmates, and in making other housing and programming assignments, the Department shall consider, on a case-by-case basis, whether a placement would ensure the inmate’s health and safety, other inmates’ health and safety, and whether the placement would present management or security problems. A transgender/intersex inmate’s own views, with respect to his/her own safety shall be given serious consideration.

During the pre-audit, the auditor was provided with a PREA Risk Tracking Memo and Instructions which was sent to the Superintendents on February 18, 2015. This information discusses how to properly use the screening instrument.

Interviews with staff indicate the screening instrument is being used to keep any inmate that scores to be a potential victim from inmates that score to be a potential predator. Transgender inmates would be housed in general population and would be afforded the

opportunity to shower separately. A transgender inmate's views in respect to his safety is given serious consideration in determining placement and program assignments. A transgender inmate's placement and programming assignments are reassessed every six months.

During the pre-audit, the auditor discovered some of the showers did not have shower doors. Prior to the completion of the onsite audit, the auditor was provided with work orders for these shower doors. Showers are single showers.

§115.43 – Protective Custody

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states Inmates at a high risk for sexual victimization or inmates that have alleged abuse shall not be placed involuntarily in Administrative Custody (AC) as a means of protection unless an assessment of all available alternatives has been made by Psychology and Security staff in conjunction with the PREA Compliance Manager, and a determination has been made that there is no other available alternative means of separation from likely abusers. If the facility cannot conduct the assessment immediately, the facility may hold the inmate in involuntary AC for less than 24 hours while completing the assessment.

Within the last 12 months, there have not been any inmates placed in involuntary segregated housing for risk of sexual victimization.

In accordance with Department policy DC-ADM 802, Administrative Custody Procedures, at least every 30 days, the Program Review Committee (PRC) shall ensure each inmate is reviewed to determine whether there is a continuing need for separation from the general population. This review shall be documented on the DC-141, Part 3, Employee Report of Incident (Other).

Through staff interviews it was determined inmates at high risk of sexual victimization are not placed in involuntary segregated housing. The auditor was advised these inmates would be placed in other housing units, if at all possible. In the event an inmate at high risk of sexual victimization was placed in involuntary segregated housing, the inmate would have access to privileges and programs when at all possible. If these

privileges and programs had to be restricted, the facility would document the activities restricted and the reason for the restriction.

§115.51 – Inmate Reporting

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

DC-ADM 008 PREA Procedures Manual Section 3- Reporting Sexual Abuse and Sexual Harassment states any inmate who is the victim of any of the following should report the abuse to a staff member as soon as possible:

- 1) Sexual abuse;
- 2) Sexual harassment;
- 3) Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment;
- 4) Staff neglect or violation of responsibilities that may have contributed to such incidents.

Inmates may report abuse or harassment to the Bureau of Criminal Investigations (BCI), which is Division of the Pennsylvania State Police and not part of the agency.

A report may be made to any staff member in the facility including, but not limited to, Medical staff, Psychology staff, Corrections Officers, and Counselors.

Verbal reports will be immediately documented on the DC-121, Part 3, Employee Report of Incident. Written DC-135A, Inmate Request to Staff Member regarding PREA allegations shall be retained in the appropriate investigative file in accordance with Section 1 of this procedures manual. Reports will be held in strict confidence and will precipitate the immediate commencement of an investigation.

Method of Reporting for Inmates:

- 1) Verbal or written report to any staff member
- 2) Submission of a DC-135A, Inmate Request to a Staff Member

3) Incidents of sexual abuse, and sexual harassment and retaliation can be reported in writing by sending correspondence through the mail to: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110.

4) Request more information from the Pennsylvania Coalition Against Rape, P.O. Box 400, Enola, PA 17025.

5) Submitting a report online at www.tipssubmit.com

Methods of Reporting for Staff, Contractors, and Volunteers:

1) Verbal Report to the Security Captain or Shift Commander

2) Submission of a written Incident/Extraordinary Occurrence Report

3) Submitting a report online at www.tipssubmit.com

Staff shall accept and document reports made verbally, in writing, anonymously, and from third parties and promptly forward to the facility's designated investigators.

Through staff and inmate interviews it was determined inmates and staff may make a private report to any supervisor or the PREA Compliance Manager. Inmates are also provided with the mailing address to the Pennsylvania State Police Bureau of Criminal Investigation and are permitted to make a report directly to this agency. The auditor was advised by random staff that all reports; including verbal, written, anonymous, and third-party reports would be investigated. Verbal reports would be documented by the staff immediately upon receipt of such information.

§115.52 - Exhaustion of Administrative Remedies

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

XX Not Applicable

DC-ADM 008 PREA Procedures Manual Section 3- Reporting Sexual Abuse and Sexual Harassment states inmates shall not utilize the inmate grievance system to report sexual abuse by a staff member or inmate-on-inmate sexual contact, as defined in the Glossary. However, if an inmate files a grievance related to sexual abuse, the Grievance Officer shall reject the grievance and forward to the facility Security Office for tracking and

investigation. The inmate will be notified of this action. All sexual abuse allegations received as a grievance would immediately be forwarded to appropriate investigators.

DC-ADM 004 Inmate Grievance System Procedures Manual Section 1- Grievances and Initial Review states a grievance regarding an allegation of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual contact will not be addressed through the Inmate Grievance System and must be addressed through Department policy DC-ADM 008. These allegations are taken seriously by the Department and must and will be investigated to make sure that inmates are safe in the facilities. If a grievance is filed regarding an allegation of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual contact, while it will not be addressed through the inmate Grievance System, the grievance will be immediately forwarded to the Security Department as well as PREA Compliance Manager in accordance with Department policy DC-ADM 008 to start an investigation.

§115.53 – Inmate Access to Outside Confidential Support Services

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

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse the Department works in collaboration with the Pennsylvania Coalition against Rape (PCAR) and its member centers. The facility PREA Compliance Manager, in conjunction with the statewide PREA Coordinator, has worked to establish mutual agreements with local rape crisis centers where all Department facilities are located. Copies of these agreements shall be maintained by the Department.

The PREA Compliance Manager shall ensure that inmates are offered and provided with access to outside victim advocates for emotional supportive services related to sexual abuse which has occurred in a confinement setting. During non-working hours, the Shift Commander will be responsible to ensure the aforementioned support services. Supportive services may be provided via a variety of methods including in person, during a non-monitored phone call and/or in writing. The preferred service delivery method is in person in a confidential setting.

The PREA Compliance Manager shall 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.

An inmate will be offered the opportunity to talk with a victim advocate and receive continued care when they have been a victim of facility sexual abuse, no matter if they reported the facility sexual abuse immediately or made a delayed disclosure.

During the pre-audit, the auditor was provided with a brochure that is given to all inmates as part of the intake education. This flier contains a mailing address to the Pennsylvania Coalition Against Rape.

During the pre-audit, the auditor was provided with a documented MOU for victim advocate services; Victim Services Inc.

Through random inmate interviews as well as interviews with inmates who reported a sexual abuse, it was determined that many of the inmates were familiar with the victim services that are available for victims of sexual abuse. Inmates acknowledged having access to mailing addresses through posters, posted in the housing units.

§115.54 – Third-Party Reporting

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

DC-ADM 008 PREA Procedures Manual Section 3- Reporting Sexual Abuse and Sexual Harassment states the sexual abuse reporting address is an option for the general public to report an allegation of sexual contact.

1. A sexual abuse reporting address has been established for the general public, as listed on the Department website to anonymously report sexual abuse, sexual harassment, or retaliation to the PSP.
2. The address for making a written report is: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110.
3. A writer may choose to include their name and contact information, but it is not necessary in order to make the report.
4. Reports may also be submitted online at www.tipsubmit.com.

This information is posted on the Agency website.

§115.61 – Staff and Agency Reporting Duties

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

DC-ADM 008 PREA Procedures Manual Section 3- Reporting Sexual Abuse and Sexual Harassment states any staff member, contract service provider, volunteer or intern, shall immediately report to the Shift Commander if he/she has knowledge, suspicion, or information regarding any of the following:

- 1) Sexual abuse of an inmate;
- 2) Sexual harassment of an inmate that occurred in a facility;
- 3) Retaliation against inmates or staff who reported such an incident; and/or
- 4) Staff neglect or violation of responsibilities that may have contributed to an incident or retaliation

The incidents listed above may have occurred in any facility, whether or not it is affiliated with the Department.

A DC-121, Part 2, Report of Extraordinary Occurrence Report shall be filed in every case, apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in Department policy, to make treatment, investigation, and other security and management decisions, where sexual abuse with an inmate is reported in accordance with Department policy 6.3.1, "Facility Security."

Through interviews with a random sample of staff as well as interviews with medical and mental health staff, it was determined that all staff have a duty to report any knowledge, suspicion, or information related to sexual abuse or sexual harassment. Staff are also required to report any retaliation towards any inmate or staff for reporting and any staff neglect that may have contributed to an incident or retaliation.

§115.62 – Agency Protection Duties

- Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training ensures that when Department staff learn that an inmate is subject to a substantial risk of imminent sexual abuse, appropriate and immediate action will be taken to protect that inmate.

In the past 12 months, there have not been any instances where the agency determined an inmate was subject to substantial risk of imminent sexual abuse.

Through interviews with staff, it was determined staff take immediate action to separate the alleged victim and abuser whenever it is determined an inmate may be at risk for imminent sexual abuse. The alleged victim would be moved to the cell closest to the officer's desk so they can be better monitored.

§115.63 – Reporting to Other Confinement Facilities

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 3- Reporting Sexual Abuse and Sexual Harassment states:

An inmate may file a report of sexual abuse, sexual harassment or retaliation sustained while confined at another facility.

It is the Facility Manager/designee's responsibility to notify the head of the facility in which the reported abuse, harassment or retaliation occurred. Notification must be provided as soon as possible, but no later than within 72 hours after receipt of information and documented on the Notification of Sexual Abuse/Harassment Allegation to Another Facility (Attachment 3-B). This document shall be maintained by the PREA Compliance Manager in an annual file for audit verification purposes in accordance with Section 1 of this procedures manual.

A copy of the notification must also be sent to the facility PREA Compliance Manager and the statewide PREA Coordinator/designee for tracking purposes.

If the facility being notified is another facility within the Department, the PREA Compliance Managers for involved facilities shall coordinate the information flow as to ensure:

- 1) All information is shared to ensure a thorough and expedient investigation is completed; and
- 2) The inmate receives information regarding the investigation in a confidential and timely manner as to comply with Section 8 of this procedures manual.

Upon receipt of an allegation from another facility that an inmate was sexually abused, harassed or retaliated against while confined at that location, the Facility Manager/designee at the receiving facility shall document the receipt of the allegation on the Notification of Sexual Abuse/Harassment Allegation to Another Facility.

The Facility Manager/designee shall immediately notify the Security Office to initiate a PREA investigation as outlined in Section 5 of this procedures manual.

The Facility Manager/designee shall send notification and supporting documentation to the facility PREA Compliance Manager and the statewide PREA Coordinator/designee within five working days of the receipt of the allegation.

During the past 12 months, the facility received one allegation that an inmate was abused while confined at another facility. The auditor was provided with documentation showing SCI Somerset notified the other facility the same day the allegation was received.

During the past 12 months, the facility has received one allegation of sexual abuse from another facility. This allegation was documented and referred for investigation.

Through staff interviews, it was determined when SCI Somerset receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred within their facility, the allegation would immediately be assigned to an investigator and would be investigated. SCI Somerset would also refer any allegations they receive for sexual abuse that occurred at other facilities, to the head of the outside facility. SCI Somerset would collect statements from any inmate involved who was housed at their facility and forward these statements to the outside facility to be a part of their investigation. The designated points of contact in both instances would be the PREA Compliance Manager and Security Office.

§115.64 – Staff First Responder Duties

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse states:

Upon learning of an allegation that an inmate was sexually abused, the first staff member to respond shall:

1) Security Staff

a. notify the facility's main control center;

b. immediately separate the alleged victim and alleged abuser;

c. secure any reported crime scene until appropriate steps can be taken to collect evidence; and

d. if the abuse occurred within the last 96 hours that still allows for the collection of physical evidence, request the alleged victim and ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

2) Non-Security Staff

a. Immediately notify the facility's main control center/security staff; and

b. if the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence.

During the past 12 months, there have been 12 allegations that an inmate was sexually abused. Of these allegations, there were 4 instances, the first security staff member to respond to the report separated the alleged victim and abuser (there were only 4 instances where separating the alleged victim and abuser was appropriate). Of these allegations, there were 4 instances where the first security staff member to respond to the report:

1) Preserved and protected any crime scene until appropriate steps could be taken to collect any evidence;

2) Requested 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; and

3) Ensured 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.

During the past 12 months, there has been one allegation that an inmate was sexually abused where a non-security staff member was the first responder. The non-security staff member to respond to this report:

1) Notified security staff.

2) Requested that the alleged victim not take any actions that could destroy physical evidence.

Through interviews with inmates and staff, it was determined staff have responded promptly to outcries of sexual abuse. Staff know to separate the victim from the abuser as well as how to preserve evidence. Staff are aware to keep information related to sexual abuse investigations confidential.

§115.65 – Coordinated Response

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

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse states the facility shall develop a written facility plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. This policy outlines the facility's coordinated response plan.

Through interviews with staff, it was determined the facility follows a statewide DOC coordinated response plan for allegations of sexual abuse that involves a checklist of responsibilities.

§115.66 – Preservation of ability to protect inmates from contact with abusers

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

The Department operates within the confines of collective bargaining agreements with eight (8) different unions. None of these collective bargaining agreements contain language that limit the ability to remove an alleged staff sexual abuser from contact with any inmates pending the outcome of an investigation or a determination of whether and to what extent discipline is warranted. In addition, the collective bargaining agreements are silent regarding suspensions pending investigation. When the contract is silent on issues, policy then governs.

A memo from the Secretary of Corrections dated January 12, 2015, states the Department does not need to demonstrate that the employee committed the suspected offenses; but rather, that the “nature of the allegations” are such that there is just cause to remove the employee from the institution pending the outcome of the investigation.

During the Agency Head interview, the Agency Head confirmed the Department operates with collective bargaining agreements; however, these agreements do not restrict the Agency from removing staff abuser from contact with inmates under these terms.

§115.67 – Agency protection against retaliation

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states the agency will ensure retaliation monitoring of the following inmates:

- 1) Those that have reported institutional sexual abuse or sexual harassment allegations;
- 2) Those that have suffered sexual abuse; and/or

3) Those that have expressed a fear of retaliation due to cooperation with an investigation of an incident related to this procedures manual.

Specifically, the PREA Compliance Manager will ensure that such inmates are provided with the opportunity to meet with a corrections counselor, in accordance with Attachment 2-B, DOC Retaliation Monitoring form, who will then report to the PREA Compliance Manager. If the PREA Compliance Manager determines that the initial monitoring indicates a continuing need, the periodic status checks will be extended beyond 90 days.

Notify the Deputy of Centralized Services (DSCS) when staff require monitoring due to report of sexual abuse, or because of an expressed fear of retaliation due to cooperation with an investigation of inmate sexual abuse or sexual harassment, per PREA Standard (§115.67 [a][c][e]) and in accordance with Section 3, Subsection F. of the procedures manual.

Retaliation will be monitored for a minimum of 90 days for all allegations. The agency/facility continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

During the past 12 months, there have been no incidents of retaliation reported.

Through various staff and inmate interviews, it was discovered multiple measures are taken to ensure against retaliation. In order to protect against retaliation, the PREA Compliance Manager would monitor retaliation of inmates and the Deputy for Centralized Services would monitor retaliation of staff. These two staff would speak with the inmates/staff being monitored and make sure they are being not experiencing retaliation.

§115.68 – Post-Allegation Protective Custody

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states inmates at a high risk for sexual victimization or inmates that have alleged abuse shall not be placed involuntarily in Administrative Custody (AC) as a means of protection unless an assessment of all available alternatives has been made by Psychology and Security staff in conjunction with the PREA Compliance Manager, and a determination has been made that there is no other available alternative

means of separation from likely abusers. If the facility cannot conduct the assessment immediately, the facility may hold the inmate in involuntary AC for less than 24 hours while completing the assessment.

If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.

During the pre-audit, the auditor was provided with documentation stating the facility did not place any offenders on involuntary AC status who were PREA victims or complainants.

Through interviews with staff, it was discovered inmates who allege to have suffered sexual abuse or are at risk of sexual victimization are rarely (if ever) placed in involuntary segregated housing. Alternative housing in another general population housing unit or protective custody would be found. If an inmate were to be placed in involuntary segregated housing for these reasons, they would still have access to programs, privileges, education, and work opportunities to the extent possible. If any activities are restricted, the staff would document the opportunities limited, the duration of the limitation, and the reason for the limitation.

§115.71 - Criminal and Administrative Agency Investigations

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

DC-ADM 008 PREA Procedures Manual Section 5- Investigating Allegations of Sexual Harassment and/or Sexual Abuse outlines both criminal and administrative agency investigations.

Substantiated allegations of conduct that appear to be criminal are referred for prosecution.

Since August 20, 2012, there have not been any substantiated allegations of conduct that appear to be criminal that were referred for prosecution.

The agency retains all written reports pertaining to the administrative or criminal investigation of alleged sexual assault or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Through interviews with inmates who allege to have suffered from sexual abuse, it was determined investigative staff do not require victims to take a polygraph examination as a condition for proceeding with the investigation.

Through staff interviews, it was determined the Security Office, PREA Compliance Manager, and facility investigators would be informed on the progress of any investigations conducted by the Pennsylvania State Police. They would receive this information by regular correspondence via phone and/or email. Investigators have received specialized training for conducting sexual abuse investigations in confinement settings. Training topics included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative or prosecution referral. Investigations into allegations of sexual abuse or sexual harassment occur immediately upon receipt of such information. If the sexual abuse occurred within 96 hours, the alleged victim would be transported to the local hospital for a SAFE/SANE exam. Criminal investigations would be forwarded to the Pennsylvania State Police for investigation. Investigations continue, even if the staff member terminates employment or the inmate transfers to another facility. Both administrative and criminal investigations would be documented in investigation reports.

§115.72 – Evidentiary Standard for Administrative Investigations

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

DC-ADM 008 PREA Procedures Manual Section 5- Investigating Allegations of Sexual Harassment and/or Sexual Abuse states in administrative investigations, the Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual harassment/sexual abuse are substantiated.

Interviews with investigative staff indicate a preponderance of evidence is used when determining whether to substantiate allegations of sexual abuse or sexual harassment.

§115.73 – Reporting to Inmate

- Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 5- Investigating Allegations of Sexual Harassment and/or Sexual Abuse states the PCM will inform the subject(s) as to whether the investigation is found to be substantiated, unsubstantiated, or unfounded.

DC-ADM 008 PREA Procedures Manual Section 8- Notification of Inmates states following the investigation into an inmate's allegation that he/she suffered sexual abuse or sexual harassment in a facility within the Department, the Prison Rape Elimination Act (PREA) Compliance Manager at the facility where the inmate is housed shall inform the inmate, in writing on the PREA Investigation – Inmate Notification Form (Attachment 8-A) as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded.

If another agency conducts the investigation, the PREA Compliance Manager shall request the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse or sexual harassment against an inmate, the PREA Compliance Manager shall subsequently inform the inmate when any of the following occurs:

- 1) The staff member is no longer posted within the inmate's unit;
- 2) The staff member is no longer employed at the facility;
- 3) The Department learns that the staff member has been criminally charged related to sexual abuse within the facility; or
- 4) The Department learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

During the past 12 months, there were 5 criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility. Of these investigations, all 5 inmates were notified, verbally or in writing, of the results of the investigation.

If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the inmate of the outcome of the investigation.

There was one investigation of alleged inmate sexual abuse in the facility that was completed by an outside agency in the past 12 months. This inmate was notified of the results of the investigation.

In the past 12 months, there were 28 notifications to inmates that were provided pursuant to this standard. Of these notifications made in the past 12 months, all 28 were documented.

A review of notifications indicate inmates are being responded to, in writing, as to the outcome of the investigation.

Through interviews with various staff and inmates, it was determined investigators notify the inmate, in writing, as to whether the allegation was substantiated, unsubstantiated, or unfounded.

§115.76 – Disciplinary sanctions for staff

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

DC-ADM 008 PREA Procedures Manual Section 7-Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation states any employee who violates Department sexual abuse or sexual harassment policies by engaging in, failing to report, or knowingly condoning sexual abuse or sexual harassment of an inmate shall be subject to appropriate disciplinary or administrative action up to and including termination.

When an allegation is made involving a staff member, contract service provider or volunteer this person will be removed from contact with the alleged victim until the conclusion of this investigation.

In the event that a staff member is terminated, or resigns in lieu of discharge, for violation of the this procedures manual, the Bureau of Human Resources (BHR) will notify the Office of Special Investigations and Intelligence (OSII) to determine if a potential criminal violation exists. If the violation meets criminal standards, OSII will refer the matter to the District Attorney's Office that has jurisdiction over the affected facility.

During the past 12 months, there two staff from the facility who have violated agency sexual abuse or sexual harassment policies. The auditor was provided with documentation of disciplinary actions the agency took against these staff.

Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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.

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, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

§115.77 - Corrective action for contractors and volunteers

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

DC-ADM 008 PREA Procedures Manual Section 7-Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation states:

- 1) When an allegation is made involving a contractor or volunteer, this person will be removed from contact with the alleged victim until the conclusion of this investigation;
- 2) If a contractor or volunteer violates this procedures manual, other than by engaging in sexual abuse, the facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates;
- 3) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates, and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

During the past 12 months, there have not been any contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates.

Through staff interviews, it was determined that any contractor or volunteer suspected of sexual abuse or sexual harassment would be removed from the building pending the outcome of the investigation. Remedial disciplinary measures, such as retraining, would

be considered for minor policy violations, depending on the circumstances. In cases of serious misconduct, the contractor or volunteer would be banned from the facility.

§115.78 – Disciplinary sanctions for inmates

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

DC-ADM 008 PREA Procedures Manual Section 7-Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation states:

- 1) Inmates shall be subject to disciplinary sanctions pursuant to the formal disciplinary process, following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.
- 2) Sanctions shall be 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.
- 3) The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed.
- 4) When an inmate is found guilty of a Class 1 Misconduct related to sexual abuse, the Unit Manager shall refer the inmate to the Sex Offender Treatment Program for evaluation to determine whether or not the inmate is appropriate for the program and if the inmate will be required to complete the program as part of the sanctions or as a condition to access programming or other benefits.
- 5) The facility may discipline an inmate for sexual contact with staff only if it is substantiated that the staff member did not consent to such contact.
- 6) For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
- 7) A reporting inmate may only be subjected to discipline if the report is determined to be unfounded with proven malicious intent at the conclusion of a full investigation.

8) The Department prohibits all sexual activity between inmates and may discipline inmates for such activity. The Department will not deem such activity to constitute sexual abuse if the Department through the investigative process determines that the activity is not coerced or forced.

During the past 12 months, there have not been any administrative and/or criminal findings of inmate-on-inmate sexual abuse that has occurred at the facility.

Through staff interviews, it was discovered that inmates found to have engaged in sexual abuse or sexual harassment may face a misconduct hearing and/or criminal charges depending upon the circumstances.

Through interviews with the Mental Health staff, it was discovered inmate perpetrators of sexual abuse are referred for a mental health evaluation, and this evaluation is conducted within 14 days. Follow up care would be determined based on the initial evaluation; however, the inmate would be seen by the Mental Health staff anytime the inmate requested Mental Health services. Upon release, inmates are given information on outside resources.

Through interviews with staff, it was determined inmates who have violated the agency's sexual abuse and sexual harassment procedures would go through a disciplinary hearing. If the allegations were criminal in nature, the Pennsylvania State Police may pursue criminal charges.

§115.81 - Medical and mental health screenings; history of sexual abuse

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

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and Training states if the screening pursuant to PREA Standard 115.41 indicates that a prison or jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical and mental health practitioner within 14 days of the intake screening or sooner, if clinically indicated.

If the screening pursuant to PREA Standard 115.41 indicates that a prison or jail inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting

with a mental health practitioner within 14 days of the intake screening. In addition, when information becomes available relating to perpetration of inmate-on-inmate sexual abuse history, a mental health evaluation will be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

Any information related to sexual victimization or abusiveness occurring in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans, security and management decisions, including housing, bed placement, work, education, and program assignments, or otherwise required by Federal, State, or local law.

Medical and mental health practitioners shall 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. The DC-484 (13.08.01 Delivery of Mental Health Services, Attachment 2-A) will be used for this purpose. If the inmate refuses to sign, it shall be noted on the DC-484 and signed by the witness and maintained in the medical record.

During the past 12 months, 100% of inmates who disclosed prior victimization during screening were offered a follow-up meeting with a medical or mental health practitioner.

During the past 12 months, 100% of inmates who have previously perpetrated sexual abuse were offered a follow-up meeting with a mental health practitioner.

During the onsite audit, the auditor reviewed a sample of records of both inmates who disclosed prior victimization as well as inmates who have previously perpetrated sexual abuse. The inmates sampled had documentation of a mental health evaluation within 14 days.

During the pre-audit, the auditor was provided with samples of medical/mental health logs and secondary materials.

Through various interviews with staff and inmates, it was reiterated that inmates who disclose victimization and inmates who have previously perpetrated sexual abuse are offered a follow-up meeting with medical and mental health staff. Medical staff obtain informed consent prior to reporting about prior sex victimization that did not occur in an institutional setting.

§115.82 - Access to emergency medical and mental health services

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse states:

Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgement.

The inmate victims of sexual abuse shall be 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.

Treatment services shall be 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.

Through various staff and inmate interviews, it was discovered inmate victims of sexual abuse receive timely and unimpeded access to emergency treatment and crisis intervention services. If the abuse occurred within 96 hours, the inmate would immediately be taken down to medical to receive stabilization treatment and would then be transferred to the hospital. Inmates receive treatment based on the medical and/or mental health staff's professional opinion. Victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis.

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

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

DC-ADM 008 PREA Procedures Manual Section 4- Responding to Reports of Sexual Abuse states the facility shall 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.

Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections, as medically appropriate.

DC-ADM 008 PREA Procedures Manual Section 2- Sexual Abuse/Sexual Harassment Prevention and training states when information becomes available relating to perpetration of inmate-on-inmate sexual abuse history, a mental health evaluation will be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

Facility is an all-male facility; therefore, PREA Standard 115.83 (d)-1 and 115.83 (e) - 1 are not applicable.

Through various staff and inmate interviews, it was determined medical treatment for sexual abuse victims would include a medical evaluation from one of the Registered Nurses working at the facility. If warranted, the inmate would be taken to the Somerset Hospital for treatment. Mental Health staff would respond and provide treatment within the next business day.

§115.86 – Sexual abuse incident reviews

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

DC-ADM 008 PREA Procedures Manual Section 6- Sexual Abuse Incident Review states each facility shall conduct a Sexual Abuse Incident Review at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated. No review will be conducted if the allegation has been determined to be unfounded. The review shall occur within 15 working days of the receipt of the notification from Office of Special Investigations and Intelligence (OSII) that the investigation was deemed satisfactory.

The Prison Rape Elimination Act (PREA) Compliance Manager will chair the Sexual Abuse Incident Review Committee. The PREA Compliance Manager, in collaboration with the Facility Manager, will determine the exact composition of the team based on the nature of the incident. At a minimum, the Sexual Abuse Incident Review Team will consist of the following:

- 1) Deputy Superintendent for Centralized Services (DSCS);
- 2) Deputy Superintendent for Facilities Management (DSFM);
- 3) Licensed Psychology Manager (LPM)/designee;
- 4) Corrections Health Care Administrator (CHCA)/designee;
- 5) Security Office representative;
- 6) Unit Manager;
- 7) Corrections Counselor;
- 8) Major of Unit Management or Major of the Guard;
- 9) Deputy Superintendent for Internal Security (DSIS) (if applicable);
- 10) OSII Investigator (as applicable); and
- 11) Statewide PREA Coordinator/designee (when necessary).

The facility acknowledges staff ordinarily conduct a criminal or administrative sexual abuse incident review within 30 days of the conclusion of the sexual abuse investigation.

During the past 12 months, there have been 1 out of 1 criminal and/or administrative investigations of alleged sexual abuse completed at the facility that was followed by a sexual abuse incident review within 30 days, excluding only “unfounded” incidents.

While onsite, the auditor reviewed a sample of investigations.

During the pre-audit, the auditor was provided with documentation of an sexual abuse incident review. Recommendations were made as part of the incident review.

Through interviews with staff, it was confirmed the facility conducts incident reviews at the conclusion of sexual abuse investigation, excluding only “unfounded” incidents. The incident reviews include upper-level management officials, and allows for input from line supervisors, investigators, and medical or mental health practitioners. The review team looks to see if there are changes that need to be made to policy or procedure. The review team; considers any possible motivations for the abuse, considers whether physical barriers may have enabled the abuse, accesses the adequacy of staffing levels during different shifts in that area, accesses whether monitoring technology should be deployed or augmented to supplement supervision by staff. At the conclusion of the facility incident review, the PREA Compliance Manager would submit a report of their findings to the PREA Coordinator. If there were any deficiencies notated, there would

also be documentation outlining the steps the facility plans to take to correct the problem.

§115.87 – Data Collection

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

DC-ADM 008 PREA Procedures Manual Section 1- Data Collection and Retention states:

The Bureau of Planning, Research and Statistics shall collect accurate, uniform data for every allegation of sexual abuse at facilities under the Department’s direct control using a standardized instrument and set of definitions. The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

The agency aggregates the incident-based sexual abuse data annually.

The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

The agency obtains incident-based and aggregated data from every private facility with which it contracts for the confinements of its inmates.

The data from private facilities complies with the SSV reporting regarding content.

The agency provided the Department of Justice (DOJ) with data from the previous calendar year upon request.

§115.88 – Data Review for Corrective Action

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

DC-ADM 008 PREA Procedures Manual Section 1- Data Collection and Retention states The Bureau of Planning, Research and Statistics shall review data collected and aggregated annually pursuant to PREA Auditing Standard in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices and training by:

- 1) Identifying problem areas;
- 2) Taking corrective action on an ongoing basis; and
- 3) Preparing an annual report of its finding and corrective actions for each facility, as well as the Department as a whole.

The report shall include a comparison of the current year's data and corrective actions taken to reduce the incident of sexual abuse, sexual harassment, and retaliation with those from prior years, and shall provide an assessment of the Department's progress in addressing sexual abuse.

The Annual PREA Report shall be approved by the Secretary and posted on the Department website by June 30 of each year. A link to the Department website can be found below:

[http://www.cor.pa.gov/Administration/PrisonRapeEliminationAct\(PREA\)/Pages/DOC-PREA-Statistics.aspx#.VfSLPa1RHIU](http://www.cor.pa.gov/Administration/PrisonRapeEliminationAct(PREA)/Pages/DOC-PREA-Statistics.aspx#.VfSLPa1RHIU)

Specific identifying information collected for reporting purposes shall be redacted so that no individual is identifiable. In addition, the Department may redact specific material from the reports when publication would present a clear and specific danger to a facility, but must indicate the nature of the material redacted.

Through various staff interviews, it was determined that sexual abuse data is submitted to the agency monthly. If a problem or trend is noticed, a plan of action would be drafted to rectify the problem. Data is retained on secure servers that are backed up.

The auditor was provided with the 2013 and 2014 annual review. The 2014 review consists of data collected from 2012, 2013, and 2014. Annual reports attempt to identify trends and areas of concern. Annual reports are typically broad and are intended to capture statistical numbers. In addition, the review consists of future plans of corrective action to advance its effort and solid commitment to eradicate sexual abuse, sexual harassment, and retaliation for reporting such incidents. Inmate's names and specific information related to the allegations are redacted.

§§115.89 – Data Storage, Publication, and Destruction

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

DC-ADM 008 PREA Procedures Manual Section 1- Data Collection and Retention states each facility and Office of Special Investigations and Intelligence (OSII) shall be responsible to securely maintain such files.

The Department shall make all aggregated sexual abuse data from facilities under its direct control and contracted facilities, readily available to the public through the Department website, at least annually.

Specific identifying information collected for reporting purposes shall be redacted so that no individual is identifiable. In addition, the Department may redact specific material from the reports when publication would present a clear and specific danger to a facility, but must indicate the nature of the material redacted.

The Department shall securely retain all aggregate PREA data, on the Department's secure servers, collected for a period of no less than ten years after the date of the initial collection unless federal, state or local law requires otherwise.

Through various staff interviews, it was determined sexual abuse data is submitted to the agency monthly. If a problem or trend is noticed, a plan of action would be drafted to rectify the problem. Data is retained on secure servers that are backed up.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Jeff Kovar
Department of Justice Certified PREA Auditor

November 6, 2015
Date