

PREA Facility Audit Report: Final

Name of Facility: SCI Waymart

Facility Type: Prison / Jail

Date Interim Report Submitted: 04/09/2018

Date Final Report Submitted: 08/16/2018

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Gregory Bucholtz	Date of Signature: 08/16/2018

AUDITOR INFORMATION	
Auditor name:	Bucholtz, Gregory
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Telephone number:	
Start Date of On-Site Audit:	03/04/2018
End Date of On-Site Audit:	03/07/2018

FACILITY INFORMATION	
Facility name:	SCI Waymart
Facility physical address:	PO BOX 256, Waymart, Pennsylvania - 18472
Facility Phone	
Facility mailing address:	
The facility is:	<input type="radio"/> County <input type="radio"/> Federal <input type="radio"/> Municipal <input checked="" type="radio"/> State <input type="radio"/> Military <input type="radio"/> Private for profit <input type="radio"/> Private not for profit
Facility Type:	<input checked="" type="radio"/> Prison <input type="radio"/> Jail

Primary Contact			
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Warden/Superintendent			
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Email Address:	jsomers@pa.gov	Telephone Number:	570-488-2500

Facility PREA Compliance Manager			
Name:		Email Address:	
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Facility Health Service Administrator			
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Facility Characteristics		
Designed facility capacity:	1587	
Current population of facility:	1535	
Age Range	Adults: 18-87	Youthful Residents:
Facility security level/inmate custody levels:	2,3,4	
Number of staff currently employed at the facility who may have contact with inmates:	0	

AGENCY INFORMATION	
Name of agency:	Pennsylvania Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	1920 Technology Parkway, Mechanicsburg, Pennsylvania - 17050
Mailing Address:	
Telephone number:	(717) 728-2573

Agency Chief Executive Officer Information:			
Name:	John Wetzel	Title:	Secretary
Email Address:	██████████	Telephone Number:	██████████

Agency-Wide PREA Coordinator Information			
Name:	David Radziewicz	Email Address:	dradzewic@pa.gov

AUDIT FINDINGS

Narrative:

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

A Prison Rape Elimination Act (PREA) audit was conducted for the Pennsylvania Department of Corrections', State Correctional Institution (SCI) at Waymart. SCI-Waymart is located at 11 Fairview Drive, Waymart, PA 18472-0256.

A four (4) state PREA audit consortium was formed between the Maryland Department of Public Safety and Correctional Services, Michigan Department of Corrections, Pennsylvania Department of Corrections, and the Wisconsin Department of Corrections. Each of the four state agencies shall provide U.S. Department of Justice (DOJ) certified PREA auditors to conduct facility PREA audits during the second three year audit cycle, known as a circular audit process. Wisconsin shall conduct audits in Pennsylvania, Pennsylvania in Michigan, Michigan in Wisconsin/Maryland, and Maryland in Wisconsin. The purpose and objective of the PREA audit conducted at SCI-Waymart is to determine compliance with the U.S. Department of Justice PREA Standards which became effective on August 20, 2012.

Pursuant to the PREA audit consortium agreement, the Wisconsin Department of Corrections audit team members consisted of U.S. DOJ certified PREA auditors Gregory Bucholtz (lead auditor) and Kristi Dietz (secondary auditor). Additionally, team member Ann Turner, a retired law enforcement detective of sensitive crime investigations and a 5 year Wisconsin DOC investigator of sexual abuse, sexual harassment, and retaliation investigations was the third member of the audit team. The onsite audit phase was conducted from Sunday March 4 – Wednesday March 7, 2018. SCI-Waymart previously had a PREA audit conducted in 2016, with the final report issued March 9, 2016.

Pre-Onsite Audit Phase:

The National PREA Resource Center's (PRC) Online Audit System (OAS) was utilized by SCI-Waymart's PREA compliance manager and administrative officer in providing agency and facility policies, reports, files, statistics, forms, training, and educational information to the audit team members as identified by the PRC's Pre-Audit Questionnaire (PAQ) process on February 2, 2018.

The lead auditor and PREA compliance manager established audit goals and defined expectations from the beginning of the audit process in December, 2017. An initial discussion was held regarding the 2017 release of the PREA Auditor Handbook, and how the new protocols would affect the four phases of the audit. A collaborative plan, with goals and milestones was established involving matters such as the completion of the PAQ in the OAS, posting (and verification) of audit notices, ensuring staff and inmate confidentiality in communicating with the auditor, and establishing a tentative onsite audit phase agenda.

The auditor provided the PREA compliance manager approximately 7 weeks in advance of the onsite audit phase, an electronic copy of the PREA audit notice form (English and Spanish) to post throughout the facility for inmates, staff, and the public that informed them of the scheduled dates of the audit, the

purpose, name and contact information of the auditor, and confidentiality of any communication. The posting of the audit notice was facility-wide including inmate housing units, inmate TV station, program and work areas, dining halls (inmate and staff), visitation, and intake among other locations. Evidence of the PREA audit notice postings was provided to the auditor 6 weeks in advance of the onsite audit phase by the PREA compliance manager via electronically sending photos which included time/date stamps.

English and Spanish languages were utilized for the PREA audit notices as they were deemed to be the most common languages spoken within the PA DOC inmate population. The verbiage selected was to target individuals who had at least an 8th grade reading comprehension.

The lead auditor, PREA compliance manager, and administrative officer conducted 2 formal conference calls in February, but also communicated on a weekly basis via email or one-on-one telephone calls. During this pre-onsite audit phase, discussions included the goals and objectives of the audit, as well as auditor access to all buildings and areas, files, records, documents, etc. Additionally, an overhead diagram of SCI-Waymart's physical plant was provided and discussed in terms of the timeframe of the onsite walkthrough and buildings where inmates have access.

One day prior to the audit team traveling to Pennsylvania, the PREA compliance manager provided the auditor with current records, reports, and rosters (inmates and staff) for sampling purposes prior to being onsite. The information included the current inmate roster, list of youthful inmates, those with disabilities and are limited English proficient, those that identify as lesbian, gay, bi-sexual, transgender, or are intersex, inmates in segregation, those who have reported sexual victimization during risk screening, staff roster, listing of "specialized" staff, contractors and volunteers who have contact with inmates, all grievances and incident reports made in the past 12 months, and all allegations of sexual abuse and sexual harassment reported for investigation within the past 12 months. Obtaining this information prior to arrival at SCI-Waymart greatly assisted the audit team in assigning primary roles and responsibilities for the onsite audit phase.

The audit team held a conference call with the Victims Intervention Program (VIP) staff in advance of the onsite audit phase. The VIP staff discussed in detail the services and emotional support services that they provide to inmates confined at SCI-Waymart. A conference call was also completed with the Director of Patient Care Services at Wayne Memorial Hospital who maintains a memorandum of understanding with the PA DOC for SANE/SAFE services. The audit team was informed that Wayne Memorial Hospital currently maintained six nurses trained as SANE.

Contact was also made with Just Detention International during the pre-onsite audit phase to determine whether they had received any correspondence or concerning communication specific to SCI-Waymart in terms of sexual abuse, sexual harassment, or retaliation allegations. JDI responded back to the auditor that they had not received any communication or correspondence from anyone affiliated with SCI-Waymart.

The audit team researched whether SCI-Waymart or the agency had experienced any recent litigation specific to the PREA, whether they are under a federal consent decree, and if the US DOJ had any active investigations. The review did not reveal any findings. Similarly, the audit team conducted a review of the PA DOC website to ascertain the extent the agency promotes the PREA goals and objectives through education, resources, and links to other relevant websites. Clearly articulated on the PA DOC PREA website page is the following comments:

"The Pennsylvania Department of Corrections has zero tolerance for sexual abuse and sexual

harassment. The department strives to maintain a safe and secure environment for all incarcerated individuals through implementation of policy and procedure that has been developed in accordance with the federal Prison Rape Elimination Act (PREA) standards. This webpage has been established to provide information regarding inmate sexual abuse and sexual harassment, summarizing how the Department of Corrections is working to keep a sexually safe environment. Oversight with regard to PREA compliance pertains to all state correctional institutions, the DOC's Bureau of Community Corrections facilities and contracted facilities.”

Furthermore, the website provides staff, inmates, and the public on how to report incidents of sexual abuse, sexual harassment, and retaliation. The website also provides the opportunity to view the Department's PREA video and provides an FAQ page to answer general questions.

A review of the state's mandatory reporting laws and information provided by the PREA coordinator indicated that there is a mandatory reporting law for sexual abuse of a person under the age of 18. Any reports that are received for a person under 18 also have to be made to the “Pennsylvania Child Line” which then notifies the county children youth and family agencies to investigate. No inmate under the age of 18 has been placed at SCI-Waymart during the past 12 months.

Three (3) correspondences were received from individuals confined at SCI-Waymart in advance of the onsite audit phase. The auditors were able to communicate (interview) two (2) of the inmates as one was released from custody a couple of weeks earlier. Mailroom staff was informed during the pre-onsite audit phase that inmates could write to the PREA auditor (as referenced on the posted PREA audit notice) in a confidential manner and that inmates would not have to provide a return address, name, or institution number.

Onsite Audit Phase:

Entrance Briefing (Day 1):

The audit team arrived at SCI-Waymart on Sunday, March 4, 2018 at approximately 7:45 am and met with the Superintendent, PREA coordinator, PREA compliance manager, PREA lieutenant, and PREA administrative officer inside the Sally Port control center. Staff and auditors were introduced, and a brief discussion of the four day agenda and logistics of the facility review were completed. At the conclusion of the entrance briefing, the audit team and agency/facility staff commenced the site review of the facility and grounds.

It was a benefit to both the audit team and agency/facility staff that many of us had already met during Wisconsin's PREA audits of SCI-Dallas and SCI-Retreat in January, 2018. At the time of the January, 2018 audits, SCI-Waymart's current superintendent was a deputy at SCI-Retreat, a current deputy at SCI-Waymart was the Major at SCI-Dallas, and the PREA coordinator was onsite for the first day of each of the January, 2018 audits.

SCI-Waymart opened in 1989. The former Farview State Hospital complex consists of a series of brick and masonry structures connected by corridors. The facility utilizes a design style common to the mental hospitals/institutions that were constructed in Pennsylvania in the early 1900's. SCI-Waymart is set upon 370 acres, of which 19 are inside the secure perimeter. There are a total of 27 buildings inside the secure perimeter and 23 outside of the perimeter (not including state owned housing). Of the 23 buildings on the outside of the perimeter, inmates only have access to 6 of the buildings of which one contains inmate housing on the second floor and administrative offices on the first.

Within the inside perimeter there are 17 general population housing units (16 dormitory style, 1 cells), three (3) dormitory style housing units that encompass the facility's Forensic Treatment Center, an Intermediate Care Unit consisting of three (3) housing units (2 dormitory style, 1 cells), and two (2) dormitory style housing units for the Personal Care Unit. Additionally, the facility maintains cells for their special and restrictive housing units. One general population dormitory style housing unit is situated outside of the secure perimeter of the facility.

SCI-Waymart also maintains a medical area with infirmary, gymnasium, outdoor recreation yards, chapel (auditorium) visitation area, inmate dining rooms, intake area, library, academic and vocational programming areas, and correctional industries (garment shop). In the basement below the main floor of the facility are an array of vocational schools and workshops (schools: culinary and carpentry; shops: paint, electronics, maintenance repair, machine, plumbing, masonry, refrigeration, HVAC, and garment). The inmate population on the first day of the onsite audit phase was 1, 517 and 692 full-time employees who may have contact with inmates.

The superintendent and his staff provided complete access to all buildings and areas inside and outside of the facility at the request of the audit team. The principle approach to the site review involved an understanding that all doors (locked or not) would be opened to provide the audit team with a sound knowledgebase of who has access and for what purpose, and to assess facility operations from a day-to-day perspective of how staff promote sexual safety.

The audit team was able to conduct frequent informal interviews with staff and inmates throughout the site review, and had the ability to observe some active work areas and operations such as food service, medical unit, and special and restricted housing units. The informal discussions with staff and inmates proved to be valuable in terms of initially assessing the facility's culture and climate, and aided as a supplement to the formal interviews that would take place over the next 3 days. Given the physical size and layout of SCI-Waymart, the site review lasted the entire day, concluding at approximately 5:30 pm.

Days 2 and 3 commenced at 8:00 am, and shortly thereafter interviews with inmates and staff began to take place. The facility provided the audit team with three separate offices that are typically occupied by counselors and a unit manager which enhanced privacy and confidentiality for the auditors and the interviewee. The PREA compliance manager provided an inmate roster that was broken down by housing unit. A systematic random sampling technique was utilized to select inmates. For the random sample of inmate interviews, a sample was selected from each housing unit. Similarly, a random sample was selected from the lists of targeted inmates to be interviewed. For the selection of staff, the PREA compliance manager provided a roster of staff for each shift (3) where a systematic random sample was taken.

Only one staff member or inmate was interviewed at a time with one auditor in a private setting. The National PREA Resource Center's interview protocols were followed as a baseline for asking questions. The objective was to ascertain the individual's knowledge of the PREA Standards, sexual safety in confinement, their specific roles and responsibilities, and knowledge of how to report sexual abuse and sexual harassment. The audit team conducted formal interviews with staff, contractors and inmates totaling 81 individuals over the course of the 4 day onsite audit phase. The following is the list and number of staff that were interviewed.

Staff Interviews Conducted:

Warden (Superintendent) or designee: 1
PREA Compliance Manager: 1
Agency Contract Administrator: 0
(PREA Coordinator provided contractor information during interview at SCI-Retreat on 1/10/18; Agency Contract Administrator interviewed during previous audit in 2017, with notes provided)
Human Resources Staff (Director): 1
Intermediate or Higher-Level Staff: 1
Mental Health Staff: 1
Medical Staff: 1
SAFE and SANE Staff: 1
(Conference call with Wayne Memorial Hospital)
Volunteers: 0
(No volunteers available during onsite audit phase)
Contractors: 1
Investigative Staff: 3
Intake Staff: 1
Staff on Incident Review Team: 1
Designated Staff Charged with Monitoring Retaliation: 1
Staff who Supervise Inmates in Segregated Housing: 1
Staff who Perform Screening for Risk of Victimization: 2
First Responders (Non-Security): 1
Random Staff (Representative of all 3 Shifts): 14

For both the random and targeted inmate population interviews, the PREA compliance manager provided an inmate roster broken down by housing unit to enable a systematic random sampling technique to be utilized for the selection process. A sample was selected from each housing unit that allowed for a geographically diverse sampling from within the facility. Similarly, a random sample was selected from the lists of targeted inmates to be interviewed that were provided by SCI-Waymart. The following is the list and number of inmates that were interviewed.

Inmate Interviews Conducted:

Youthful Inmates: 0
(No inmates under the age of 18 housed at facility)
Inmates with a Physical Disability: 1
Inmates who are Blind, Deaf, or Hard of Hearing: 1
Inmates with Limited English Proficiency (LEP): 2
Inmates with a Cognitive Disability: 3
Inmates who identify as Lesbian, Gay, or Bi-Sexual: 7
Inmates who identify as Transgender or Intersex: 0
(Staff reported no inmate has identified as Transgender or Intersex)
Inmates in Segregated Housing for High Risk of Victimization: 0
(Staff reported no inmate was in restricted housing for high risk of victimization past 12 months)
Inmates who reported Sexual Abuse: 6
Inmates who reported Sexual Abuse during Risk Screening: 2
Random Inmates (represents each housing unit): 27

One or more of the audit team members were able to either directly observe a number of processes within the facility or have it recreated. This was accomplished in order to determine whether daily operations at SCI-Waymart demonstrated compliance with the PREA Standards.

Intake Process: During the onsite audit phase, the auditor was able to review an inmate being processed into the facility. Medical and psychologists provide inmate intake PREA education (including materials), and conduct the initial risk assessment screening upon admission to the facility.

Risk Screening Process: The auditor was able to observe a 30 day risk reassessment with staff and inmate.

Records Storage and Security of Risk Screening Data: Auditor was provided with a review of the PA DOC agency WebTAS software system, and was able to view the security measures in place to protect and restrict access to confidential inmate information.

Inmate Grievance System: The procedures for inmates to utilize the grievance system were explained in detail and a secured grievance collection box was viewed in the housing units.

Inmate Telephones: The telephones were observed in each housing unit where signage was posted indicating an "ABUSE HOTLINE" with a number listed for reporting physical abuse. There was also signage referencing the "SCI Waymart HOTLINE" for inmates having a problem, concerned about their safety, or need to get information to the right people. The posting provides a local telephone number and does not need to be on the inmate's phone list or will any account be charged.

Posters and Signage: PREA posters were observed throughout the facility in both English and Spanish which provides information to inmates. Inmates are provided an address to write to the Pennsylvania BCI/PREA Coordinator for reporting incidents of sexual abuse outside of the facility/agency. The mailroom verified that inmates do not need to write a return address or provide postage for any envelope addressed to the Pennsylvania BCI/PREA Coordinator. Additional information is made available to inmates to contact the Pennsylvania Coalition Against Rape for emotional support services. Signage was also stenciled on the hallway walls throughout the facility which read "PREA ZERO TOLERANCE."

Cameras/Monitoring: The audit team observed the camera placements within the facility and the monitoring which takes place by staff in master control. The audit team spent time in master control asking various questions regarding camera placements and requested staff pull up video from numerous cameras that were "tagged" to view during the site review to verify angles and area diameters. Other cameras were requested on a random basis. Where cameras are positioned in areas of the facility where strip searches of male inmates occur (intake, visitation, special and restricted housing), the posts to view the monitors is gender specific to male staff.

First responder evidence kits were observed secured behind a cage on shelving located in the restricted housing unit. The evidence kits were found to be secured and a list of enclosed items attached to each box.

The audit team observed the lack of regularity of female staff announcing their presence when entering into a housing unit. The dormitory style setting of the majority of housing units has the officer desk located essentially in the middle and not by the entrance/exit. Each officer desk maintains a bell that is rung when female staff enters the housing unit. In many instances, the audit team observed a female

staff member already well into the housing unit (and at times to the officer desk) before the bell was rung and notification made. It appeared that the onus on making the announcement was placed on the officer at the desk rather than on the female staff entering the housing unit. Staff and the auditor discussed this matter which led to the superintendent delivering an "Information Bulletin" to all staff requiring all female staff to announce "female on unit" when entering an occupied housing unit.

The basement area of SCI-Waymart is of significant size and housing numerous vocational schools, shops, and correctional industries (raincoats/garments, staff uniforms, pants, cutting room). There are no cameras in the hallways or in most of the shops. However, the facility has invested in cameras for the correctional industries areas due to the type of equipment being used by inmates.

The audit team also reviewed a sampling of various documents and video records during the onsite audit review. The information obtained from the onsite document review was intended to supplement the material provided by SCI-Waymart in the OAS during the pre-onsite audit phase. Documentation, observations, and interviews were used by the audit team to corroborate compliance/non-compliance and to determine whether the agency's PREA policies had become institutionalized as part of daily operations.

The following is an abbreviated list of the documents reviewed, as further detail is provided within each of the specific PREA Standards as applicable.

Seven (7) randomly selected personnel files from Human Resources.

Training records directly related to completed PREA training for all staff, contractors, and volunteers in 2016, 2017, and 2018 (as of March, 2018). These files are archived electronically and were reviewed onsite with a staff member from records.

14 investigation files specific to sexual abuse and sexual harassment were randomly selected and reviewed during the onsite audit phase. A total of 43 investigations in 2017 were reported during the pre-onsite audit review and consisted of the following: 22 sexual harassment; 15 sexual abuse; 3 sexual abuse/harassment and; 3 non-contact sexual abuse/harassment. Zero allegations of retaliation for reporting sexual abuse and sexual harassment were reported by investigative staff (WebTAS tracking system verified this as well).

Medical and mental health records in response to sexual abuse allegations and incidents.

Inmate grievances. When an inmate submits a grievance specific to sexual abuse by staff, the grievance is "rejected" from the grievance database and forwarded for investigation to specialized staff.

Risk assessments for risk of victimization and abusiveness records were selected and reviewed during the onsite audit phase. A total of 12 random files were selected during the onsite audit phase, and an additional 5 reviewed during the pre-onsite audit phase. The random reviews consisted of the initial PRAT completions within 72 hours and the 30 day PRAT reviews as well.

Inmate education records (intake and comprehensive education sessions). It was observed that staff document in the ICAR (inmate case notes) system indicating that the inmate had attended the PREA education session and signed the DC-ADM 008, Attachment 2-J on file.

Supervisory rounds “logbook” entries were reviewed by the audit team at the officer desk in each housing unit and other areas of the facility (e.g., work and program areas, visitation, and kitchen). The audit team observed and verified that unannounced rounds are being completed and at irregular intervals. Management and supervisory staff routinely sign the log which is constructed in weekly calendar increments.

Exit Briefing (Day 4):

The final day of the onsite audit review commenced at 5:00 am, enabling the audit team to have access to third shift staff and conduct the remaining interviews. Several additional area observations occurred as well. An exit briefing occurred with the PREA compliance manager, PREA lieutenant, Deputy Superintendent for Facilities Management, Deputy Superintendent for Centralized Services, and Major. Due to the funeral services of a PA Corrections Sergeant at SCI-Somerset, the superintendent was unable to attend the exit briefing. However, the lead auditor did meet and brief the superintendent at the end of day 3 of the onsite audit phase. The audit team recognized and thanked those SCI-Waymart staff who provided consistent support of our daily requests and for providing timely answers to numerous questions. The lead auditor provided an overview of the next phase of the audit, “Evidence Review and Interim Report” which officially commenced the next calendar day.

AUDIT FINDINGS

Facility Characteristics:

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

Facility Characteristics

SCI-Waymart opened in 1989. In 1905, the Pennsylvania Legislature established a hospital for the care and treatment of the criminally insane. In 1912, Farview State Hospital for the criminally insane accepted its first patients. The facility, which previously had been operated by the Pennsylvania Department of Public Welfare, was transferred to the Pennsylvania Department of Corrections in 1989. Although a number of internal modifications/renovations have been made over the years to accommodate the inmate population, augment security, and provide additional workspace, a majority of the buildings maintain their original design and structure. SCI-Waymart is set upon 370 acres, of which 19 are inside the secure perimeter.

There are a total of 27 buildings inside the secure perimeter and 23 outside of the perimeter (not including state owned housing). Of the 23 buildings on the outside of the perimeter, inmates only have access to 6 of the buildings of which one contains inmate housing on the second floor and administrative offices on the first. The facility maintains a rated capacity of 1,556 and on the first day of the onsite audit review, the inmate population was 1,517. Although SCI-Waymart operates as an adult security level 2 facility, with the majority classified as minimum/medium security. The age range is reported as 20-84. SCI-Waymart employs 684 full-time employees according to the facility's 2017 narrative.

Within the secure perimeter there are 17 general population housing units (16 dormitory style, 1 cells), three (3) dormitory style housing units that encompass the facility's Forensic Treatment Center, an Intermediate Care Unit consisting of three (3) housing units (2 dormitory style, 1 cells), and two (2) dormitory style housing units for the Personal Care Unit. Additionally, the facility maintains cells for their special and restrictive housing units. One general population dormitory style housing unit is situated outside of the secure perimeter of the facility. Additional facility structures inside the secure perimeter include an auditorium used for chapel and inmate orientation, gymnasium, weight room, program/classrooms, medical infirmary, numerous maintenance shops, and correctional industries (garments). A power plant, warehouse, weld shop, grounds shop and garage are all located outside of the secure perimeter.

SCI-Waymart also includes an extensive sex offender treatment program, Forensic Treatment Center, Intermediate Care Units and Personal Care Units. Intermediate Care Units are designed for non-court committed mental health services that provide extended treatment to inmates who no longer need inpatient treatment at the Forensic Treatment Center but continue to need treatment in certain areas to help them deal with the stressors of general population. The Personal Care Units are designed to meet the needs of an aging prison population with various physical conditions and mobility problems.

Daily Physician/Physician's Assistant/CRNP rounds are maintained seven days a week and patient referrals are seen as necessary. Contracted Physician staff include: Dermatology, Ophthalmology,

Cardiology, Urology, General Vascular, Thoracic Surgery, Optometric Services, Podiatric Medicine, Orthopedics, Neurology, Hematology, and Oncology. Additional consultations and telemedicine are available upon request of the Medical Director. Emergency care is available on a 24-hour-a-day basis. The SCI-Waymart Medical Unit has developed an intensive inmate medical educational system to accommodate the growing needs of today's society. Among those programs are HIV/AIDS education and counseling, diabetes, testicular cancer, hypertension, etc. A Pulmonary Education Program in the Personal Care Unit educates and improves the quality of life of those with chronic lung disease. SCI-Waymart maintains an In-Patient Hospice Unit, which provides medical, psychological, and spiritual care to the terminally ill. An inmate Volunteer Program is also in place to assist inmates in the Personal Care Unit and Hospice area.

For mental health services, the general population/outpatient psychology department provides a full range of evaluation and treatment services. These services include psychological testing, evaluations, emergencies, crisis intervention, as well as, group and individual therapy for mentally ill inmates. The psychology department developed and implemented in conjunction with drug and alcohol and counseling staff, a Dual Diagnosis Program for inmates who are chemically dependent and diagnosed with a mental illness. The psychology department, in conjunction with treatment specialists, also delivers a comprehensive Sex Offender Treatment Program. Mental health also offers therapy to inmates who experience mental illness, difficulties adjusting to prison, mental retardation, anxiety, medication compliance issues, as well as those connected to crimes of domestic violence.

The food service department employs approximately 260 inmates, with food served within the secure perimeter in four (4) dining halls. Food is also transported to Building 20/ "O-Block" three times per day for those inmates housed outside of the secure perimeter. SCI-Waymart also maintains a staff dining hall.

Academic program offerings are delivered by five Adult Basic Education teachers. Classes include: Basic Skill instruction, General Education Development (GED) instruction, and an opportunity to earn credit hours towards an Adult Commonwealth Secondary Diploma for participating in major academic courses similar to enrollment requirements within the public education sector. In addition, "Money Smart" classes along with pre-vocational classes are offered every semester. A Reading to Your Children Program is offered to inmates at least once per year and more frequently if the waiting list deems it necessary. Victim awareness education classes are facilitated a minimum of once per quarter.

All inmates have the opportunity to work, providing they are medically cleared. The largest single group of inmates, those who work in the kitchen, can receive training as cooks and bakers. The remaining inmates are employed in either vocational trades, the correctional industries garment plant, therapeutic programs, or as housing unit institutional janitors. Inmates can also hold secondary employment as school students. There are several apprenticeships offered that include refrigeration, plumbing, painting, baking, cooking, building maintenance, brick layer, machinist, carpentry, electrical and cement mason.

AUDIT FINDINGS

Summary of Audit Findings:

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

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

Number of standards exceeded:	0
Number of standards met:	39
Number of standards not met:	0
Not audited at the facility level: Audited at the agency-level, and not relevant to the facility-level audit because the facility has no independent responsibility for the operation of these standards.	6

Summary of Audit Findings

Number of Standards Exceeded: 0

Number of Standards Met: 45

*Includes standards audited at the agency level: 115.12 (Contracting with other entities for the confinement of inmates); 115.66 (Preservation of ability to protect inmates from contact with abusers); 115.87 (Data collection); 115.88 (Data review for corrective action); 115.89 (Data storage, publication, and destruction) and; 114.403 (Audit contents and findings).

Number of Standards Not Met: 0

§115.15: Limits of cross gender viewing and searches

§115.33: Inmate education

§115.41: Screening for risk of victimization and abusiveness

§115.42: Use of screening information

Three of the four standards requiring corrective action are specific to the agency level (115.33, 115.41, and 115.42). Standard 115.41 also requires corrective action at the facility level which is discussed below.

Corrective Action:

115.15(d): Limits to cross-gender viewing and searches states in part that the facility shall implement policies and procedures that enable inmates to perform bodily functions without staff of the opposite gender viewing their buttocks or genitalia, except in exigent circumstances or when viewing is incidental to routine checks. During the onsite audit phase, the auditor identified eight (8) specific areas that require

corrective action.

1. The Weld Shop building that is located outside of the secure perimeter of the facility maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
2. The weight room inmate bathroom has an open line of sight from the reception desk for both inmates and staff to view inmate's toileting at the urinals. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to add privacy partitions between each of the three (3) adjacent urinals to block the open line of sight. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
3. The laundry bathroom area maintains three (3) toilets with one having a privacy door for staff use, and a urinal and toilet available to inmates without a door. Although the inmate toilet is blocked by a partition wall and allows for privacy, the urinal is situated directly to the right of the bathroom entrance which has no door. As such, there is a lack of privacy if either a staff member or inmate were to enter the laundry bathroom area while another inmate was using the urinal. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to remove the urinal as a toilet is already available for inmates to use that provides privacy. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
4. The kitchen area maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
5. The electronics shop located in the basement maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
6. The machine shop located in the basement maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

7. The Forensic Treatment Center entrance hall maintains an inmate bathroom with a solid door, but no locking mechanism. Therefore, other inmates wishing to use the bathroom would not be cognizant that the bathroom is in use by someone else. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to add a lock to the door handle to ensure privacy. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

Corrective Action:

§115.15: Limits of cross gender viewing and searches

8. Pennsylvania Department of Correction policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that staff of the opposite gender announce their presence when entering an inmate housing unit when either, a) the status quo of the gender supervision on a housing unit changes from exclusively same gender, to mixed or cross-gender supervision, or b) 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 announcement is required for both custody and non-custody staff.

During the onsite audit phase, the audit team did not observe female staff making the opposite gender announcement with any regularity when entering into the inmate housing units. The lack of the announcement was discussed with the agency PREA coordinator, superintendent, and PREA compliance manager. This led the superintendent to send out an "Information Bulletin" on 3/6/18 to all staff (Day 3 of onsite audit phase) which states, "Effective immediately: Be advised in order to be compliant with law, particularly PREA, all female staff are required to announce "Female on Unit" when entering an occupied housing unit."

Although the superintendent issued an "Information Bulletin" to all SCI-Waymart staff regarding the required opposite gender announcement, there is a need for the Auditor to verify that, operationally, female staff (security and non-security) are consistently in compliance with PREA Standard 115.15, subsection (d). Additionally, there is a need for SCI-Waymart to develop an internal verification process that the opposite gender announcement is being completed at all times.

Corrective Action:

§115.33: Inmate education

1. Update or replace the agency Sexual Assault Awareness Information handout, attachment 2-H specific to the following:

- a. Remove the reference to www.tipsubmit.com to file an anonymous report of sexual abuse, sexual harassment and replace with current information that allows for anonymous inmate reporting.
- b. Remove the asterisk marked comment on the inmate information Sexual Assault Awareness Information handout that reads "** If someone is a known or believed to be LGBTI, it does not mean that they are automatically agreeing to sexual acts."
- c. Provide a revision/effective date on the handout.
- d. Place the agency's policy reference to the handout: Sexual Assault Awareness Information on the handout (top/title area).
- e. Utilize definitions consistent with the PREA Standards:

- i. Sexual Abuse
- ii. Sexual Harassment
- iii. Voyeurism

2. Educate staff and inmates on the revised handout.

a. Provide documentation that demonstrates staff and inmates have been informed and educated on the revision/replacement of the Sexual Assault Awareness Information handout and the information contained within the handout.

Corrective Action:

§115.41: Screening for risk of victimization and abusiveness

1. Adopt terms and definitions current and consistent with the PREA standards and the National PREA Resource Center resources for use in revising the agency policy, objective screening instrument (PRAT), training curriculum and staff user guide.

2. Eliminate compound assessment questions and replace with singular.

3. Develop a training curriculum that informs staff on the importance and means by which to have effective and professional communication with LGBTI inmates. This requires a basic understanding of:

Sexual orientation;

Gender identity;

Gender expression;

How sex is assigned at birth;

Staff's own gaps in knowledge and cultural beliefs;

How the above factors may impact the ability to conduct effective interviews and assessments;

4. Request technical assistance from the National PREA Resource Center (PRC) to develop an objective risk screening instrument and training on same. The PRC provides technical assistance at no cost.

5. Establish oversight and monitoring of the WebTAS to assess "glitches" or errors in the system.

6. Designate a staff person responsible for developing a process to ensure that 20-30 day PRAT reassessments are conducted for each inmate at SCI Waymart.

7. Electronically send the auditor a monthly WebTAS intake report by the 5th of each month listing the date, time and name of the inmate who arrived at the facility. The auditor will then randomly select inmates from the report and request verification of their 20-30 day PRAT reassessment record.

Corrective Action:

§115.42: Use of screening information

1. Utilize screening information from an objective screening tool to inform housing, bed, work, education and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those of high risk of being sexually abusive.

2. Adopt terms and definitions current and consistent with the PREA standards and the National PREA Resource Center resources for use in revising the agency policy, objective screening instrument (PRAT), training curriculum and staff user guide.
3. Eliminate compound assessment questions and replace with singular.
4. Develop a training curriculum that informs staff on the importance and means by which to have effective and professional communication with LGBTI inmates. This requires a basic understanding of:
Sexual orientation;
Gender identity;
Gender expression;
How sex is assigned at birth;
Staff's own gaps in knowledge and cultural beliefs;
How the above factors may impact the ability to conduct effective interviews and assessments;
5. Request technical assistance from the National PREA Resource Center (PRC) to develop an objective risk screening instrument and training on same. The PRC provides technical assistance at no cost.
6. Establish oversight and monitoring of the WebTAS to assess "glitches" or errors in the system.

POST INTERIM CORRECTIVE ACTION

Final Report

Following the issuance of the interim report on April 9, 2018 via the OAS, the auditor provided a copy of the report electronically to the facility's PREA compliance manager and the agency PREA coordinator this same date.

On March 30, 2018 the first of a series of scheduled conference calls was held to devise a plan to address the corrective action identified in the interim report and to establish milestones over the next 180 days. The corrective action required laid at the agency level for Standards 115.33, 115.41, and 115.42, and at the facility level for Standard 115.15 and 115.41(f). Although communication was held at the facility level for Standards 115.15 and 115.41(f), most communications were held primarily with the PREA coordinator (PC) and on occasion involved agency level leadership personnel as appropriate.

On April 12, 2018 a "Kick Off Session" was held with representatives of the PREA Resource Center (PRC), the PC and his director, auditors Bucholtz and Dietz and subject matter expert Bernadette Brown who was under contract with the PRC to provide the agency technical assistance in revising the PREA Risk Assessment Tool (PRAT), PRAT User Manual and training materials to support those revisions. A 30 day plan was identified to provide revisions specific to the PRAT, PRAT User Manual and agency policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention Training.

The PC and auditors remained in regular communications during the next 30 days as the revisions occurred within the agency's PRAT WebTAS software system and with policy and user guide updates occurring. On May 15, 2018 the PC provided a memorandum to all agency PCMs and training coordinators that required training for all staff that administer PRATs was scheduled for May 23-25, 2018. Staff was required to register through the employee training software called the LSO and as a result electronic training records were available for the auditors review and verification of training. Additionally,

the auditors were provided a link to participate in training.

The revised PRAT went “live” in the WebTAS software system on May 25, 2018 and from this date forward the revised PRAT was in use throughout the agency. On June 1, 2018 a conference call was held to discuss and identify the methodology the auditors would use to verify compliance, identify deliverables and establish a timeline with milestones to achieve corrective action. The following items were agreed upon and action taken:

1. 115.33 (a) Inmate education – During the intake process, inmates shall receive information explaining the agency’s zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.
 - a. Revisions to the agency’s inmate education handout, Sexual Assault Awareness Information Handout (Attachment 2-H);
 - i. Informs the reader that the agency has a zero tolerance policy regarding sexual abuse and sexual harassment;
 - ii. Lists multiple ways that an inmate may report incidents or suspicions of sexual abuse or sexual harassment;
 - iii. Definitions of sexual abuse and sexual harassment are consistent with the definitions in the PREA standards;
 - iv. The agency has removed the statement from the previous 2-H handout that read, “If someone is known or believed to be LGBTI, it does not mean they are automatically agreeing to sexual acts.”
 - v. The agency has removed the statement from the previous 2-H handout that read how to report “Go on line to www.tipsubmit.com to file an anonymous report.”
 - b. Auditors will interview inmates and staff on this new information and education resource and process on a date to be determined (auditors conducted corrective action onsite review on July 22, 2018).
 - c. Auditors will plan to observe an intake process.
 - d. Auditors will plan to review facility records specific to inmates receiving the 2-H handout.
 - e. Auditors will be notified when the 2-H handout has been implemented in the intake process and being provided to inmates (June 14, 2018 was the effective date agency wide).
2. 115.41 (c) Screening for risk of victimization and abusiveness – Such assessments shall be conducted using an objective-screening instrument.
 - a. Adopt terms and definitions current and consistent with the PREA standards and National PRC resources. The agency adopted and incorporated the technical assistance recommendations provided.
 - b. The agency eliminated compound questions and replaced with singular versions.
 - c. The agency adopted the technical assistance recommendations provided to enhance effective and professional communications with LGBTI inmates and implemented those into staff training, the PRAT and the PRAT User Guide.
 - d. The PC will provide the auditors with a copy of staff training records for those who perform PRATs.
 - e. The PC will provide the auditors with a copy of the revised PRAT training curriculum and PRAT User Guide for review prior to implementing.
 - f. The auditors will interview staff when on site and observe a PRAT being administered or have the process re-created.
 - g. The auditors will be provided a list of all inmate admissions for the months of June and July to conduct random interviews of inmates who had been admitted to the facility during these months and to review PRAT WebTAS records to verify that initial and reassessments occurred during this time frame utilizing the revised PRAT.

3. 115.42 Use of screening information – The agency shall use information from the risk screening required by 115.41 to inform housing, be, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

a. Utilize screening information from an objective-screening tool to inform housing, bed, work, education and program assignments. With the proposed changes to the PRAT, incorporate those items into the training curriculum and staff user guide as recommended by the PRC's technical assistance personnel.

On June 14, 2018 the agency issued a policy bulletin to all staff signed by the agency Secretary informing staff that revisions to several DC-ADM 008, Section 2, PREA policy provisions had occurred and became effective this same date. The PC provided the auditors a copy of this memorandum and the revised policies and forms. The following are policy summary highlights;

- During the intake process, all inmates shall receive information explaining the zero tolerance policy regarding sexual abuse and sexual harassment or retaliation, and what to do if he/she is the victim of sexual abuse, sexual harassment, or retaliation. Medical shall provide a copy of the PREA Inmate Intake Handout (Attachment 2-H) to the inmate immediately upon facility intake.
- A copy of the revised PREA Inmate Intake Handout, 2-H attachment in English and Spanish.
- A copy of the revised PRAT in English and Spanish.
- PRAT Instructions.

Corrective Action Verification Process

1. Additional Documentation Reviewed:

- a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention Training
- b. PREA Risk Assessment Tool (PRAT), effective 6/14/18 in both English and Spanish
- c. PRAT Instructions, attachment 2-E, effective 6/14/18
- d. PRAT User Guide, updated May 2018
- e. Staff training records; LSO Software
- f. PREA Inmate Intake Handout, Attachment 2-H, effective 6/14/18 in both English and Spanish
- g. Bulletin, Commonwealth of Pennsylvania, Department of Corrections memorandum, effective date 6/14/18

2. Interviews:

- a. Medical staff
- b. Counselor
- c. PREA Coordinator
- d. PREA Compliance Manager
- e. 10 randomly selected inmates

3. Site Review Observations:

- a. PRAT re-assessment with staff and inmate
- b. Re-created initial PRAT assessment
- c. Re-created inmate intake session

In coordination with the agency PC and his director, an onsite review to verify corrective action was scheduled for and occurred on Sunday July 22, 2018. Auditors Bucholtz and Dietz arrived onsite at 7:00 a.m. and met with the facility superintendent, PC, PA DOC Director of the Bureau of Standards, Audits

and Accreditation, PCM, and lieutenant refresh ourselves with the pre-determined goals and objectives for the day and how to accomplish them logistically.

The following is a list of activities that occurred during the onsite review and were utilized to evaluate and analyze for corrective action compliance.

1. Based on the intake list of all inmates who arrived at the facility in June and July of 2018, (generated in the WebTAS software system), the auditors conducted a random sampling of 5 inmates to interview from each month.
2. The inmates interviewed consistently stated they had received a copy of the revised 2-H attachment and could articulate how to report incidents of sexual abuse and sexual harassment at this facility.
3. These same inmates recalled having had a PRAT administered the same day they arrived at the facility.
4. A staff member was interviewed who administers the initial PRAT on the day of admission. This individual was could articulate the changes to the PRAT, had acknowledged receiving training in late May.
5. The PC was able to provide the auditors paper copy of screen shots from the WebTAS system of the 10 inmates who were randomly selected for interviews and also for their record verification that they received the revised PRAT upon arrival and documentation that they received the revised 2-H attachment at intake. All 10 records verified compliance with agency policy.

Conclusion:

115.33 (a) Inmate education

Based upon the review and analysis of all the available evidence, the auditor has determined the facility and agency is fully compliant with this standard requiring an inmate to receive information regarding the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

The agency and facility have effectively demonstrated compliance during this period of corrective action with supporting documentation, interviews, and revised training guides and policy. The facility is now compliant with this standard.

115.41 (c) Screening for risk of victimization and abusiveness

Based upon the review and analysis of all the available evidence, the auditor has determined the facility and agency is fully compliant with this standard requiring the use of an objective-screening instrument. The agency and facility have effectively demonstrated compliance during this period of corrective action with supporting documentation, interviews, and revised training guides and policy. The facility is now compliant with this standard.

115.42 (a) Use of screening information

Based upon the review and analysis of all the available evidence, the auditor has determined the facility and agency is fully compliant with this standard requiring the agency to use information from the risk screening required by 115. 41 (utilizing an objective screening instrument) to inform housing, work, education and programing assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

The agency and facility have effectively demonstrated compliance during this period of corrective action with supporting documentation, interviews, and revised training guides and policy. The facility is now compliant with this standard.

SCI-WAYMART POST INTERIM CORRECTIVE ACTIONS (FACILITY LEVEL):

115.15: Following the issuance of the interim report on April 9, 2018, the PREA audit team coordinated conference calls with the Pennsylvania Department of Corrections (PA DOC) PREA coordinator to discuss the process of how to verify SCI-Waymart's compliance with Standard 115.15 (d)(1-2). Initially, the PA DOC and the PREA audit team discussed the development of an inmate survey that would be disseminated to a random sample of inmates to inquire as to the frequency of opposite gender staff (relevant to females at SCI-Waymart) announcing their presence when entering an inmate housing area. However, upon further discussion it was decided that members of the audit team (Bucholtz and Dietz) would conduct an on-site review at SCI-Waymart that was scheduled for Sunday July 22, 2018.

Prior to the second on-site audit, the auditor was in contact with SCI-Waymart's superintendent and PREA compliance manager (PCM) to discuss how they were implementing the opposite gender announcements. As previously discussed, SCI-Waymart provided an "Information Bulletin" from the superintendent during the onsite audit phase, dated 3/6/18 that stated, "Effective immediately: Be advised in order to be compliant with law, particularly PREA, all female staff are required to announce "Female on Unit" when entering an occupied housing unit." Additionally, during the post-onsite audit phase, the PCM provided photos to the auditor of new signs that were placed at each entrance to all housing units within the facility. Each sign is a laminated poster, in a wooden frame, permanently attached to the wall and states, "ALL FEMALES ENTERING THE HOUSING UNIT MUST ANNOUNCE THEIR PRESENCE."

On July 22, 2018, audit team members Bucholtz and Dietz arrived at SCI-Waymart and were met by the superintendent, PREA coordinator, PA DOC Bureau of Standards, Audits, and Accreditation Director, PCM, and lieutenant. Selected staff accompanied the auditor during a walkthrough of the housing units where the auditor was able to observe the posted signs at the entrance to all housing units, and on multiple occasions female staff announce their presence when entering a housing unit. In most instances, the auditor sat in the housing unit dayrooms away from the housing unit entries to observe the announcements.

A random sample of ten inmates and five staff were also interviewed during the walkthrough of the housing units. All inmates interviewed confirmed that female staff always announces their presence when entering into the housing units which, as they indicated, was a departure from months past. Accordingly, staff also confirmed that female staff always announces their presence. Informal discussions with additional inmates also confirmed the announcements and all were familiar with the new signs attached to the walls.

Based upon the superintendent's "Information Bulletin," posted signs at the entrance to each housing unit, random interviews with inmates and staff, the auditor determines that SCI-Waymart has demonstrated compliance with the provisions of this standard. The facility is now compliant with this standard.

115.41(f): The interim report submitted on April 9, 2018 also found that reassessments of the PRAT were not being completed within 30 days according to Standard 115.41(f). During the second on-site audit a counselor was interviewed who completes the reassessments, and 10 inmates were interviewed who were randomly selected from the facility's admission database for June and July, 2018. Reassessments for these inmates were also reviewed on the agency's WebTAS to confirm that the reassessments were occurring within 30 days. The facility has effectively demonstrated compliance during this period of

corrective action with supporting documentation and interviews. The facility is now compliant with this standard.

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

The following evidence was analyzed in making the compliance determination:

- 1. Documents
 - a. SCI-Waymart Pre-Audit Questionnaire (PAQ)
 - b. Policy DC-ADM 008 Section 2 (PREA Procedures Manual) 19 pages
 - c. Policy DC-ADM 008 Section 7 (PREA Procedures Manual) 2 pages
 - d. Policy DC-ADM 008 (PREA Procedures Manual) Glossary of Terms
 - e. Agency Table of Organization
 - f. Agency Mission Statement
 - g. SCI-Waymart Table of Organization
 - h. PREA Resource Center (PRC) List of Certified Auditors
 - i. Inmate Handbook
- 2. Interviews
 - a. PREA Coordinator
 - b. PREA Compliance Manager
 - c. Superintendent
- 3. Site Review Observations
 - a. Facility walkthrough

Findings (By Provision):

115.11 (a) 1-5. Pennsylvania Department of Corrections policy DC-ADM 008 PREA Procedures Manual Section 2 requires the Department to take appropriate actions to ensure zero tolerance toward all forms of sexual abuse and sexual harassment in order to promote the safety of inmates. It will also implement the PREA Standards to ensure that all aspects of operations work toward preventing, detecting, and responding to such conduct resulting in a safer environment.

A glossary of terms is also set forth by the Department in DC-ADM008. A list of terms is provided related to prohibited behaviors of sexual abuse and sexual harassment as defined in the National Standards to Prevent, Detect, and Respond to Prison Rape.

Sanctions for those found to have participated in prohibited behaviors is described in DC-ADM 008 PREA Procedures Manual Section 7 (Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) for both staff and inmates. For staff, Section 7 maintains that any employee who violates the Department's zero tolerance policy by engaging in, failing to report or knowingly condones sexual abuse or sexual harassment of an inmate shall be subject to disciplinary or administrative action up to and including termination. Additionally, 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 required to be reported to law enforcement agencies, unless the activity was not clearly criminal, and to

any relevant licensing bodies. DC-ADM008 Section 7 also discusses in detail the sanctions for inmates who have participated in prohibited behaviors.

115.11 (b) 1-3. The Pennsylvania Department of Corrections has one statewide PREA Coordinator, Mr. David Radziewicz, who is responsible for PREA compliance for all state correctional institutions and community corrections centers. Policy DC-ADM 008 PREA Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training), stipulates that the PREA coordinator's sole responsibility is to develop, implement, and oversee the Department's efforts to comply with the federal PREA Standards in all facilities. So 100% of the PREA coordinator's time is allocated to obtaining and maintaining compliance with the federal PREA Standards. This was also confirmed during the Auditor's interview with the PREA coordinator.

According to the Department's table of organization, the PREA coordinator reports directly to the Director of the Bureau of Standards, Audits and Accreditation. The Director reports to the Executive Secretary for the Department of Corrections. According to the Auditor's interview with the PREA coordinator, he also meets regularly with the Secretary of the Department of Corrections on all PREA related matters. The PREA coordinator also maintained that he has sufficient authority within the Department of Corrections to make decisions and provide guidance to the PREA compliance managers at each institution to ensure compliance with the PREA Standards.

115.11 (c) 1-4. The Corrections Classification and Program Manager (CCPM) at each state facility have been designated as the PREA Compliance Manager (PCM), and have been given sufficient time and authority to coordinate compliance with departmental policies and federal PREA Standards. At SCI-Waymart, the PCM is Joseph Grillo. Mr. Grillo confirmed during his interview that he had sufficient time and authority to serve as the PCM, in addition to the duties as a CCPM. The sufficient allocation of time for the PCM was also confirmed and supported during the Auditor's interview with the Superintendent.

Pennsylvania Department of Corrections policy DC-ADM008 PREA Procedures Manual Section 2 also describes in detail the duties of the PREA compliance manager. The organizational chart for SCI-Waymart graphically shows that the CCPM at the facility is also the PCM. At the facility level, Mr. Grillo reports directly to the Deputy Superintendent for Centralized Services. At the agency level, the PCM reports to the PREA coordinator who indicated during his interview that he communicates with the PREA compliance managers on a regular basis via telephone, email, video conference, site visits and during an annual 1 ½ day annual conference. This was also confirmed by the PREA compliance manager. Each PCM is also required to submit monthly reports to the PREA coordinator.

The Superintendent again indicated during informal discussions during the onsite audit phase that he allows the PCM as much time as needed to manage the facility's compliance with the PREA Standards. Informal discussions with inmates and staff during the walkthrough of the facility during the onsite audit phase also indicated that they were aware of who the PREA compliance manager was at SCI-Waymart.

Corrective Action: The audit team recommends no corrective action.

115.12 Contracting with other entities for the confinement of inmates

Auditor Overall Determination: Audited at Agency Level

Auditor Discussion

The following evidence was analyzed in making the compliance determination:

1. Documents

- a. SCI-Waymart Pre-Audit Questionnaire (PAQ)
- b. Policy DC-ADM 008 Section 2 (PREA Procedures Manual) 19 pages
- c. Policy BCC-ADM 008 Section 2 (Bureau of Community Corrections PREA Procedures Manual), Prevention and Training, Attachment 2-B
- d. Commonwealth of Pennsylvania, Department of General Services, Bureau of Procurement (Invitation for Bids) 96 pages
- e. Memorandum of Understanding between the Commonwealth of Pennsylvania and the County of Cambria, 29 pages
- f. Memorandum of Understanding between the Commonwealth of Pennsylvania and the County of Chester, 25 pages
- g. Pennsylvania Department of Corrections, Bureau of Community Corrections (PREA Contract Compliance Monitoring Report, 2017)
- h. Armstrong County Jail (2016 PREA audit report)
- i. Firetree LTD, Conewago Pottsville (2016 PREA audit report)
- j. Gaudenzia Sienna House PREA Contract Compliance Monitoring Report
- k. GEO Group, Inc. Penn Pavilion (2017 PREA audit report)
- l. York County Prison (2017 PREA audit report)

2. Interviews

- a. PREA Coordinator

Findings (By Provision):

115.12 (a) 1-4. Pennsylvania Department of Corrections policy DC-ADM 008 PREA Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that the Department include in any new contract or contract renewal for the housing of an inmate with a private entity or other entities, including other government agencies, the obligation to adopt and comply with the PREA Standards and the agency’s policies related to PREA compliance.

Additionally, Section 2 maintains that contracted entities shall undergo regular, mandated audits on a three-year basis, as required by the PREA Standards. All contracted entities are expected to have an official PREA audit by a certified Department of Justice (DOJ) PREA auditor once during every three year audit cycle as directed in the PREA Standard.

115.12 (b) 1-2. Policy DC-ADM 008, Section 2 also stipulates that the Department provide for contract monitoring to ensure that the contract service provider is complying with the PREA Standards with any new contract or contract renewal. The Department completes a PREA Contract Compliance Monitoring Report during the years in which a PREA audit is not completed. During the pre-onsite audit phase, copies of the PREA Contract Compliance Monitoring Reports were provided to the Auditor for review and showed that they were

detailed in regard to explaining any changes made by the facility to ensure compliance with the PREA Standards and/or deficiencies in need of corrective action. The monitoring report is maintained as an attachment (Attachment 2-B) as part of policy BCC-ADM 008, Bureau of Community Corrections PREA Procedures Manual Section 2 (Prevention and Training).

Although the Statewide PREA coordinator indicated that no contracts have been renewed since the last PREA audits within the agency in October, 2017, SCI-Waymart provided sample copies of PREA audits during the pre-onsite audit phase that included the following:

Armstrong County Jail (2016 PREA Audit Report);
Firetree LTD, Conewago Pottsville (2016 PREA audit report)
GEO Group, Inc. Penn Pavilion (2017 PREA audit report)
York County Prison (2017 PREA audit report)

In addition, Memorandum of Understandings (MOUs) between the Department and counties of Cambria and Chester were reviewed by the Auditor. The interview with the PREA coordinator indicated that the cooperation that the institutions maintain with the Pennsylvania State Police is excellent and that law enforcement is frequently involved in the investigative process when warranted. All MOUs contain PREA language under Section 15 that stipulates that the county must agree to adopt the federal PREA Standards.

An interview with the agency's contract administrator did not occur as the agency was previously audited. Notes from the interview with the agency's contract administrator were reviewed prior to the onsite audit phase as the previous Auditor is also an employee of the Wisconsin Department of Corrections, similar to the Auditor for SCI-Waymart. However, the Statewide PREA coordinator was interviewed and provided further information regarding the Department's contracting with other entities for the confinement of inmates.

Correction Action: The audit team recommends no corrective action.

115.13	Supervision and monitoring
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) 19 pages c. Policy 6.3.1, Facility Security Procedures Manual, Section 15 (Correctional Officer Staffing System) 12 pages d. Policy 6.3.1, Facility Security Procedures Manual, Section 19 (Managerial Visits/Inspections) 5 pages e. 2015 SCI-Waymart Approved Staffing Survey f. Housing Unit Administration/Management Inspection Sign-In Log Books g. PIDS (Perimeter Intrusion Detection System) Monthly Meeting Minutes h. SCI-Waymart Position Worksheet i. SCI-Waymart Corrections Officer Post Assignment Report and Summary of Security Activities j. Mandatory Overtime Reports for COI k. Rosters and Overtime Logs (5 Days) l. Annual PREA Staffing Plan Review Meeting Minutes (November, 2017) m. Monthly PREA Tour Schedule n. Monthly Department Head Meeting Minutes (August, 2017) o. Overhead Map of SCI-Waymart 2. Interviews <ol style="list-style-type: none"> a. Superintendent b. PREA Coordinator c. PREA Compliance Manager d. Intermediate or Higher-Level Facility Staff e. Random Staff Interviews <p>Findings (By Provision):</p> <p>115.13 (a) 1-3. Pennsylvania Department of Corrections policy DC-ADM 008, PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires each facility to develop a staffing plan and address the 11 required elements of this Standard. During the onsite audit phase, interviews with the Superintendent, PREA coordinator and PREA compliance manager each confirmed that the 11 required elements are taken into consideration on an annual basis when reviewing the staffing plan.</p> <p>During the pre-onsite audit phase, SCI-Waymart provided a copy of the meeting minutes from the annual PREA staffing plan review meeting and those from the a monthly department head meeting. According to the Superintendent, PREA coordinator and PREA compliance manager, SCI-Waymart has not had any judicial findings of inadequacy, any findings of inadequacy from</p>	

federal investigative agencies, or any findings of inadequacy from internal or external oversight bodies.

The Auditor's review of the staffing plan materials provided by SCI-Waymart was detailed in terms of defining what positions are required to meet minimum staffing levels and what positions are needed to meet the staffing levels at the time of the annual staffing plan review. SCI-Waymart reported a need for a total of 443 security staff positions during their staffing plan review. The "Corrections Officer Post Assignment Report" provides a detailed description of the security activities for each post within the facility for all three (3) shifts for each hour of the shift, including the number and placement of supervisory staff. Additionally, the "Summary of Security Activities" details all components of the facility's physical plant that is broken down into three (3) distinct categories (Security Control, Essential Services, and Inmate Programs). Each of the categories is then broken down further regarding institutional function and activity.

The security control category includes outside control (e.g., towers, vehicle entrance, perimeter patrol), inside control (e.g., gates, movement control, inside escort), and security support (e.g., inspections, inmate dining, correctional industries). Essential services includes inmate housing (e.g., rover, unit control room), special housing (e.g., RHU, MHU, exercise/showers), and health services (e.g., sick call, outside hospital, medical lobby). Inmate programs includes core programs (e.g., education/programs, treatment services), ancillary programs (e.g., commissary, visiting room, library), and recreation (e.g., yard/recreation, gymnasium, auditorium).

Policy 6.3.1, Facility Security Procedures Manual, Section 15 (Correctional Officer Staffing System) was provided during the pre-on-site audit phase and demonstrates the methodology and tasks required (including the agency head, executive deputy secretary, regional deputy secretary, chief of security, human services, PREA coordinator, and PREA compliance manager), for the calculation of each facility's staffing patterns. The local union is also provided the opportunity to provide input by documenting any concerns and/or suggestions they may have and submitting them to the Major-of-the-Guard for review prior to the annual staffing plan audit.

During every third year, a security staffing survey is conducted by the Department's Central Office Staffing Audit Team. The Central Office Staffing Audit Team reviews seven (7) consecutive days of rosters for all shifts, union agreements that affect staffing, facility written justification of posts being requested, and post orders for any new posts being requested. The Audit Team also conducts interviews with the Superintendent, PREA compliance manager, and a representative of the local union. A walkthrough of the facility is also conducted in an effort to identify any blind-spots or areas where staff or inmates may be isolated, and to determine the need for any technological additions or upgrades. SCI-Waymart is scheduled to participate in the agency's Central Office Staffing Audit in late 2018.

Auditor interviews with the Superintendent and PREA coordinator confirmed that the PREA compliance manager is an integral component to the staffing plan review, and has the authority to provide input by documenting any concerns and/or suggestions they may have and submitting them to the Major-of-the-Guard for review. Policy 6.3.1, Facility Security Procedures Manual, Section 15 (Correctional Officer Staffing System) also requires the Central Office Staffing Audit Team meet with the PREA compliance manager, and discuss any

concerns, questions, and/or suggestions.

The PREA compliance manager also works with facility administration on an annual basis to assess, determine, and document whether adjustments are needed to the staffing plan, deployment of video monitoring systems and other monitoring technologies, and the resources available to the facility in order to ensure adherence to the staffing plan. The Auditor was able to confirm through interviews and the staffing plan documents provided that the PREA compliance manager plays a direct role in both the agency and facility level reviews.

SCI-Waymart had their internal annual review in 2017, and will participate in the agency level staffing review in late 2018. The current approved staffing plan indicated 443 required custody positions, with 436 custody positions currently staffed; a difference of 7 positions. SCI-Waymart has a rated capacity of 1,556, and the staffing plan was predicated on the average daily population since their last PREA audit in 2016 which is 1,411 inmates according to the information provided during the pre-onsite audit phase.

According to the Auditor's interview with the Superintendent, any reduction in staffing realized by the facility is augmented through the use of voluntary or mandatory overtime in order to comply with the approved staffing plan. This was also supported through a review of 4 months of overtime logs for all 3 shifts during 2017.

115.13 (b) 1-2. Policy 6.3.1 Facility Security Procedures Manual, Section 15 (Correctional Officer Staffing System) is specific to security staff and requires any deviations from the required staffing plan to be documented. In the past 12 months, SCI-Waymart reported that there have been no deviations from the staffing plan. According to the Auditor's interview with the Superintendent, the staffing plan is fulfilled through either voluntary or mandatory overtime. This was verified through a review of 4 months of SCI-Waymart's overtime logs for all 3 shifts.

115.13 (c) 1. Policy 008 PREA Procedures Manual, Section 2 ((Sexual Abuse/Sexual Harassment Prevention and Training) provides the duties of the PREA coordinator and sets forth the requirement of working with each facility on an annual basis regarding their staffing plan. Specifically, the policy states that the PREA coordinator will, "Work with each facility on an annual basis to assess, determine, and document whether adjustments are needed to: the staffing plan, deployment of the video monitoring systems and other monitoring technologies, and the resources the facility has available to commit to ensure adherence to the staffing plan.

The statewide PREA coordinator is also required to review any documentation for non-compliance with the staffing plan. During the onsite audit phase, SCI-Waymart's compliance manager indicated that the annual staffing survey review meeting is attended by the superintendent, PREA coordinator, deputies, major, administrative officer, and representative of the local union. Other staff is also permitted to attend. During the onsite audit phase, an interview with the PREA coordinator confirmed that he participated with the annual reviews at each facility during their scheduled staffing plan meeting.

SCI-Waymart also provided documentation/meeting minutes of the monthly Perimeter Intrusion Detection System (PIDS) meetings and minutes from the monthly Security Review Committee assessment meetings. The meetings are intended to ensure that video

monitoring/electronic surveillance systems and other monitoring technologies are operational in order to enhance their ability to protect inmates from sexual abuse. SCI-Waymart reported that cameras were added to numerous areas of the facility in the past two (2) years in the following locations: Control Basement Door, Basement and 1st Floor of gymnasium; Library; Housing Unit Dayrooms and Stairwells to G1, G2, H1A, H1B, H2A, H2B, K1, L1, L2, M1, M2, C1; Individual Cells in Housing Unit N; Medical Cells and; Inmate Dining Room 2. In addition, SCI-Waymart installed numerous security mirrors throughout the facility to enhance inmate observation. Meeting minutes from the Security Review Committee and annual PREA Staffing Plan Review indicated that the location of the cameras installed were due to previously identified blind spots as well as the need to enhance security.

115.13 (d) 1-4. Policy 6.3.1 Facility Security Procedures Manual, Section 19 (Managerial Visits/Inspections) requires that intermediate and higher level personnel conduct and document unannounced rounds of each housing unit once per week including unoccupied areas, and all other major areas of the facility at least once per month. Intermediate and higher level personnel are defined as the facility manager, deputies, majors, intelligence captain, security lieutenant, corrections superintendent's assistant, and the corrections classification program manager (PREA compliance manger). Additionally, policy 6.3.1, Section 19 maintains that staff members are prohibited from informing anyone that these visits are occurring and if found to be alerting other staff or inmates to the unannounced rounds, will be subject to disciplinary action.

SCI-Waymart provided copies of the housing unit administration/management inspection sign-in logbooks during the pre-onsite audit phase that noted rounds were being conducted on a weekly basis of all housing units on each shift by intermediate and higher level personnel, and monthly documentation of all other major areas of the facility including those outside of the secure perimeter of the facility. Staff that is required to complete and document their rounds includes the Superintendent, Deputy for Facility Management, Deputy for Centralized Services, Major of the Guard, and the Classification Program Manager/PCM.

During the onsite audit phase, the Auditor verified that intermediate and higher level personnel were conducting unannounced rounds by reviewing 1 year (2017-2018) of administration/management inspection sign-in logbooks in all housing units and other areas of the facility. The logs showed that intermediate and higher level personnel were completing their rounds at irregular intervals during the week. It should be noted that a new logbook is being used at SCI-Waymart that the superintendent implemented when he arrived at the facility in February, 2018 from SCI-Retreat.

Interviews with 14 random staff and informal interviews with housing unit staff during the onsite audit phase facility walkthrough confirmed that unannounced rounds were being conducted. All confirmed that they are prohibited by policy 6.3.1 from notifying other staff. Interviews with intermediate and higher level staff also verified that unannounced rounds were being completed per policy on a weekly basis. The unannounced rounds were also verified by a review of the video surveillance available in master control. Additionally, intermediate and higher level staff indicated that when entering into a cellblock they initially sign the administrative logbook and then conduct a round of the housing unit, frequently speaking with inmates.

Corrective Action: The audit team recommends no corrective action.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008 Section 2 (PREA Procedures Manual) 19 pages c. Agency's Information System DOCNET (Basic Inmate Query) 2. Interviews <ol style="list-style-type: none"> a. PREA Compliance Manager 3. Site Review Observations <ol style="list-style-type: none"> a. Facility Walkthrough <p>Findings (By Provision):</p> <p>115.14 (a-c). Pennsylvania Department of Corrections policy DC-ADM008 PREA Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) mandates that, "Upon initial reception to the Department, youthful inmates shall enter into an expedited classification process as outlined in Department policy 11.2.1, "Reception and Classification." All male youthful inmates shall be transferred to SCI-Pine Grove within 24 hours of reception by the Department, and female youthful inmates under the age of 18 shall immediately be placed into the Youthful Inmate Unit at SCI-Muncy. SCI-Waymart is not a reception facility within the Department of Corrections. Therefore, no youthful inmates are transferred to SCI-Waymart.</p> <p>During the pre-onsite audit phase, SCI-Waymart reported that inmates under the age of 18 are not housed at the facility. During the on-site audit phase, the Auditor verified through the Department's DOCNET: Basic Inmate Query, that no youthful inmates under the age of 18 were being housed at the facility. Informal interviews with staff in the housing units and with the PREA compliance manager confirmed that no youthful inmate is housed at SCI-Waymart. No youthful inmates, education and program staff who work with youthful inmates or staff who supervise youthful inmates were interviewed specific to this PREA Standard.</p> <p>Corrective Action: The audit team recommends no corrective action.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) 19 pages c. Policy DC-ADM 008, PREA Procedures Manual, Section 9 (Working with Transgender and Intersex Inmates) 6 pages d. Policy 6.3.1, Facility Security Procedures Manual, Section 30 (Searches) 32 pages e. Cross-Gender Search Validation Form (Attachment 2-D), Policy DC-ADM 008, PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) 2 pages f. Memo from PREA Compliance Manager, Announcing Female Presence on Housing Units (2015, 2017) g. Memo from Executive Deputy Secretary to Superintendents on Gender Specific Posts (2015) h. Facility Narrative Summary, State Correctional Institution at Waymart, 2017 i. Contraband and Searches PowerPoint, 129 slides j. Staff In-Service Training Roster for "Searches of Inmates" course (3 shifts) 2. Interviews <ol style="list-style-type: none"> a. Random Staff b. Random Inmates c. Targeted Inmates d. PREA Lieutenant 3. Site Review Observations <ol style="list-style-type: none"> a. Facility walkthrough <p>Findings (By Provision):</p> <p>115.15 (a) 1-3. Pennsylvania Department of Corrections policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) mandates that staff shall not conduct cross-gender strip searches except under exigent circumstances. Body cavity searches can only be conducted when performed by a physician. During the pre-onsite audit phase, SCI-Waymart reported that in the past 12 months, zero cross-gender strip or cross-gender visual body cavity searches were performed. Interviews conducted during the onsite audit phase with random staff (14, non-medical) and inmates (27 random, 22 targeted) confirmed that cross-gender strip or cross-gender visual body cavity searches are not allowed except under exigent circumstances and are not being conducted at SCI-Waymart.</p> <p>115.15 (b) 1-4. Policy 6.3.1 Facility Security Procedures Manual, Section 30 (Searches)</p>

maintains 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. During the pre-onsite audit phase, SCI-Waymart stated that they do not conduct cross-gender pat-down searches of female inmates as the facility only houses male inmates. This was confirmed by the Auditor during the onsite audit phase. The onsite audit phase also verified that SCI-Waymart does not house offenders based upon their gender identity.

According to policy 6.3.1., Section 30, staff is also required to be trained in how to conduct cross-gender pat searches and in searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible. Policy 6.3.1, Section 30, Searches, also provides detailed, step-by-step instructions on how to professionally conduct pat searches. During the pre-onsite audit, SCI-Waymart uploaded the Department's training curriculum for "Contraband and Searches" that was developed by the agency's training academy and which provides specific instructions on completing inmate searches, including transgender and intersex inmates.

115.15 (c) 1-2. Policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that all cross-gender strip searches be documented on the Cross-Gender Search Validation Form (Attachment 2-D). A copy of the form is then maintained by the security office. During the pre-onsite audit phase, SCI-Waymart stated that they do not conduct cross-gender strip searches of female inmates as the facility only houses male inmates.

Although Department policy 6.3.1 permits female staff to search male inmates, SCI-Waymart reported that no cross-gender strip searches or cross-gender visual body cavity searches by female staff has been conducted during this PREA audit period. During the onsite audit phase, the Auditor confirmed that no cross-gender strip searches or cross-gender visual body cavity searches of male inmates occurred in the past 12 months, as no Cross-Gender Search Validation forms were on file at the facility. This was also confirmed during interviews with 14 random staff, and 27 random inmates who all indicated that they were not aware of any female officers conducting cross-gender strip searches. The PREA Lieutenant who was also interviewed stated that no female officers have conducted a strip search at the facility. The PREA lieutenant is responsible for conducting investigations of allegations of sexual abuse and sexual harassment at SCI-Waymart and works closely with the PREA compliance manager.

115.15 (d) 1-2. Policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) mandates that inmates 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 all forms of remote viewing as well (e.g., video surveillance).

At the agency level, the Department's Executive Deputy Secretary also sent a memorandum (7/15/15) to all DOC Superintendents regarding gender specific posts. A plan of action was developed to remove the viewing capabilities from monitoring stations of cameras that had the

potential to violate this PREA Standard (115.15) and provide justification for individual posts that were being requested to be gender specific by Facility Managers. A total of approximately 20 security posts were identified to where staff was either required to be gender specific (if one person post), or where one of the staff members had to be gender specific (if 2 or more staff on post). Examples of agency-wide gender specific posts include visiting room search officer, infirmary/dry cell, and transport and search team (at least one staff gender specific).

During the onsite audit phase, the walkthrough of inmate housing, gymnasium, kitchen, vocational shops, programming, and other areas of the facility where inmates would be able to shower, perform bodily functions and change clothing showed that inmates had a degree of privacy available to them. The shower areas in the housing units at SCI-Waymart are located near the officer desk which is roughly in the middle of most of the dormitories. In large part, each housing unit maintains between 8-11 showerheads in an open bay format that is obstructed from view by swinging half-doors. A vast majority of the toilets are single stalls that allow for inmate privacy. Interviews conducted with 27 random inmates and 22 targeted inmates also confirmed that staff does not view them when they perform bodily functions, shower, or change clothes.

There were seven (7) specific areas identified within the facility where corrective action was warranted during the onsite audit phase due to the ability of staff and/or other inmates to view someone using the toilet. These areas are noted below:

1. Weld Shop (outside secure perimeter) bathroom door window.
2. Lack of dividers to weight room bathroom urinals allows for an open line of site from the reception desk for inmates using the bathroom.
3. Urinal in laundry area inmate bathroom. There is no privacy for someone using the urinal as the staff bathroom is also located in the same area as is another toilet for inmates that provides privacy.
4. Kitchen inmate bathroom door window.
5. Electronics shop (basement) inmate bathroom door window.
6. Machine shop (basement) inmate bathroom door window.
7. Lack of a door lock for the FTC entrance hall inmate bathroom.

It should be noted that a number of the corrective actions listed above were completed prior to the end of the onsite audit phase, with the remainder during the post-onsite audit phase. Photos were taken of the areas during the onsite audit phase and of each area again to verify when the corrective action was completed.

Policy also requires that staff of the opposite gender announce their presence when entering an inmate housing unit when either, a) the status quo of the gender supervision on a housing unit changes from exclusively same gender, to mixed or cross-gender supervision, or b) 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 announcement is required for both custody and non-custody staff. SCI-Waymart provided an "Information Bulletin" from the Superintendent during the onsite audit phase, dated 3/6/18 and states, "Effective immediately: Be advised in order to be compliant with law, particularly PREA, all female staff are required to announce "Female on Unit" when entering an occupied housing unit."

During the onsite audit phase, the Auditor did not observe female staff making the opposite gender announcement with any regularity when entering into the inmate housing units. Due to the physical layout of SCI-Waymart, staff is required to enter into the housing units via hallways that connect the living areas. For most of the housing units, female staff would have already entered into the dormitories and dayrooms before staff located at the officer desk had a chance to announce the presence of an opposite gender staff member using a bell and/or lifting a table tennis paddle in the air for those who are hard of hearing. Considering that the officer desk for a majority of the housing units is located in the middle of the dormitory, the current procedure for announcing an opposite gender staff member is not conducive to the tenets of this PREA Standard. It should be noted, however, that there are certain housing units (e.g., Building 20, C-Block, and FTC) that maintain an intercom system in which the control officer notifies inmates of the presence of female staff. This procedure was found to work well.

Approximately 80-90 percent of the inmates who were interviewed (random and targeted) indicated that they do not hear female staff announce their presence, but rather hear the bell being rung by the officer situated at the desk once they see the opposite gender enter the housing unit. Similarly, interviews with random staff (14) indicated that the bell located at the officer's desk is used primarily, but that they have also heard female staff announce as well. Department policy requires that staff of the opposite gender announce their presence when entering an inmate housing unit and the Auditor did not witness the announcement during the facility walkthrough at any regularity. This was also confirmed with the other two (2) audit team members, as well as informal discussions with the PREA coordinator and superintendent. As such, SCI-Waymart is found to be out of compliance with this subsection of PREA Standard 115.15.

115.15 (e) 1-2. Policy DC-ADM 008 PREA Procedures Manual, Section 9 (Working with Transgender and Intersex Inmates) prohibits the search or physical examination of a transgender or intersex inmate for the sole purpose of determining the inmate's genital 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-onsite audit phase, SCI-Waymart reported zero such searches occurring in the past 12 months. During informal discussions with staff during the onsite audit phase, it was stated that if a transgender inmate was identified, the inmate would be transferred to another state facility due to a variety of factors such as the classification of the inmate population, physical design of the institution (primarily dormitory style), and open bay shower setup in the dormitories. As such, no transgender or intersex inmate was interviewed at SCI-Waymart as none were reported to be confined at the facility. A review of the facility's documentation during the onsite audit phase for the random selection of targeted inmates showed that no transgender inmates were identified as being housed at SCI-Waymart, with only gay and bisexual inmates being recorded for the LGBTI targeted population.

115.15 (f) 1. Policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that staff be trained in how to conduct cross-gender pat searches, and in searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. During the pre-onsite audit phase, SCI-Waymart reported 100 percent of staff has

received training on conducting cross-gender pat-down searches, and searches of transgender and intersex inmates. SCI-Dallas also indicated staff that has been on extended leave due to work related injuries will be trained upon their return to duty.

A PowerPoint presentation was also provided as validation of the training materials, as were staff in-service training rosters for the course titled "Offender Searches." A review of SCI-Waymart in-service records for 2017 confirmed that all staff in work status had been trained. The Auditor reviewed the training curriculum "Offender Searches" that was developed by the Department's Training Academy during the pre-onsite audit and found it to be appropriate and consistent with national standards for conducting inmate searches. The 14 random interviews with staff indicated that they were all trained within the past 12 months, confirming the staff in-service training rosters provided.

Corrective Action:

1. The Weld Shop building that is located outside of the secure perimeter of the facility maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
2. The weight room inmate bathroom has an open line of sight from the reception desk for both inmates and staff to view inmate's toileting at the urinals. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to add privacy partitions between each of the three (3) adjacent urinals to block the open line of sight. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
3. The laundry bathroom area maintains three (3) toilets with one having a privacy door for staff use, and a urinal and toilet available to inmates without a door. Although the inmate toilet is blocked by a partition wall and allows for privacy, the urinal is situated directly to the right of the bathroom entrance which has no door. As such, there is a lack of privacy if either a staff member or inmate were to enter the laundry bathroom area while another inmate was using the urinal. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to remove the urinal as a toilet is already available for inmates to use that provides privacy. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.
4. The kitchen area maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

5. The electronics shop located in the basement maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

6. The machine shop located in the basement maintains an inmate bathroom with a large window that is in need of being covered to the extent to where an inmate is not being seen seated on the toilet, but still allows visibility into the bathroom by staff to verify that only one person is inside. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to paint the bathroom window approximately 8 ½ inches up from the bottom (size of notepad). Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

7. The Forensic Treatment Center entrance hall maintains an inmate bathroom with a solid door, but no locking mechanism. Therefore, other inmates wishing to use the bathroom would not be cognizant that the bathroom is in use by someone else. It was recommended by the audit team in conjunction with feedback from SCI-Waymart staff to add a lock to the door handle to ensure privacy. Corrective action has been completed and verified through photos submitted by the PREA compliance manager during the post-onsite audit phase.

8. Pennsylvania Department of Correction policy DC-ADM 008 PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that staff of the opposite gender announce their presence when entering an inmate housing unit when either, a) the status quo of the gender supervision on a housing unit changes from exclusively same gender, to mixed or cross-gender supervision, or b) 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 announcement is required for both custody and non-custody staff.

During the onsite audit phase, the audit team did not observe female staff making the opposite gender announcement with any regularity when entering into the inmate housing units. The lack of the announcement was discussed with the agency PREA coordinator, superintendent, and PREA compliance manager. This led the superintendent to send out an "Information Bulletin" on 3/6/18 to all staff (Day 3 of onsite audit phase) which states, "Effective immediately: Be advised in order to be compliant with law, particularly PREA, all female staff are required to announce "Female on Unit" when entering an occupied housing unit."

Although the superintendent issued an "Information Bulletin" to all SCI-Waymart staff regarding the required opposite gender announcement, there is a need for the Auditor to verify that, operationally, female staff (security and non-security) are consistently in compliance with PREA Standard 115.15, subsection (d). Additionally, there is a need for SCI-Waymart to develop an internal verification process that the opposite gender announcement is being completed at all times.

POST INTERIM CORRECTIVE ACTIONS:

Following the issuance of the interim report on April 9, 2018, the PREA audit team coordinated conference calls with the Pennsylvania Department of Corrections (PA DOC) PREA coordinator to discuss the process of how to verify SCI-Waymart's compliance with Standard 115.15 (d)(1-2). Initially, the PA DOC and the PREA audit team discussed the development of an inmate survey that would be disseminated to a random sample of inmates to inquire as to the frequency of opposite gender staff (relevant to females at SCI-Waymart) announcing their presence when entering an inmate housing area. However, upon further discussion it was decided that members of the audit team (Bucholtz and Dietz) would conduct an on-site review at SCI-Waymart that was scheduled for Sunday July 22, 2018.

Prior to the second on-site audit, the auditor was in contact with SCI-Waymart's superintendent and PREA compliance manager (PCM) to discuss how they were implementing the opposite gender announcements. As previously discussed, SCI-Waymart provided an "Information Bulletin" from the superintendent during the onsite audit phase, dated 3/6/18 that stated, "Effective immediately: Be advised in order to be compliant with law, particularly PREA, all female staff are required to announce "Female on Unit" when entering an occupied housing unit." Additionally, during the post-onsite audit phase, the PCM provided photos to the auditor of new signs that were placed at each entrance to all housing units within the facility. Each sign is a laminated poster, in a wooden frame, permanently attached to the wall and states, "ALL FEMALES ENTERING THE HOUSING UNIT MUST ANNOUNCE THEIR PRESENCE."

On July 22, 2018, audit team members Bucholtz and Dietz arrived at SCI-Waymart and were met by the superintendent, PREA coordinator, PA DOC Bureau of Standards, Audits, and Accreditation Director, PCM, and lieutenant. Selected staff accompanied the auditor during a walkthrough of the housing units where the auditor was able to observe the posted signs at the entrance to all housing units, and on multiple occasions female staff announce their presence when entering a housing unit. In most instances, the auditor sat in the housing unit dayrooms away from the housing unit entries to observe the announcements.

A random sample of ten inmates and five staff were also interviewed during the walkthrough of the housing units. All inmates interviewed confirmed that female staff always announces their presence when entering into the housing units which, as they indicated, was a departure from months past. Accordingly, staff also confirmed that female staff always announces their presence. Informal discussions with additional inmates also confirmed the announcements and all were familiar with the new signs attached to the walls.

Based upon the superintendent's "Information Bulletin," posted signs at the entrance to each housing unit, random interviews with inmates and staff, the auditor determines that SCI-Waymart has demonstrated compliance with the provisions of this standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008 Section 2, PREA Procedures Manual, (Sexual Abuse/Sexual Harassment Prevention and Training) 19 pages c. Policy DC-ADM 006 Section 1, Reasonable Accommodations for Inmates with Disabilities Procedures Manual (General Procedures) d. Policy DC-ADM 006 Section 2, Reasonable Accommodations for Inmates with Disabilities Procedures Manual (Accommodations) e. Policy DC-ADM 006 Section 3, Reasonable Accommodations for Inmates with Disabilities Procedures Manual (Specific Disabilities) f. PROPIO LS LLC Contract with Department of Corrections 2. Interviews <ol style="list-style-type: none"> a. PREA Compliance Manager b. Staff Interpreters (Spanish via PROPIO LS LLC) c. Inmates with a Cognitive Disability (3) d. Inmates who are LEP (2) e. Inmates who are Blind, Deaf, or Hard of Hearing (1) f. Inmates with a Physical Disability (1) g. Random Staff 3. Site Review Observations <ol style="list-style-type: none"> a. PREA signage throughout the facility (English and Spanish) b. Telephone calls to PROPIO language services contractor <p>Findings (By Provision):</p> <p>115.16 (a) 1. Pennsylvania Department of Corrections policy DC-ADM 008 Prison Rape Elimination Act (PREA) Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) provides for the access to information for Special Populations. Policy DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Procedures Manual Section 1 (General Procedures), DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Procedures Manual Section 2 (Accommodations), and DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities Procedures Manual Section 3 (Specific Disabilities) also outline the Department’s approach to providing services to inmates with disabilities. In effect, these policies maintain that an inmate will not be denied services solely for reason of their disability. During the onsite audit phase, interviews were conducted with two (3) inmates with a cognitive disability, two (2) with limited English proficiency, one (1) which is hard of hearing, and one (1) with a physical disability. Each indicated that they are provided with access to facility services and are provided with material on their rights to be free from sexual abuse and sexual harassment, as well as information on how to report sexual abuse</p>

and sexual harassment.

DC-ADM 008 PREA Procedures Manual Section 2 provides that the agency will 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. Written materials are required to either be delivered in alternative formats that accommodate an inmate's disability or the information 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.

Although the current audit of SCI-Waymart did not include an interview with the Department's agency head (previously completed during earlier audit 9/29/17), the Secretary indicated that the Department maintains materials in Spanish and braille. A braille shop is operational at the agency's female prison. The state also maintains a contract for a sign language interpreter and a TTY system available for deaf and hard of hearing inmates and translators for PREA related matters. The Auditor confirmed that the Department of Corrections maintains a TTY system and also has developed a list of all staff throughout the agency who speak a language other than English who can be utilized for interpreter services. The two (2) inmates with limited English proficiency were interviewed during the onsite audit phase using the contracted translation service, PROPIO LS LLC.

115.16 (b) 1. For inmates who are limited English proficient, the Department requires facilities to take reasonable steps to ensure access to the efforts to prevent, detect, and respond to sexual abuse, including steps to provide qualified interpreters. It is the PREA compliance manager's responsibility to ensure that only staff members or qualified contractors that 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 current contracted translation service (PROPIO LS LLC) must be utilized. The two (2) inmates with limited English proficiency were interviewed during the onsite audit phase using the contracted translation service, PROPIO LS LLC.

115.16 (c) 1-3. Department policy also requires that facilities 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 or the investigation of the inmate's allegations. Justification for any use of an inmate interpreter must be documented.

Although the agency head was not interviewed during the audit of SCI-Waymart, notes from an earlier interview indicated that the Department of Corrections has a contract with a sign language interpreter, as well as access to PREA resources in braille to ensure equal opportunity and participation for inmates with disabilities to prevent, detect, and respond to sexual abuse and sexual harassment. Two (2) inmates with limited English proficiency were interviewed with the assistance of the PROPIO LS LLC translation services which was extremely successful. Additionally, one (1) inmate who was hearing impaired and two (3) inmates identified with cognitive disabilities were interviewed as well. Each indicated that they had no problems reading the PREA information (e.g., handouts, video, posters) made available at the facility and knew how to access interpretation services via staff. Each was also able to clearly articulate how they could report sexual abuse or sexual harassment and were

aware of their rights pursuant to the Prison Rape Elimination Act.

The Auditor's interview with SCI-Waymart's PREA compliance manger verified the information provided during the pre-onsite audit phase that there have not been any instances in the past 12 months where inmate interpreters, readers, or other types of inmate assistants have been used. SCI-Waymart provided a list of staff and qualified contractors who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. If necessary, the agency maintains a contract through 6/30/18 with PROPIO LS LLC for their language translation needs if no qualified staff or contractor is available. The Auditor was able to successfully utilize the telephone number for PROPIO language services and found it to be functional. Interviews with random staff (14) confirmed that they were not aware of any instance where an inmate interpreter was used to report an allegation of sexual abuse or sexual harassment.

During the walkthrough of SCI-Waymart, the Auditor observed PREA posters displayed throughout the facility in Spanish as well as English. Information pertaining to the Prison Rape Elimination Act is also provided to inmates in Spanish and English during the intake process. The contracted language line, PROPIO LS LLC, includes over 200 languages for interpreter services.

Corrective Action: The audit team recommends no corrective action.

115.17	Hiring and promotion decisions
	<p data-bbox="252 168 901 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 526 280">Auditor Discussion</p> <p data-bbox="252 324 1276 358">The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> <li data-bbox="252 414 438 448">1. Documents <ol style="list-style-type: none"> <li data-bbox="252 459 869 492">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="252 504 1476 571">b. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual, Section 41 (Employment of Job Applicants Having Prior Adverse Contacts with Criminal Justice Agencies) <li data-bbox="252 582 1332 660">c. Policy DC-ADM 008 Section 1, PREA Procedures Manual, (Sexual Abuse/Sexual Harassment Prevention and Training) 19 pages <li data-bbox="252 672 1364 750">d. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual, Section 3 (Employee Arrests – Felony, Misdemeanor, or Summary Offense) <li data-bbox="252 761 1380 840">e. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual, Section 40 (Conducting Pre-Employment Background Investigations) <li data-bbox="252 851 1460 929">f. Policy 1.1.4 Centralized Clearances Procedures Manual, Section 4 (Centralized Clearance Check Procedures) <li data-bbox="252 940 1013 974">g. Pennsylvania Department of Corrections Code of Ethics <li data-bbox="252 985 1181 1019">h. Pennsylvania Department of Corrections Application for Employment <li data-bbox="252 1030 686 1064">i. Position Vacancy Interest Form <li data-bbox="252 1075 750 1108">j. PREA Current/Prior Employer Letter <li data-bbox="252 1120 1021 1153">k. Centralized Clearance Check Information Request Form <li data-bbox="252 1164 1173 1198">l. Sample of employee background checks and completed applications <li data-bbox="252 1232 422 1265">2. Interviews <ol style="list-style-type: none"> <li data-bbox="252 1276 813 1310">a. Administrative (Human Resources) Staff <li data-bbox="252 1321 518 1355">b. PREA Lieutenant <li data-bbox="252 1366 726 1400">c. Random selection of security staff <p data-bbox="252 1444 566 1478">Findings (By Provision):</p> <p data-bbox="252 1534 1476 1780">115.17 (a) 1. Pennsylvania Department of Corrections policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 41 (Employment of Job Applicants Having Prior Adverse Contacts with Criminal Justice Agencies) maintains that the Department will ensure that any job applicant who has had adverse contact with a criminal justice agency be evaluated as to his/her suitability for employment. Consistent with PREA, the Department shall not hire or promote anyone who:</p> <ol style="list-style-type: none"> <li data-bbox="252 1825 1476 2038">a. has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution (as defined in 42 U.S.C. 1997) to include state facilities for persons who are mentally ill, disabled, or retarded or chronically ill or handicapped; residential care or treatment facilities for juveniles; and facilities that provide skilled nursing, intermediate or long-term care, or custodial or residential care; <li data-bbox="252 2083 1476 2161">b. has 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; and/or

c. has been convicted of any offense under the following (or equivalent out of state offense):

1. Title 18 Pa. C.S.A. Chapter 31 – Sexual Offenses; or
2. Title 18 Pa. C.S.A. Chapter 59 – Public Indecency.

Also, consistent with the PREA, the Department considers any incidents of sexual harassment in determining whether to hire or promote anyone. During the pre-onsite audit phase, SCI-Waymart provided sample copies of personnel files that included 1) PREA Current Prior Employer Letter (Attachment 40-B, Policy 4.1.1 Section 40-Conducting Pre-Employment Background Investigations), 2) Position Vacancy Interest Form, 3) Application for Employment (including Consent to Release Information for Prison Rape Elimination Act Compliance form) and, 4) Centralized Clearance Check Information Request Form.

During the onsite review, the Auditor interviewed an administrative (Human Resources) staff member who is the human resources director at SCI-Waymart. The Auditor was informed that all hiring and background checks are now completed by the agency at the Department's central office. The Auditor was able to review seven (7) additional personnel records (one which was a contractor) and accompanying forms that were randomly selected from the human resource staff members office that document the application process. The interview with human resources confirmed that the forms were a mandatory component of the application process to be hired.

115.17 (b) 1. Policy 1.1.4 Centralized Clearances Procedures Manual Section 4 (Centralized Clearance Check Procedures) requires that consistent with the Prison Rape Elimination Act (PREA), prior to the engagement of any contractors, the contractor and all of the contractor's employees and/or subcontractors that may have contact with inmates will be investigated to ensure that the Department does not enlist the services of any person(s) who has either engaged in sexual abuse in a prison, jail, lockup, community facility, juvenile facility, or other institution, as defined in 42 U.S.C. §1997, and/or has 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 is required to also consider any incidents of sexual harassment when determining whether to enlist the services of any contractor who may have contact with inmates.

In addition, Department policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 40 (Conducting Pre-Employment Background Investigations) requires the consideration of any incidents of sexual harassment in determining whether to hire or promote, including contractors or volunteers who may have contact with inmates. The PREA Current/Prior Employer Letter (Attachment 40-B, Policy 4.1.1 Section 40-Conducting Pre-Employment Background Investigations) is also used by the agency for potential contractors. The interview with human resources during the onsite audit phase confirmed that all applicants for employment, including contractors, are required to sign a consent release for a criminal background check to be completed.

115.17 (c) 1-2. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual

Section 40 (Conducting Pre-Employment Background Investigations) stipulates that human resource offices submit a background check request for all prospective new hires and rehires that have been separated for more than 60 days to the Office of Special Investigations and Intelligence (OSII). SCI-Dallas requires all prospective employees or contractors to disclose any prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. This was also confirmed during the Auditor interview with human resources during the onsite audit phase. Four (4) of the personnel files reviewed during the onsite audit phase were of staff who had been hired in the past 12 months.

Human Resources also indicated that when an employee or contractor reports having been employed by another Department facility and is requesting employment at SCI-Waymart, contact is made with the prior facility to inquire into past discipline, with the PREA Current/Prior Employer Letter sent and returned completed. According to human resources, the Commonwealth of Pennsylvania maintains a human resources computer program that allows any state agency to “flag” any employee or contractor who has resigned their position in lieu of termination, including for sexual abuse.

The agency’s Office of Special Investigations and Intelligence (OSII) conduct a full background investigation, and notify the facility’s human resources of the results. As noted in the comments in subsection (a) of Standard 115.17, all hiring and background checks are now completed by the agency at the Department’s central office. The information provided by SCI-Waymart during the pre-onsite audit phase included documentation of the agency’s background check packet that included the Application for Employment, Centralized Clearance Check Information Request form, PREA Current Prior Employer Letter, and Position Vacancy Interest form. SCI-Waymart reported 37 individuals hired in the past 12 months who may have contact with inmates who have had a criminal background record check completed.

115.17 (d) 1-2. Policy 1.1.4 Centralized Clearances Procedures Manual Section 4 (Centralized Clearance Check Procedures) maintains that prior to the engagement of any contractors, the contractor and all of the contractor’s employees and/or subcontractors that may have contact with inmates will be investigated to ensure that the Department does not enlist the services of any person(s) who has either engaged in sexual abuse in a prison, jail, lockup, community facility, juvenile facility, or other institution, as defined in 42 U.S.C. §1997, and/or has 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 is required to also consider any incidents of sexual harassment when determining whether to enlist the services of any contractor who may have contact with inmates.

Additionally, policy 1.1.4 provides that, “If a contractor or the contractor’s employee or subcontractor indicates on the Centralized Clearance Check Information Request Form (Public) that he/she has worked in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, as defined in 42.U.S.C. §1997, the Requestor shall send a PREA Current/Prior Employer Letter (Attachment 4-A) to that candidate’s previous employer, wait two weeks for a response from the employer, document the request for information, and provide that documentation to the facility Security Office.” Contract service providers, volunteers, and PA Prison Society Official Visitors may be approved for a period of access up

to 24 months. All other recurring visitors may be approved for a maximum of 12 months.

In the past 12 months, SCI-Waymart reported 2 contracts for services where criminal background record checks were conducted on all staff covered in the contract that might have contact with inmates. The 2 requests had a criminal background check conducted, representing a 100 percent completion rate.

115.17 (e) 1. Policy 1.1.4 Centralized Clearances Procedures Manual Section 4 (Centralized Clearance Check Procedures) stipulates that the Centralized Clearance Unit (CCU) is responsible for conducting criminal history checks on all contractors every two (2) years. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 3 (Employee Arrests - Felony, Misdemeanor, or Summary Offenses) stipulates that employees charged with criminal misconduct shall be dealt with appropriately, which is dependent upon the seriousness of the charge and any resultant violations of the Department of Corrections Code of Ethics, as well as the Governor's Code of Conduct. All Department employees are cross-checked against the Justice Network (JNET) system on a daily basis to identify employees that have had a negative contact with law enforcement. If an employee has a negative contact with law enforcement, JNET sends an alert to the agency's central office who then notifies the facility.

During the pre-onsite audit phase, SCI-Waymart provided documented examples of the JNET report that is sent to the agency. The Auditor's interview with human resources also confirmed the use of the JNET system. Notification to the agency via JNET is in "real-time," thus exceeding the requirement of this subsection of Standard 115.17 of conducting documented background checks for employees at least every five (5) years. During the onsite audit phase, the Auditor was able to review two (2) examples of the documentation provided by the JNET system with the human resources director.

115.17 (f). Policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 38 (Recruitment, Selection, and Placement for Non-Civil Service Positions) contains the agency's Application for Employment (Attachment 38-A) and Background Investigation Questionnaire (Pages 1-8). Both contain questions about an applicant's previous misconduct as described in paragraph (a) of this section. Additionally, policy 4.1.1 Section 3 (Employee Arrests - Felony, Misdemeanor, or Summary Offenses) maintains that the employee is responsible for reporting any negative contact with law enforcement to his/her supervisor, security, or designee. Further, the employee is required to report such contact as soon as possible or no later than his/her next scheduled work day.

The Employee Code of Ethics handbook also requires the applicant to disclose any previous misconduct. During the Auditor's interview with human resources it was explained that the application process for staff and contractors is the same. All staff is required to sign a consent release, provide any criminal history, and affirm that the information being provided is accurate and complete. The information is included in the Department of Corrections employee application packet which was reviewed during both the pre-onsite audit and onsite audit phases. Random interviews with staff confirmed that employees are required to notify their supervisor of any negative contact with law enforcement.

115.17 (g) 1. Policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section

38 (Recruitment, Selection, and Placement for Non-Civil Service Positions) contains the agency's Application for Employment (Attachment 38-A) and Background Investigation Questionnaire (Pages 1-8). The Application for Employment contains the "Consent to Release Information for Prison Rape Elimination Act Compliance" which requests that the applicant (staff or contractor) authorize the Department of Corrections to investigate and ascertain any and all information concerning their prior employment as it relates to sexual abuse and sexual harassment. The consent form maintains that if the applicant does not desire to sign the authorization they will not be hired for a position that requires contact with inmates without conducting a background investigation compliant with the Prison Rape Elimination Act.

The Background Investigation Questionnaire also maintains an "Oath and Signature" section that states, "I do solemnly swear (or affirm) that this Application and any attachments contain no misrepresentation or falsification, omission or concealment of material fact, and that the information given by me is true and complete to the best of my knowledge and belief. I understand that any material omission or provision of materially false information will be grounds for non-selection or discipline, up to and including termination of employment." Human resources also confirmed that all background checks completed by the Office of Special Investigations and Intelligence review applications for misrepresentation or falsification, omission or concealment of material fact and are grounds for non-employment or termination.

115.17 (h). Policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 40 (Conducting Pre-Employment Background Investigations) requires the agency to provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receipt of a request from another facility for whom the person has applied to work. The policy also stipulates that human resource offices are responsible for sending the PREA Consent to Release of Information Form, along with the PREA Current/Prior Employer Letter to the applicant's prior employers, receiving and reviewing their responses, and determining whether the applicant may be hired.

Upon a former employee signing the "Authorization to Obtain Information/Waiver" form that is included in the application packet, the applicant has authorized the Department to release their Official Personnel Folder to the Department if they were a former Commonwealth employee. Human resources confirmed that this process occurs, and indicated that SCI-Waymart receives these requests from other agencies on a regular basis and that they have complied according to Department policy.

Corrective Action: The audit team recommends no corrective action.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008 Section 2, PREA Procedures Manual, (Sexual Abuse/Sexual Harassment Prevention and Training) 19 pages c. Perimeter Intrusion Detection System (PIDS) Meeting Minutes d. Annual PREA Staffing Plan Review Meeting (11/21/17) e. Monthly Security Review Committee-Assessment Meeting Minutes 2. Interviews: <ol style="list-style-type: none"> a. Superintendent b. PREA Compliance Manager 3. Site Review Observations: <ol style="list-style-type: none"> a. Facility walkthrough <p>Findings (By Provision):</p> <p>115.18 (a) 1. Pennsylvania Department of Corrections policy DC-ADM008 PREA Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that when designing or acquiring any new facility and in planning any substantial expansion or modification of an existing facility, it is mandatory to consider the effect of the design, acquisition, expansion, or modification on the ability to protect inmates from sexual abuse. During the pre-onsite audit phase, SCI-Waymart reported that the facility has not made a substantial expansion or modification since their last PREA audit on February 22-24, 2016. However, SCI-Waymart did report during the pre-onsite audit phase that a housing unit was being renovated. During the onsite audit phase, the Auditor did confirm that a wing of Block C1 was under renovation in order to expand the facility's mental health unit.</p> <p>During the onsite audit phase, the Auditor did not observe any new structures to the physical plant. Interviews with the superintendent and PREA compliance manager confirmed that SCI-Waymart has not acquired a new facility or made any substantial expansion or modification since the last PREA audit of February, 2016.</p> <p>115.18 (b) 1. Pennsylvania Department of Corrections policy DC-ADM008 PREA Procedures Manual Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that the installation or updating of video monitoring, electronic surveillance, or other technology, the Department will consider how such technology may enhance the ability to protect inmates from sexual abuse. During the pre-onsite audit phase, SCI-Waymart reported that cameras were added to numerous areas of the facility in the past two (2) years in the following locations: Control Basement Door, Basement and 1st Floor of gymnasium; Library; Housing Unit Dayrooms and Stairwells to G1, G2, H1A, H1B, H2A, H2B, K1, L1, L2, M1, M2, C1;</p>

Individual Cells in Housing Unit N; Medical Cells and; Inmate Dining Room 2. In addition, SCI-Waymart installed numerous security mirrors throughout the facility to enhance inmate observation.

During the Auditor's interview with the Superintendent and PREA compliance manager, both indicated that the installation of the cameras and mirrors have significantly aided in eliminating blind spots that have been identified during monthly meetings of the Perimeter Intrusion Detection System (PIDS), monthly Security Review Committee-Assessment (SRC) meetings, and annual PREA Staffing Plan Review meeting. Both also maintained that the need for increased video surveillance has been reported on numerous occasions to the agency's leaders. The PREA compliance manager attends both the monthly PIDS and SRC meetings. A review of monthly PIDS and SRC meeting minutes showed that discussions regarding video monitoring, surveillance systems and other monitoring technologies are a significant component to these meetings in order to enhance their ability to protect inmates from sexual abuse.

Corrective Action: The audit team recommends no corrective action.

115.21	Evidence protocol and forensic medical examinations
	<p data-bbox="248 168 898 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 246 523 280">Auditor Discussion</p> <p data-bbox="248 324 1273 358">The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> <li data-bbox="248 414 443 448">1. Documents: <ol style="list-style-type: none"> <li data-bbox="248 459 869 492">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="248 504 1404 571">b. Policy DC-ADM 008, PREA Procedures Manual, Section 5 (Investigating Allegations of Sexual Abuse and Sexual Harassment) <li data-bbox="248 582 1468 616">c. Memorandum of Understanding between Department and Pennsylvania State Police (PSP) <li data-bbox="248 627 1428 705">d. Memorandum of Understanding between Department and Victims Intervention Program (VIP) <li data-bbox="248 716 1228 750">e. Letter of Agreement between Department and Wayne Memorial Hospital <li data-bbox="248 761 491 795">f. WebTAS Entries <li data-bbox="248 806 702 840">g. Staff Investigation Pocket Guide <li data-bbox="248 851 869 884">h. Form DC-457, Medical Incident/Injury Report <li data-bbox="248 896 938 929">i. Random Criminal and Administrative Investigations <li data-bbox="248 974 427 1008">2. Interviews: <ol style="list-style-type: none"> <li data-bbox="248 1019 518 1052">a. Investigative Staff <li data-bbox="248 1064 539 1097">b. Administrative Staff <li data-bbox="248 1108 730 1142">c. Victims Intervention Program Staff <li data-bbox="248 1153 826 1187">d. Pennsylvania State Police Representative <li data-bbox="248 1198 965 1232">e. Targeted Inmates (Allegation of Prior Sexual Abuse) <li data-bbox="248 1243 817 1276">f. Wayne Memorial Hospital Representative <li data-bbox="248 1288 466 1321">g. Random Staff <li data-bbox="248 1366 630 1400">3. Site Review Observations: <ol style="list-style-type: none"> <li data-bbox="248 1411 598 1444">a. Evidence Collection Kits <p data-bbox="248 1489 561 1523">Findings (By Provision):</p> <p data-bbox="248 1579 1452 1948">115.21 (a) 1-4. SCI-Waymart has adopted a comprehensive agency policy, DC-ADM 008, Section 5 (Investigating Allegations of Sexual Abuse and Sexual Harassment) that stipulates staff is responsible for conducting administrative investigations pertaining to allegations of sexual abuse and sexual harassment in confinement, including inmate-on-inmate sexual abuse or staff sexual misconduct. During the onsite audit phase, the auditor interviewed random staff that stated they were aware and understood the department's policy for obtaining usable physical evidence. They also knew who was designated as the primary investigator at the facility for allegations of sexual abuse and sexual harassment which is the PREA Lieutenant.</p> <p data-bbox="248 2004 1460 2161">The auditor observed that evidence collection kits are made available to first responders, medical staff and investigative staff to aid their efforts in collecting timely usable evidence. Policy DC-ADM 008 states in part, that investigators shall gather and/or preserve direct and circumstantial evidence, including any available physical, DNA, and any electronic monitoring</p>

data; interview alleged victims, suspected abusers, and witnesses; and shall review prior complaints and reports if sexual abuse involving the suspected abusers.

During the onsite audit phase, the auditor observed evidence boxes that are being stored in the restrictive housing unit (RHU). The boxes were secured and were stored behind a locked door. The auditor observed that each evidence box contained step-by-step instructions as to how to collect physical evidence such as clothing, instructions for interviews of alleged inmate victims and suspects, secure the scene, directions on who to report to as far as chain of command within the facility. There was also a shift commander's checklist, which includes reminders to contact the Pennsylvania State Police (PSP) as well as the Rape Crisis Center. The instructions also include reminders to obtain and collect video footage if possible.

During the onsite audit phase, the auditor observed during random staff interviews, that staff carried their pocket guide for investigative steps. These investigative steps included instructions on who to notify within the facility and what active steps to take in response to an allegation of sexual abuse. The auditor observed that the guide instructs staff to separate the alleged victim and abuser inmates, take the alleged victim inmate to medical for evaluation, and secure the scene.

Responsibility for conducting criminal investigations falls under the jurisdiction of the PSP. The auditor was provided a copy of a current memorandum of understanding outlining the scope of responsibilities to comply with the applicable PREA standards.

During specialized staff interviews, staff stated that PSP would be contacted regarding all allegations of sexual abuse and sexual harassment. The PSP investigator provides guidance as to whether a Sexual Assault Nurse Examine (SANE) is appropriate or not. The PSP, SCI-Waymart personnel, and agency utilize a 96-hour guideline for determining whether a SANE exam shall be performed or not.

115.21 (b) 1-2. The uniformed evidence protocol was adapted from "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents." The auditor was able to verify through facility records and staff interviews that there were no youth housed at SCI-Waymart during the 12-month review period.

115.21 (c) 1-10. SCI-Waymart offers all inmates who experience sexual abuse access to forensic medical examinations without financial cost to the victim. This practice is set forth in policy DC-ADM 008, stating the alleged victim shall be evaluated by facility medical personnel immediately when there is an allegation of sexual abuse that involved physical contact, to ensure the absence of any injury requiring urgent treatment. The medical staff shall document any injuries on the DC-457, Medical Incident/Injury Report.

Policy DC-ADM 008 states that treatment services shall be provided to the alleged victim without financial cost and regardless of whether the alleged victim names the abuser or cooperates with any investigation arising out of the incident. SCI-Waymart medical staff is not responsible for conducting forensic examinations of inmates.

During the pre-onsite audit phase, the auditor conducted an interview with a representative from Wayne Memorial Hospital who indicated that the hospital has SANE/SAFE staff available

at the hospital. A total of six (6) SANE staff is currently employed at Wayne Memorial Hospital. The SANE/SAFE staff is on call and will arrive within an hour if they are not currently at the hospital.

During the onsite audit phase, the auditor interviewed specialized staff and inmates who reported prior sexual abuse. These individuals indicated there is no charge to the inmate for the hospital visit or a SANE/SAFE exam.

115.21 (d) 1-3. SCI-Waymart entered into a memorandum of understanding (MOU) with the Victims Intervention Program in Honesdale PA, and secured services of qualified staff as a victim advocate service provider. A copy of the MOU was provided to the auditor during the pre-onsite audit phase. Specialized staff was interviewed and also corroborated this agreement.

During the pre-onsite audit phase, the auditor conducted an interview with the Director of the Victims Intervention Program who indicated that a victim advocate is available to meet with the inmate victim during a SANE exam upon request. The advocate indicated that services have been provided to inmates at SCI-Waymart approximately five to six times during the past calendar year. This was also verified through a review of SCI-Waymart's visitation logbook and gate clearance passes. The advocate went to the hospital to meet with an inmate one time in the past year. Follow-up care was provided to the inmate on an as needed or requested basis.

The Victim's Intervention Program provides services for victims of sexual assault and other crimes. The Victims' Intervention Program advocate stated that staff employed by their agency is qualified to serve in this role and received education concerning sexual assault and forensic examination issues in general.

115.21 (e) 1-2. During the pre-audit audit phase interview with the Victims Intervention Program, the advocate stated that when requested by the inmate victim, a victim advocate from the Victims' Intervention Program would accompany and support the inmate through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as appropriate. The current MOU agreement with Victims Intervention Program is consistent with this practice. Per the Victims Intervention Program staff, follow up and on-going care and support is provided to the inmates as requested.

115.21 (f) 1. SCI-Waymart is responsible for conducting administrative investigations of sexual abuse and sexual harassment. Allegations of a potentially criminal nature are referred to PSP for investigation. The auditor was provided a copy of the MOU agreement with PSP that was signed at the agency level on February 16, 2017. A portion of the MOU states, "The PSP will develop a policy for conducting criminal investigations of sexual abuse allegations as required by 28 C.F.R. Part 115, including but not limited to SS 115.22 and 115.71, and review allegations of sexual crimes committed within state correctional facilities and:

- a. Perform a criminal investigation when appropriate:
- b. Refer cases to the prosecutorial agency having jurisdiction when such referral is consistent with its policies, procedures and practices "

During the onsite audit phase, the auditor was able to corroborate the above practices and

partnerships through specialized staff interviews and with the PSP representative. SCI-Waymart investigative staff reported that all allegations of sexual abuse are referred to PSP, regardless of whether there is a potential for violation of criminal statutes. During the onsite audit phase, the auditor also verified this through specialized staff interviews and when conducting a random sample review of investigatory files that included both administrative and criminal investigation notes in the file.

115.21 (g) 1. The responsibility for conducting criminal investigations is under the jurisdiction of the PSP. The auditor was provided a copy of the memorandum of understanding between the agencies outlining the scope, responsibility and necessity to comply with the applicable PREA standards.

Corrective Action: The audit team recommends no corrective action.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 5 (Investigating Allegations of Sexual Abuse and Sexual Harassment) c. Memorandum of Understanding between Department and Pennsylvania State Police (PSP) d. WebTAS Entries e. Random Criminal and Administrative Investigations f. Pennsylvania Department of Corrections Website 2. Interviews <ol style="list-style-type: none"> a. Investigative Staff b. Pennsylvania State Police Representative 3. Site Review Observations <ol style="list-style-type: none"> a. WebTAS b. Random Criminal and Investigative Files <p>Findings (By Provision):</p> <p>115.22 (a) 1-5. SCI-Waymart ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment and has adopted a comprehensive agency policy (DC-ADM 008). Policy DC-ADM 008, Section 5 (Investigating Allegations of Sexual Abuse and Sexual Harassment) states in part that every report, complaint, or allegation of sexual abuse and sexual harassment, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively.</p> <p>The agency employs a tracking system, WebTAS, to ensure accountability, progress and completion of all allegations of sexual abuse and sexual harassment in accordance with DC-ADM 008. WebTAS is a web-based application designed to track all incidents of sexual abuse and sexual harassment for U.S. Department of Justice reporting purposes. WebTAS entries go directly to the agency's Office of Special Investigations and Intelligence (OSII) for final review.</p> <p>During the onsite audit phase, the auditor conducted interviews with investigative staff responsible for conducting sexual abuse, sexual harassment and retaliation investigations at SCI-Waymart. The auditor completed a random sampling of 14 administrative files. Through this review the auditor concluded that the investigations, consistent with agency policy, included the following:</p> <ol style="list-style-type: none"> a) Interview the inmate complainant(s) and obtain an Inmate Written Statement of Sexual Abuse/Harassment (Attachment 5-A) following the interview. If the complainant refuses to be

interviewed or provide a written statement, said refusal, including date, time, and persons present, shall be documented and included in the investigative report;

b) Interview all inmate witnesses and obtain an Inmate Written Statement of Sexual Abuse/Harassment from the inmate(s) following the interview;

c) Interview all staff member witnesses and/or undeveloped leads and obtain a Staff Written Statement of Sexual Abuse/Harassment (Attachment 5-B);

d) when appropriate, interview all alleged abusers and obtain written statements utilizing the designated form for inmate(s) or staff;

e) Review all available video footage and save the video footage to a media storage device to submit with the investigative report;

f) Review and copy corroborating evidence, including but not limited to: all housing unit log books, medical documentation, work-related reports, misconduct reports, inmate grievances, and other pertinent documentation specific to the allegation of sexual abuse and include the documentation in the investigative report; and

g) Make an effort to determine whether staff actions or failures to act contributed to the abuse, specifically as it applies to administrative investigations.

The auditor reviewed a 12 month period in the WebTAS system and found 18 sexual abuse investigations, 26 sexual harassment investigations and 5 combination sexual abuse/sexual harassment investigations where the victim alleged both occurred in one incident. There were zero retaliation allegations documented. A breakdown of the investigative findings is as follows:

18 Sexual abuse investigations: 2 substantiated, 6 unsubstantiated, 9 unfounded and 1 where the allegation was made anonymously, the victim inmate denied making the allegation.

26 Sexual harassment investigations: 3 substantiated, 16 unsubstantiated, 1 unfounded, 1 open /no determination. The remaining 5 were determined to be single incidents (PREA definition includes "repeated" incidents).

5 Sexual abuse/sexual harassment investigations combined where the victim alleged both occurred in one incident: 4 unsubstantiated, 1 unfounded.

The Pennsylvania State Police investigated one allegation of staff-on-inmate sexual abuse. This investigation was not reviewed by the auditor as it is currently with the prosecution and unavailable for review due to pending criminal charges. This was confirmed when the auditor spoke with the PSP representative. There was one sexual harassment allegation/investigation where it was determined there was no sexual motivation/act and was investigated as harassment.

115.22 (b) 1-3. Policy DC-ADM 008 states in part, if a case is being investigated for criminal charges, the department investigators shall suspend the administrative investigation and allow the criminal investigation to take precedence. The department investigators and/or Office of

Special Investigations and Intelligence (OSII) shall coordinate with the criminal Investigator/District Attorney's Office (as applicable) to determine when to resume the administrative investigation so as to avoid interference with the criminal investigation.

The auditor observed that the agency's policy regarding outside referrals is made available on the Pennsylvania DOC website. Additionally, memorandums of understanding are completed between the agency and PSP outlining the responsibilities of each agency as they relate to investigations of allegations of sexual abuse and sexual harassment. All referrals to outside law enforcement are documented and included in the investigation packet. The auditor noted through a review of investigative files and through interviews that SCI-Waymart follows the provisions of policy DC-ADM 008 by referring all allegations of sexual abuse to the PSP. These referrals were included in the investigatory files that were reviewed by the auditor.

115.22 (c) 1. The agency's policy regarding outside referrals is made available on the Pennsylvania DOC website which the auditor observed. Additionally, a memorandum of understanding is currently in place between the agency and PSP outlining the responsibilities of each agency as they relate to investigations of allegations of sexual abuse and sexual harassment. The auditor was provided a copy of the current MOU between the two agencies.

115.22 (d). The department and PSP have a signed MOU dated February 16, 2017. A copy of the current MOU was provided to the auditor, and staff from both agencies confirmed that the provisions within the MOU outlining each agencies duties and responsibilities do occur and are part of their working practice.

Corrective Action: The audit team recommends no corrective action.

115.31	Employee training
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. PA DOC Agency Procedures Manual; DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. 2015 PREA Basic Training Participant Guide.pdf c. 2015 PREA Lesson Plan Cover Sheet.pdf d. 2014 PREA Visual Aid - notes section.pdf e. 2015 PREA Course Lesson Plan.pdf f. 2017 Basic Training with Notes Section.pdf g. 2015 PREA Visual Aid-With Notes Sections.pdf h. Handout 1 - Sexual Abuse and Sexual Harrassment.pdf i. Individual employee training transcripts j. PREA Training and Understanding Verification Form k. 115.31 PREA Essentials (Staff Refresher training) l. PA DOC PREA video m. Rodney Hulin Story, Video n. Post Orders, tab 4 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Random Staff 3. Site Review Observations: <ol style="list-style-type: none"> a. Numerous PREA posters were observed throughout the facility in staff, inmate and public areas, informing the reader that the facility has a zero tolerance for sexual abuse and sexual harassment (English and Spanish versions) and how to report these types of incidents. b. The auditors observed red painted stenciling on the main hallway thoroughfare walls that reads “PREA ZERO TOLERANCE”. c. Several times per day on the inmate TV channel, a PREA educational video is played “PREA What You Need to Know”, created by Just Detention International, this was observed by the auditor when onsite. Additionally, the Victims’ Intervention Program flier and agency PREA posters (English and Spanish) are displayed on the inmate movie TV channel daily. The auditor was able to confirm this through informal interviews with inmates in their TV day rooms. d. During informal contacts, the auditor observed correctional officers and non-uniformed staff referring to their “pocket” PREA – Immediate Response Procedures cards. This card outlines the staff response duties upon witnessing or receiving a report of sexual abuse. e. Correctional officer post orders (tab 4) have PREA responsibilities included in each of the post orders per post. <p>Findings (By Provision):</p>	

115.31 (a) (1-10). SCI Waymart has adopted a comprehensive written policy DC-ADM 008 and has designated the PREA Compliance Manager (PCM), in conjunction with the training coordinator at each facility, who shall ensure that all employees who have contact with inmates receive training on the agency's zero tolerance policy against sexual abuse and sexual harassment within the department.

The auditor reviewed the agency 2017 Basic Training (BT) lesson plan and the Participant Basic Training Guide which are utilized to educate all new staff that will have contact with inmates on how to fulfill their responsibilities under sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. The training resources state that inmates have the right to be free from sexual abuse and sexual harassment and the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.

All employees receive education regarding the dynamics of sexual abuse and sexual harassment in confinement, the common reactions of sexual abuse and sexual harassment victims, how to detect and respond to signs of threatened and actual sexual abuse and how to avoid inappropriate relationships with inmates. Additionally, new employees are provided training on how to communicate effectively and professionally with inmates, including lesbian, gay, bi-sexual, transgender, intersex, or gender nonconforming inmates. Lastly staff is instructed how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Staffs who were interviewed as random and specialized staff reported they received training consistent with each of the ten elements listed above. Staff were able to articulate training content, had knowledge of the agency's zero tolerance for sexual abuse and sexual harassment policy, that all staff and inmates have a right to be free from retaliation for reporting sexual abuse and sexual harassment and were familiar with their reporting responsibilities.

115.31 (b) (1-2). SCI Waymart has adopted a comprehensive written policy DC-ADM 008 which in part states (p. 2-15) that staff shall receive training that shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only female inmates, or vice versa.

Through interviews with staff, it is reported during the past 12 months, no staff transferred to SCI Waymart from a female inmate facility. They further state that training materials are applicable to both male and female staff and there is no specific additional training that would be received for staff arriving from a female facility.

Records reveal (consistent with staff's account) no female staff have transferred or arrived at SCI Waymart from a female inmate facility in the past 12 months. It is recommended the facility develop a training curriculum tailored to a male inmate population. This should include the agency/facility policies specific to cross gender strip searches and visual body cavity searches, opposite gender viewing of inmates showering, toileting and changing clothes (except in exigent circumstances), and opposite gender announcements when entering the housing unit. Staff should be informed during initial training upon arrival at the facility of which

posts within the facility are gender specific posts and why.

115.31 (c) (1-3). SCI Waymart has adopted a comprehensive written policy DC-ADM 008 which in part states (p. 2-15) that beginning in 2016 and every even year thereafter, the annual staff PREA education shall be provided in the form of refresher of the initial Basic Training. Beginning in 2017 and every odd year thereafter, the annual PREA education shall be provided in the form of update to the agency PREA Procedures Manual for all staff.

The agency utilizes an internet based training management system, Learning Solutions (LSO) that tracks staff training and creates an employee training record. This software has the ability to run reports and therefor can track who, when and which employee has completed training or has training past due. Specialized staff responsible for training efforts was not available during the onsite audit but a phone call interview was conducted during the evidence review phase of the audit. Staff confirmed the function of the LSO software which tracks and records staff training records and that staff who complete PREA training sign the PREA Training and Understanding Verification Form electronically. A staff training completion record will not be generated within the LSO if staffs do not acknowledge PREA Training and Understanding Verification Form.

During the onsite audit phase, the auditor was able to confirm through casual interviews with staff that staff has their initial training at a central state training facility in Pennsylvania and also onsite training at the facility prior to having one on one contact with inmates. These trainings include information on the agency's zero tolerance policy and how to report incidents of sexual abuse, sexual harassment and retaliation for reporting an incident.

Staffs are provided a PREA - Immediate Response Procedure education information pocket card to enhance staff's prompt response to a sexual abuse allegation. The auditor was able to view these PREA pocket resources during the onsite portion of the audit when interacting with numerous random staff.

During the onsite audit phase, the auditor observed PREA specific information at the officer posts (in their post orders) the following information; the agency's zero tolerance policy, first responder duties for correctional officers, the requirement for completing the agency's DC-121 Report of Extraordinary Occurrence Report and PREA Immediate Response Procedures if witnessing or receiving a sexual abuse report.

115.31(d). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008, which states (p. 2-15) that staff shall be required to verify they have received the training information and understand the included items by signing the PREA Training and Understanding Verification Form. The statement on the form for which the employee is required to sign reads "I acknowledge on this date ____ I received and understand the training on the Prison Rape Elimination Act (PREA). I understand that the Department of Corrections maintains a zero tolerance policy in regard to inmate sexual abuse, sexual harassment, and retaliation. I have a statutory obligation to report ALL forms of sexual abuse and sexual harassment." The exception to signing the hardcopy form is when training is completed through web-based training, and then an electronic signature is captured and recorded. The PREA Training and Understanding Verification Form shall be kept in the staff member's training file. Electronic signatures are captured and maintained in the agency's LSO system, or known as the

Employee Training Transcript.

The auditor reviewed 304 staff training records that were provided in the PAQ. These records all reflect that staff have completed their annual refresher training to ensure the employee knows the agency's current sexual abuse and sexual harassment policies and procedures. The auditor requested to review 10 additional randomly selected staff training records in addition to those submitted in the PAQ and found all staff records reviewed showed refresher training was completed during the 12 month review period.

The auditor asked specialized staff if there was any means or process being utilized that demonstrated that employees receiving PREA training understood the training information provided? Staff responded the PREA Training and Understanding Verification Form are utilized. The auditor recommends enhancing the current system by incorporating a pre-test, posttest or quiz. This would assist identifying individuals in need of remedial training and for the revision of training curriculum and lesson plans as needed.

Corrective Action: The audit team recommends no corrective action.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. PA DOC Agency Policy, DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. PA DOC Contractors/Volunteers PREA Training c. Contractor/Volunteer hours of work d. PREA Training Understanding and Verification Form 2. Interviews: <ol style="list-style-type: none"> a. Contractors and volunteers b. PREA Compliance Manager c. Training personnel 3. Site Review Observations: <ol style="list-style-type: none"> a. Numerous PREA posters were observed throughout the facility in staff, contractor, volunteer, inmate and public areas, informing the reader that the facility has a zero tolerance for sexual abuse and sexual harassment (English and Spanish versions) and how to report these types of incidents. b. The auditors observed red painted stenciling on the main hallway thoroughfare walls that reads “PREA ZERO TOLERANCE”. c. During informal contacts, the auditor observed a contractor referring to their “pocket” PREA – Immediate Response Procedures card. This card outlines the staff response duties upon witnessing or receiving a report of sexual abuse. <p>Findings (By Provision):</p> <p>115.32 (a)(1-2). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008 and has designated the PREA Compliance Manager (PCM), in conjunction with the training coordinator at each facility, who shall ensure that all volunteers and contracts who have contact with inmates receive training on their responsibilities under the agency’s zero tolerance policy against sexual abuse and sexual harassment prevention, detection, and response policies and procedures. This was corroborated during interviews with volunteers and contractors. The facility reports that 60 full and part-time volunteers and contractors have contact with inmates. Two contractors/volunteers were interviewed during the onsite phase of the audit. These individuals were selected for an interview based on their schedule and availability while at the facility in relationship to the schedule of the auditors.</p> <p>115.32 (b)(1-2). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008 that states (p. 2-17) during a contractor/volunteer orientation session (prior to having unsupervised contact with inmates) they shall receive training (and annual training reflective of the level of contact that they have with inmates) on the agency’s zero tolerance policy regarding sexual abuse and sexual harassment and informed on how to report incidents or suspicions of sexual</p>

abuse sexual harassment. The training curriculum was reviewed by the auditor and was able to confirm all of the elements of the standard were present within the training materials.

For contractors and volunteers who have a high level of contact, five hours or more per week with inmates, they shall have the same training staff members receive during pre-service and annual training. For volunteers and contractors who have less than five hours per week, on average with inmates, they shall receive a brief orientation by the volunteer/contractor designee to include information on the Department's zero tolerance policy, how to make a report of sexual abuse and sexual harassment, and to whom to make the report. The auditor reviewed 7 training records from 2017 via the Online Audit System during the pre-onsite audit phase.

Contractors and volunteers who were interviewed referenced their PREA pocket cards as a resource to explain what action they would take in response to having suspicion of, witnessing or having information reported to them specific to sexual abuse and sexual harassment. These individuals stated they had received training specific to the agency's zero tolerance policy and how to make a report of sexual abuse or sexual harassment.

115.32 (c). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008, which states (p. 2-17) that all contractors and volunteers shall be required to sign and acknowledge the PREA Training and Understanding Verification Form. The statement on the form for which the employee is required to sign reads "I acknowledge on this date ___ I received and understand the training on the Prison Rape Elimination Act (PREA). I understand that the Department of Corrections maintains a zero tolerance policy in regard to inmate sexual abuse, sexual harassment, and retaliation. I have a statutory obligation to report ALL forms of sexual abuse and sexual harassment." The exception to signing the hardcopy form is when training is completed via a web-based means, and then an electronic signature is captured and recorded. The PREA Training and Understanding Verification Form shall be kept in the staff member's training file. Electronic signatures are captured and maintained in the agency's LSO system, or known as the Employee Training Transcript.

Agency policy further states the facility volunteer coordinator shall be responsible for documenting the PREA training that each volunteer has received and maintain the documentation in the volunteer's file. The PREA compliance manager is responsible for maintaining PREA Training and Understanding Verification Forms for all contractors and volunteers. PREA training shall be effective for a period of one year. The PCM verified this for the auditor while conducting the site review that this is the practice at SCI Waymart. The auditor reviewed 96 contractor and volunteer PREA Training and Understanding Verification forms that were provided electronically in the OAS.

The auditor asked staff if there was any means or process being utilized that demonstrated that contractors/volunteers receiving PREA training understood the training information provided? Staff responded the PREA Training and Understanding Verification Form was the current means being utilized. The auditor recommends enhancing the current system by incorporating a pre-test, posttest or quizzes. This would assist identifying individuals in need of remedial training and for the revision of training curriculum and lesson plans.

Corrective Action: The audit team recommends no corrective action.

115.33	Inmate education
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. PA DOC Agency PREA Procedures Manual; DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. PA DOC Agency Reception and Classification Procedures Manual c. Sexual Assault Awareness Informational Handout d. PREA Poster (English and Spanish); ways to report and zero tolerance information e. National PREA Resource Center, Inmate Education Facilitator’s Guide, PREA: What You Need to Know, Notification of Curriculum Use, February 2014 f. Just Detention International’s DVD; What You Need to Know g. PREA Inmate Education Verification Form h. Inmate Handbook 2017 i. SCI Waymart Forensic Treatment Center Inmate Handbook Supplement j. DBA PROPIO LANGUAGE SERVICES Contract (translators) k. Mental Health Contact Note form, Attachment 1-G, (effective 6/30/16) l. PREA Pamphlet - Sexual Abuse Awareness, End the Silence... 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Random Staff d. Targeted Inmates e. Random Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. Inmate Cumulative Adjustment Record (ICAR) software system b. PA DOC PREA Prevention Through Awareness posters (English and Spanish) c. PREA video on inmate TV system d. PREA Audit Announcement posters posted throughout facility e. SCI Waymart Forensic Treatment Center Inmate Handbook Supplement (revised 2018) f. Inmate reception (Parole Violator) <p>Findings (By Provision):</p> <p>115.33 (a) (1-2). SCI Waymart has adopted a comprehensive written policy DC-ADM 008, which states (p. 2-18) all inmates shall receive information explaining the agency’s zero tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he is the victim of sexual abuse, sexual harassment, or retaliation.</p> <p>The policy further states medical staff shall provide a copy of the Sexual Assault Awareness</p>	

Information handout to the inmate immediately upon intake. The SCI Waymart intake process was observed by the auditor during the onsite phase of the audit. The process consists of intake staff providing each inmate (within hours of arrival to the facility) a copy of the agency inmate handbook (Spanish/English) and a copy of the SCI Waymart Forensic treatment Center Inmate Handbook Supplement (revised 2018). The handbooks both provide information on the agency's zero tolerance policy of sexual abuse or sexual harassment and the methods of reporting for inmates. Zero tolerance means that anyone who engages in, fails to report, or knowingly condones sexual abuse or sexual harassment of an inmate shall be subject to disciplinary action to and including termination and may be criminally prosecuted. The handbook informs the inmate that inmates and staff, who report sexual abuse or sexual harassment or cooperate in a "PREA investigation", shall be protected from retaliation.

In addition to the agency's inmate handbook, SCI Waymart has an inmate "SCI Waymart Forensic Treatment Center Inmate Handbook Supplement (revised 2018) that the auditor observed being provided to an inmate when observing the intake process during the onsite review. The handbook provides information (pp. 2-4) on the agency's zero tolerance policy of sexual abuse or sexual harassment and the methods of reporting for inmates. Zero tolerance means that anyone who engages in, fails to report, or knowingly condones sexual abuse or sexual harassment of an inmate shall be subject to disciplinary action to and including termination and may be criminally prosecuted.

The handbook informs the inmate that inmates and staff, who report sexual abuse or sexual harassment or cooperate in a "PREA investigation", shall be protected from retaliation. The auditor recommends enhancing this facility specific handbook to include information specific to SCI Waymart on how an inmate can report sexual abuse, sexual harassment and retaliation; an inmate reporting phone line unique to SCI Waymart is available to inmates by utilizing any of the inmate phones. Also provide information in the handbook that informs how and why opposite gender staff announce their presence when arriving on the housing units (bell system and verbal announcement "female on the unit" currently utilized).

When an inmate arrives at SCI Waymart, he will be seen by a medical or mental health professional (at least one of which is always on site) who will provide the inmate a copy of the agency Sexual Assault Awareness Information handout. The handout informs the inmate that any form of sexual abuse or sexual harassment will not be tolerated and provides the following reporting information:

- Tell any Department of Corrections Staff Member that you trust.
- Make a written request to any staff member.
- Send a written report to the Sexual Abuse reporting address:
BCI/PREA Coordinator, 1800 Elmerton Ave., Harrisburg, PA 17110
- Go online to www.tipsubmit.com to file an anonymous report.
- Have your family notify the facility, contact the PA State Police or file a report at www.tipsubmit.com.

The PREA coordinator shared with the auditor a copy of an email communication that was sent to the state's PREA compliance managers dated May, 2017. The memo, in part, shared that the information on www.tipsubmit.com has been deleted from Attachments 2-G (Sexual Assault Awareness Information handout). This website is no longer offered as a means to submit information. If you have posters with this information, it is acceptable to cross it off the

poster.

The inmate Sexual Assault Awareness Information handout, containing the www.tipsubmit.com for anonymous reporting and for inmate family members to report was uploaded to the National PREA Resource Center's Online Auditor System (OAS) for the auditors review (Feb. 2018). The agency should provide a communication accessible to all inmates (written and via the inmate TV channel) and staff clarifying the reporting process and ensure that only updated and current versions of the Sexual Assault Awareness Information handout is being distributed.

An asterisk marked comment on the inmate information Sexual Assault Awareness Information handout reads “* If someone is a known or believed to be LGBTI, it does not mean that they are automatically agreeing to sexual acts.” When updating the Sexual Assault Awareness Information handout, staff should remove this statement. It is offensive and may be interpreted as reinforcing a negative stereotype; it does not promote a sexually safe environment or provide for effective, professional communication with LGBTI individuals.

The agency Sexual Assault Awareness Information handout advises the inmate when they have first arrive at a facility, the means for reporting is to “tell a staff member you trust” and “to make a written request to any staff member”. The likelihood of an inmate knowing “who to trust” for reporting sexual abuse or sexual harassment is not realistic and to be advised to write to any staff person is further challenging when you are new to a facility.

The auditor recommends the facility work to develop a means for inmates, staff and the public to privately, confidentially, anonymously report SA/SH in an expeditious manner. This could be facilitated by developing a “PREA Hot Line Reporting” phone system enabling individuals to report sexual abuse, threats of imminent danger of being sexually abuse, sexual harassment and retaliation via a phone. This could be arranged with an agency outside the facility/ PA DOC who can receive allegations and information and report back timely to the facility and or agency for investigation.

Based on the handout information provided to inmates, currently the only timely means for an inmate to report if in imminent danger of sexual abuse, sexually assaulted, sexually harassed or retaliated against would be to verbally report to staff at the facility, make a written request to staff at the facility or to write to the Pennsylvania State Police based on the Sexual Assault Awareness Information handout provided to inmates at intake.

All inmates receive information at the time of intake (prior to receiving a housing unit assignment) about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. A mental health professional (medical staff in the absence of a mental health staff) meets with the inmate during the initial intake process and provides the inmate a copy of the Sexual Assault Awareness Information handout. After meeting with the inmate staffs complete the Mental Health Contact Note form, which documents that the “Sexual Assault Awareness Pamphlet” was provided to the inmate and reviewed.

The Mental Health Contact Note form is placed in the inmate's confidential medical file and a copy provided to the PREA compliance manager's office to track that all inmates arriving to

SCI Waymart are provided information on how to report incidents of sexual abuse or sexual harassment. This process was corroborated by interviewing specialized staff, targeted and random inmates during the onsite phase of the audit.

The facility reported the number of inmates admitted during the past 12 months was 886 and reported all 886 inmates received information on the agency's zero tolerance policy, how to report incidents or suspicions of sexual abuse or sexual harassment. The means for inmates in PA DOC to report incidents of sexual abuse or sexual harassment are messaged consistently from one facility to the next by means of the Sexual Assault Awareness Information handout.

Interviews conducted with specialized staff and inmates who had completed the intake process in the past six months; including the auditor's observations of the intake process corroborated the policy is aligned with the institution practice. Additionally, a random sampling of the Mental Health Contact Note (attachment 1-G) was reviewed in the medical unit by the auditor and found that comparing 10 random intake movement records (inmate's arrival to SCI Waymart) on a particular day showed that the arriving inmates had received the PREA pamphlet (Sexual Abuse Awareness, End the Silence...). The PREA pamphlet the auditor was provided during the onsite review had the reference to www.tipsubmit.com lined out with a marker. Other pamphlets located in various locations of the facility still contained this reference for anonymous reporting.

During the evidence review phase of the audit, the auditor was reviewing the PA DOC website page and found that the Sexual Assault Awareness Information handout was available on the PREA page with a link titled "English and Spanish PREA Handout". This handout included references to www.tipsubmit.com for an inmate to report anonymously and for family or friends to file a report. The auditor notified the agency PREA coordinator who stated he will work to correct the situation which was completed within days. The references to www.tipsubmit.com were deleted from the resource document that is posted on the PA DOC website.

115.33 (b). SCI Waymart has adopted a comprehensive written policy DC-ADM 008, which states (p. 2-18) within 30 days of reception, additional PREA educational information shall be provided to all inmates. All inmates shall be shown a video (available in Spanish, English and subtitles for both) regarding their rights to be free from sexual abuse, sexual harassment and from retaliation for reporting such incidents. They shall also be provided information on how to report incidents. Inmate education may be provided to inmates individually or in groups. SCI Waymart staffs who facilitate these weekly sessions in person utilize the National PREA Resource Center Inmate Education Facilitator's Guide PREA: What You Need to Know and is available to answer inmate questions. Staff remains in the room during the playing of the video What You Need to Know. Staff is available to answer inmate questions during one on one session in a private office. Staff remains in the room to observe and monitor inmate reactions. Staff and inmates acknowledged the above process occurs when the auditors conducted interviews and during informal interactions and discussions while onsite at the facility.

The facility reports that 890 of the 916 inmates received at SCI Waymart in the past 12 months have received comprehensive education and information within 30 days of their arrival to SCI Waymart. Of these 916, 26 inmates left (released/transferred) from SCI Waymart prior

to a 30 day stay therefore exempt from a comprehensive inmate education. The auditor was able to verify this through inmate movement records (arrived date and transfer/release date activities) in the ICAR system.

The agency policy, DC-ADM 008 (p. 19) states that during the inmate's annual review, the counselor shall discuss issues related to sexual abuse in prison and offer the inmate an opportunity to discuss related concerns. The counselor shall provide a Sexual Assault Awareness Informational handout at the time of the inmate's annual review.

During the onsite review, the auditor met with specialized staff and interviewed numerous random inmates that corroborate the policy with the facility's practices. The auditor reviewed five records that were provided during the pre-onsite audit phase and ten random records while on site with staff assistance accessing Inmate Cumulative Adjustment Records (ICAR) system with staff. A random day within five separate months was selected reviewing two new inmate arrivals to the facility. Two random inmates were selected from that day's intake list and then a review of the ICAR system was reviewed to determine if the randomly selected inmate had received a comprehensive PREA education within 30 days. All records selected confirm that the inmate had received training consistent with agency policy.

115.33 (c) (1-4). Facility staff and the PREA coordinator state that all PA DOC facilities have adopted the agency's DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training. As a result all reporting mechanisms and means to report sexual abuse and sexual harassment and retaliation for reporting such incidents are universal from one facility to the next.

115.33 (d) (1-5). The facility has PREA education information posters displayed throughout the facility printed in Spanish and English languages and a PREA educational video plays several times daily on the inmate TV system. If an inmate arrived at the facility and had any disabilities or Limited English Proficiency challenges, the facility is prepared to assign staff to meet with the inmate utilizing the National PREA Resource's PREA facilitator's guide titled, PREA What You Need to Know to provide PREA education. SCI Waymart also has a contract with a translation service to assist non-English speaking and or reading inmates who can assist in providing education on the agency's zero tolerance policy and how to report incidents of sexual abuse and sexual harassment. The facility also has PREA inmate education information available in braille.

115.33 (e). SCI Waymart has adopted a comprehensive written policy DC-ADM 008, which states (p. 2-19) sexual abuse, sexual harassment, and retaliation training shall be documented by the inmate signing the PREA Inmate Education Verification form (attachment 2-J). This form shall be filed in the DC-14 in accordance with Section 1 of the PA DOC procedures manual. Participation in the PREA inmate education session shall be documented in an Inmate Cumulative Adjustment Record (ICAR).

The auditor randomly selected inmate records within ICAR system and found compliance with the agency policy requiring documentation of inmate's attendance of these PREA education sessions. The auditor also observed ICAR entries by the counselor during the inmate's reassessment session; "Inmate was offered a copy of the sexual abuse prevention pamphlet and asked if he had any questions about PREA?"

115.33 (f). PREA information is continuously made available to inmates in many ways:

- Inmate Handbook 2017; which includes the agency's zero tolerance policy, definitions of sexual abuse and sexual harassment, how to report sexual abuse, sexual harassment and an inmate's right to be free from retaliation for reporting incidents and how to access free victim support services (English and Spanish versions of the handbook).
- SCI Waymart Forensic Treatment Center Inmate Handbook Supplement (revised 2018); which includes the agency's zero tolerance policy, definitions of sexual abuse and sexual harassment, how to report sexual abuse, sexual harassment and an inmate's right to be free from retaliation for reporting incidents and how to access free victim support services.
- DVD - PREA: What You Need to Know; played several times daily on the inmate TV system
- Sexual Assault Awareness Information handout made available to any inmate upon transfer from one facility to another.
- PA DOC PREA Posters located throughout the facility written in English and Spanish; describes zero tolerance for sexual abuse or sexual harassment and informs how an inmate can report sexual abuse or sexual harassment.
- Inmate's annual review; a counselor meets annually with the inmate and will provide PREA information in writing. Staff is available to answer any questions specific to PREA.
- SCI Waymart "HOTLINE"; this is an internal facility reporting phone number inmates may access from any inmate phone and can report a concern about safety, discreetly report an issue they are having a problem with and lastly the poster states "need to get information to the right people?"

The auditor had an opportunity to view all the above resources and activities during the onsite phase of the PREA audit and had multiple discussions with both staff and inmates in regards to these resources. Inmates were readily able to articulate how they could locate or reference a means to report incidents of sexual abuse or harassment.

Corrective Action:

1. Update or replace the agency Sexual Assault Awareness Information handout, attachment 2-H specific to the following:
 - a. Remove the reference to www.tipsubmit.com to file an anonymous report of sexual abuse, sexual harassment and replace with current information that allows for anonymous inmate reporting.
 - b. Remove the asterisk marked comment on the inmate information Sexual Assault Awareness Information handout that reads "** If someone is a known or believed to be LGBTI, it does not mean that they are automatically agreeing to sexual acts."
 - c. Provide a revision/effective date on the handout.
 - d. Place the agency's policy reference to the handout: Sexual Assault Awareness Information on the handout (top/title area).
 - e. Utilize definitions consistent with the PREA Standards:
 - i. Sexual Abuse
 - ii. Sexual Harassment
 - iii. Voyeurism
2. Revise the agency PREA pamphlet, Sexual Abuse Awareness, End the Silence....provided to inmates during the comprehensive education session (30 days of arrival to the facility) by removing reference to "Go on line to www.tipsubmit.com to file an anonymous report."
3. Update the agency's website on the PREA page; access the "English and Spanish PREA

Handout” tab which takes you to the Sexual Assault Awareness Information handout (both languages) and includes the references:

- a. (For an inmate to report) - Go online to www.tipsubmit.com to file an anonymous report.
- b. (For an inmate’s family) - Have your family notify the facility, contact the PA State Police or file a report at www.tipsubmit.com.

4. Educate staff and inmates on the revised handout and pamphlet; Sexual Assault Awareness Information handout and the Sexual Abuse Awareness, End the Silence...pamphlet.

- a. Provide documentation that demonstrates staff and inmates have been informed and educated on the revision/replacement of the Sexual Assault Awareness Information handout and the information contained within the handout.

POST INTERIM CORRECTIVE ACTIONS:

Following the issuance of the interim report on April 9, 2018, the PREA audit team coordinated multiple conference calls with the Pennsylvania Department of Corrections (PA DOC) PREA coordinator to discuss the process of revising the agency’s Sexual Assault Awareness Informational Handout (Attachment 2-H) that was being utilized at SCI-Waymart. In particular, the auditor requested that “Attachment 2-H” remove the reference to www.tipsubmit.com and replace with current information that permits anonymous inmate reporting, remove the comment that reads “If someone is a known or believed to be LGBTI, it does not mean that they are automatically agreeing to sexual acts,” and utilize definitions consistent with the PREA Standards.

In May, 2018, the PA DOC provided the PREA audit team with a revised “Attachment 2-H” that removed the reference to the “tipsubmit” website, LGBTI statement, and revised the definitions to reflect those consistent with the PREA Standards. In June, 2018 a bulletin was finalized and signed by the PA DOC Secretary on the changes being made to department policy DC-ADM 008, Section 2, Sexual Abuse/Sexual Harassment Prevention and Training (Attachment 2-H). Additionally, the name of Attachment 2-H was revised and retitled, PREA Intake Handout (Attachment 2-H).

On July 22, 2018, PREA audit team members Bucholtz and Dietz conducted a post-onsite audit at SCI-Waymart to review the completion of the revised Attachment 2-H. During the second on-site audit, 10 inmates were interviewed who were randomly selected from the facility’s admission database for June and July, 2018 in order to verify that the revised Attachment 2-H was being distributed to the inmate population. All inmates verified that they had received a copy of the PREA Intake Handout (Attachment 2-H). The auditors also verified that copies of the form were readily available within the intake area.

Based upon the revision to the PA DOC’s Attachment 2-H, bulletin revision, and on-site verification of the form’s dissemination to inmates, and through inmate interviews, the auditor determines that SCI-Waymart has demonstrated compliance with the provisions of this standard. The facility is now compliant with this standard.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment c. National PREA Resource Center’s Investigators Training; Utilizing Modules 1 – 5 <ol style="list-style-type: none"> i. PREA Update Investigation Standards ii. Trauma Victim Responses.pdf iii. First Response Evidence Collection.pdf iv. Prosecutorial Collaboration.pdf v. Investigations Agency Culture.pdf d. PREA Grant Project: Sexual Assault Investigator Training -7 modules; Dec. 2017 e. Employee training transcripts of those assigned to conduct sexual abuse/sexual harassment investigations 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Random Staff d. Targeted Inmates e. Random Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. Evidence collection and preservation response kit utilized for incidents of allegations sexual abuse. <p>Findings (By Provision):</p> <p>115.34 (a) SCI Waymart has adopted a comprehensive written policy DC-ADM 008, which states that any staff designated to conduct sexual abuse investigations shall receive training to include but 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.</p> <p>In 2017 the PA DOC adopted a comprehensive special investigations training program which was developed by the Massachusetts Department of Corrections by means of a technical assistance National PREA Resource grant. This seven part training curriculum provides education and instruction to those staff assigned to investigate sexual abuse allegations in a confinement setting. This seven part training curriculum was reviewed by the auditor during the pre-onsite audit phase. The lesson plan and training curriculum are utilized to provide education and instruction to those staff assigned to investigate sexual abuse allegations in a</p>

confinement setting. According to the training records reviewed by the auditor, four of the 14 trained investigators attended the most recent agency special investigations training in December 2017.

115.34 (b) The comprehensive training curriculum utilized to train staff assigned to investigate allegations of sexual abuse and sexual harassment includes 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. The training is a 12 hour course conducted in two consecutive days.

115.34 (c) (1-2). All of the 16 SCI Waymart investigators responsible for conducting investigations of sexual abuse or sexual harassment in a confinement setting completed specialized investigations training in 2017 according to their training records. The auditor reviewed all of the investigators training records during the pre-onsite audit which the facility staff provided in the OAS. Two of the investigators that were interviewed during the onsite review, confirmed that they had received specialized investigations training specific to the elements of this standard.

Corrective Action: The audit team recommends no corrective action.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. Medical and Mental Health training roster 2017 c. PREA Training and Understanding Verification Form, classroom d. In-service Training Roster e. PREA Medical and Mental Health Care PREA Standards, Lesson Plan 2017 revised f. PREA Medical and Mental Care Standards, Participant Guide g. PREA – Medical Response (pocket card) 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Targeted Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. Medical staff referencing PREA – Medical Response pocket card (kept on person) b. PREA Posters (English and Spanish) posted throughout medical and clinical care units. <p>Findings (By Provision):</p> <p>115.35 (a) 1-3 SCI Waymart has adopted a comprehensive written policy DC-ADM 008 (p. 2-16) that states all staff (full time, part-time, licensed, non-licensed and contract) providing medical and mental health services to inmates shall receive training on working with victims of sexual abuse and sexual harassment. This specialized training shall include but not be 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.</p> <p>The auditor reviewed the training materials specific to the medical and mental health care providers training and found both the training curriculum and the staff’s user guide met the criteria of this portion of the standard’s requirements.</p> <p>During the onsite phase of the audit, both medical and mental health staff that was interviewed were able to articulate their knowledge and responsibilities of 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.</p>

115.35 (b) SCI Waymart facility medical staff does not conduct forensic exams. The community hospital (Wayne Memorial Hospital) provides these services as necessary.

115.35 (c) Staff report that all 81 medical and mental health care providers (employees and contractors) that provide these services to inmates have received agency training of 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. The auditor viewed 43 staff names who signed the training sign in log signifying they had attended their annual PREA training in 2017. The auditor then reviewed 14 of the 43 staff records and five contract staff's records for their PREA Training and Understanding form completion.

115.35 (d) The auditor was able to view training sign in logs and employee PREA Training and Understanding Verification forms specific to specialized medical training, training required of all employees who have contact with inmates (§115.31) and training for those contracted staff who have contact with inmates (§115.32). The training records reflect that the medical and mental health care staffs have received the appropriate PREA training per the requirements of the standards. During the pre-onsite audit phase, the auditor reviewed 14 staff and five medical contractor training records provided in the OAS that reflect the medical and mental health care staffs have received the appropriate PREA training per the requirements of the standard.

Corrective Action: The audit team recommends no corrective action.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. PA DOC PREA Risk Assessment Tool (PRAT) 2. Interviews: <ol style="list-style-type: none"> a. PREA Coordinator b. PREA Compliance Manager c. Specialized Staff d. Random Staff e. Targeted Inmates f. Random Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. Administration of an initial PRAT at intake b. PRAT records maintained in the agency’s WebTAS system <p>Findings (By Provision):</p> <p>115.41 (a) PA DOC has adopted a comprehensive agency policy DC-ADM 008 (pp. 10-11) that states all inmates shall be assessed during the intake screening process to include upon receipt into another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. The auditor reviewed the six initial risk assessments and the six 30 day risk re-assessment documents during the pre-onsite phase of the audit provided by the facility via the PREA Audit Questionnaire (PAQ) in the Online Audit System (OAS).</p> <p>During the onsite phase of the audit, results of risk assessments were observed by the auditor with specialized staff utilizing the automated WebTAS (inmate information software) system. The agency’s automated PREA Risk Assessment Tool (PRAT) results and scores are maintained within the WebTAS inmate information system. Based on interviews, site observations and records reviewed within WebTAS, all inmates are screened during the intake process for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.</p> <p>115.41 (b) 1-2 SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008 (pp.10-11) that states all inmates shall be assessed during the intake screening process for risk of being sexually abused by other inmates or sexually abusive toward other inmates. The initial assessment shall be conducted within 72 hours of reception by qualified health care or unit management staff.</p> <p>During the pre-onsite phase of the audit, the auditor reviewed six records provided by the</p>

facility in the PAQ, which showed that all six inmates had received their initial PRAT on the same day they arrived at the facility.

During the onsite review, the auditor met with specialized staff that has been provided security access based on job duties that require a “need to know” access to the WebTAS system. The review consisted of utilizing the inmate movement history in combination of when (date) staff administered the initial risk assessment utilizing the PRAT. Of the 12 random inmates selected (during the onsite review) from 10 separate months in 2017, records consistently showed that inmates received their initial assessment on the same day they arrived at the facility. The auditor was able to observe an initial PRAT assessment conducted by specialized staff at intake with the permission of the inmate. It is the facility’s practice to administer the initial PRAT while the inmate is still processing through intake prior to being given a housing unit/cell/room assignment. This is consistent with inmate and staff interview accounts and what the auditor observed during the onsite review.

115.41 (c) SCI Waymart has adopted an agency written policy DC-ADM 008 (pp.10-11) that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (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:

(1) Whether the inmate has a mental, physical, or developmental disability; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes.

The agency PRAT is comprised of 22 questions. Of the 22 questions, the auditor has determined some of the questions are compound questions. In those circumstances, it is unclear which question the inmate is responding to and how the tool is scoring one response for two different questions? Additionally, some of the questions are not objective. See below; the following is a list of questions the auditor is highlighting for corrective action along with their corresponding number within the PRAT:

1. Have you ever been convicted of a crime using force or threat of force?
2. Did your current offense involve either personal violence or any sexual act?
6. Does the inmate appear to be: (staff selection options; Heterosexual, Homosexual or Bi-Sexual)
8. Which of the following is how you describe your gender identity? Response options with definitions:
 - Cisgender – meaning you identify with the sex you were born as.
 - Transgender – meaning you identify with the opposite sex you were born as.
 - Gender non-conforming – meaning you look or behave opposite than society expects for your sex.
 - Intersex – meaning you were born with a combination of both male and female sex organs.
 - No response
9. Have you ever been physically victimized or sexually victimized before this incarceration?

10. Have you ever victimized someone either physically or sexually before this incarceration?
18. Does the inmate appear to have a developmental disability?

115.41 (d) 1-10 SCI Waymart has adopted an agency written policy DC-ADM 008 that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (PRAT). The PRAT shall consider at a minimum, the 10 criteria listed 115.41 (c) above.

The PRAT tool asks the three following questions in an effort to meet the elements of the provisions above:

5. Which of the following describes your sexual orientation? Response options: Heterosexual, Homosexual, Bi-sexual or No Response.
6. Does the inmate appear to be: Heterosexual, Homosexual or Bi-Sexual?
8. Which of the following is how you describe your gender identity? Response options:
 - Cisgender – meaning you identify with the sex you were born as.
 - Transgender – meaning you identify with the opposite sex you were born as.
 - Gender nonconforming – meaning you look or behave opposite than society expects for your sex.
 - Intersex – meaning you were born with a combination of both male and female sex organs.
 - No response

The use of homosexual is an out dated term and pejorative. The auditor recommends corrective action for the agency to adopt and incorporate terms and definitions (when available) consistent with the PREA standards (lesbian, gay, transgender, gender nonconforming, intersex). One cannot determine an inmate's sexual orientation by their physical appearance or mannerisms; this is an internal emotion, romantic or sexual desire of another. Intersex means a person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development, and thus is a medical condition.

In an effort to create a more inclusive, respectful and professional interaction with all inmates, the agency should update their terminology and definitions within the PRAT. It is imperative that staff strive to develop a professional and non-judgmental rapport with the inmate to encourage honest, complete and accurate responses. The information obtained from inmates will be used to inform housing, bed, work, education, and program assignments with the goal of keeping separate those at high risk of being sexually victimized from those of at high risk of being sexually abusive.

115.41 (e). SCI-Waymart has adopted an agency written policy DC-ADM 008, that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (PRAT). The following questions are part of the PRAT tool and the number below corresponds to the number of the question within the PRAT:

1. Have you ever been convicted of a crime using force or threat of force?
2. Does your current offense involve either personal violence or any sexual act?
10. Have you ever victimized someone either physically or sexually before this incarceration?
12. Have you ever sexually victimized anyone while incarcerated?
13. Did any of your current or prior offenses involve sexually victimizing a child victim?
14. Did any of your current or prior offenses involve sexually victimizing an adult victim?

The auditor reviewed the PRAT questions during the pre-onsite phase of the audit (in hard copy form) and again with specialized staff during the onsite phase of the audit. When viewing the agency's WebTAS system, 22 questions are programmed into the software, changes/deletions of questions cannot occur. The auditor determined through specialized staff and inmate interviews that the above questions are utilized when staff administers the PRAT. These questions are used to assess an inmate for risk of being sexually abusive.

115.41 (f) 1-2 SCI Waymart has adopted an agency written policy DC-ADM 008, that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (PRAT). The PRAT shall be completed in the agency's WebTAS system, which is the agency's automated electronic inmate information software. A reassessment shall be conducted between day 20 and 30 of every inmate's arrival to the facility. During the onsite review, the auditor met with two separate specialized staff who had security access into the WebTAS system (based on their job responsibilities) to view PRAT results and the date that PRAT was administered.

The auditor selected and reviewed 12 random inmate records in WebTAS with staff to determine if those 12 inmates had received a risk reassessment within 30 days of arriving at SCI Waymart. The records revealed that five of the 12 records had a reassessment completed four months or later since the inmate's arrival at the institution; 2 of the records revealed that the reassessment have yet to be completed (9+ months since arrival); 1 record revealed the reassessment occurred 62 days after arrival; 2 records revealed the reassessments had occurred prior to day 20; and two PRAT reassessments did occur within the 20-30 day time frame as required by the agency policy.

During random inmate interviews, inmates in general recalled having been asked the risk assessment questions from the PRAT that was administered upon arrival to the facility but most did not have a clear recall of an additional reassessment since their arrival to the prison; a number of the inmates interviewed have been at the prison for several years. Numerous inmates reported that they do meet with their counselor for a yearly review and believe they have a PRAT conducted at that time.

115.41 (g) SCI Waymart has adopted an agency written policy DC-ADM 008, that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (PRAT) 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.

Three inmate medical files were reviewed during the onsite audit and two investigative files of sexual abuse allegations reviewed. The file reviews provided documentation that a PRAT reassessment had been completed as a result of the inmate's report of sexual abuse. The facility reports a total of 8 allegations of sexual abuse occurred in the past 12-months.

As stated in the agency policy, an inmate's risk level shall be reassessed by the PREA compliance manager, utilizing the PRAT, 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. The PCM confirmed that reassessments are required and are completed due to a referral, request and incident of sexual abuse. Based on the documentation observed by the auditor and during specialized staff interviews, the auditor has

concluded that the facility practices are consistent with the agency policy and the provision of this PREA standard.

115.41 (h) SCI Waymart has adopted an agency written policy DC-ADM 008, that states in part the PREA risk assessments shall be conducted utilizing the PREA Risk Assessment Tool (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.

The auditor had several informal conversations with staff that are trained and responsible for administering a risk assessment, to include specialized staff interviews. All stated if an inmate refuses to answer a PRAT question, the staff member administering the tool shall document that the inmate refused to answer the question. The staff member shall also discuss with the inmate the importance and reason for honestly answering the questions on the risk assessment to assist in providing safe and appropriate housing, work and program assignments. The inmate would not be punished or disciplined for not answering or refusing to answer a PRAT question.

115.41 (i) The agency has developed a PREA Risk Assessment Tool (PRAT) training curriculum to deliver training for staff who administer the PRAT. Staffs who participate in the training are provided a PREA Risk Assessment Tool User Guide. Included in the user guide is a section that is titled "Confidentiality". The information and instruction provided to staff includes:

- Security access controls limit editing and view access to the PRAT electronic data.
- Access to the data/printed reports must be handled with caution so the information is not used to the inmate's detriment.
- Information will only be shared with other staff that has a "need to know".
- Staff shall not divulge the inmate's PRAT score to the inmate nor the inmate's PRAT classification.

During the onsite audit review, the auditor met with specialized staffs who administer the PRAT. They were able to demonstrate the security features of the WebTAS system specific to the PRAT. Once staff completes a PRAT by "submitting" the assessment, the user can no longer access the report completed. Staff identified by their job responsibilities/classification (i.e. medical, mental health, unit managers, counselors, PCM and program/work supervisors) and is trained in the use of the PRAT, is the only individual authorized by the agency system to log into and access the PRAT data and information. Security settings are established in the software which controls access to sensitive PRAT information and is accomplished by password protection controls.

Corrective Action:

1. Adopt terms and definitions current and consistent with the PREA standards and the National PREA Resource Center resources for use in revising the agency policy, objective screening instrument (PRAT), training curriculum and staff user guide.
2. Eliminate compound assessment questions and replace with singular.
3. Develop a training curriculum that informs staff on the importance and means by which to have effective and professional communication with LGBTI inmates. This requires a basic

understanding of:

- Sexual orientation;
- Gender identity;
- Gender expression;
- How sex is assigned at birth;
- Staff's own gaps in knowledge and cultural beliefs;
- How the above factors may impact the ability to conduct effective interviews and assessments;

4. Request technical assistance from the National PREA Resource Center (PRC) to develop an objective risk screening instrument and training on same. The PRC provides technical assistance at no cost.

5. Designate a staff person responsible for developing a process to ensure that 20-30 day PRAT reassessments are conducted for each inmate at SCI Waymart.

6. Electronically send the auditor a monthly WebTAS intake report by the 5th of each month listing the date, time and name of all of the inmates who arrived at the facility during the previous month. The auditor will then randomly select inmates from the report and request verification of 20-30 day PRAT reassessment records the following month.

POST INTERIM CORRECTIVE ACTIONS:

Following the issuance of the interim report on April 9, 2018, the PREA audit team coordinated multiple conference calls with the Pennsylvania Department of Corrections (PA DOC) PREA coordinator to discuss the process of revising the PREA risk assessment tool (PRAT) that was being utilized at SCI-Waymart. Upon agreement between the PREA audit team and the Pennsylvania Department of Corrections, a request for technical assistance was issued to the PREA Resource Center. Ms. Bernadette Brown was selected by the PRC as the consultant for the revision of the PRAT.

In coordination with Ms. Brown, the PREA audit team and PA DOC agreed to the recommended changes to the PRAT. A final version of the PRAT was provided to the PREA audit team on May 9, 2018. The PA DOC then conducted five webinar training sessions for agency staff involved with the PRAT on May 23-25, 2018. Training records were also provided by SCI-Waymart to verify that the training had been completed. The revised PRAT was deployed on the PA DOC WebTAS on May 24, 2018. In June, 2018 a bulletin was finalized and signed by the PA DOC Secretary on the changes being made to department policy DC-ADM 008, Section 2, Sexual Abuse/Sexual Harassment Prevention and Training, PREA Risk Assessment Tool (PRAT) (Attachment 2-E).

On July 23, 2018, PREA audit team members Bucholtz and Dietz conducted a post-onsite audit at SCI-Waymart to review the completion of the revised PRAT. During the second on-site audit, a Registered Nurse who completes the initial assessment and a counselor who conducts reassessments were interviewed. Additionally, 10 inmates were interviewed who were randomly selected from the facility's admission database for June and July, 2018 in order to verify that the revised PRAT was being utilized. Similarly, the PRAT's for these inmates were also reviewed on the agency's WebTAS to confirm the use of the revised PRAT. The auditors were also able to observe a PRAT being completed with an inmate and counselor.

The interim report submitted on April 9, 2018 also found that reassessments of the PRAT were not being completed within 30 days according to Standard 115.41(f). During the second on-site audit a counselor was interviewed who completes the reassessments, and 10 inmates were interviewed who were randomly selected from the facility's admission database for June and July, 2018. Reassessments for these inmates were also reviewed on the agency's WebTAS to confirm that the reassessments were occurring within 30 days.

Based upon the revision to the PA DOC PRAT, staff training, bulletin revision, on-site verification of the PRAT's use through WebTAS, on-site verification of the PRAT reassessments being completed within 30 days through WebTAS, and staff and inmate interviews, the auditor determines that SCI-Waymart has demonstrated compliance with the provisions of this standard. The facility is now compliant with this standard.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 9 – Working with Transgender and Intersex Inmates c. PREA Risk Assessment Tool (PRAT) d. Gender Review Committee (GRC) Checklist form e. Institutional High Risk/Sexual Predator list f. Institutional High Risk Victim list 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Targeted Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. WebTAS system records (PRAT reports and information) <p>Findings (By Provision):</p> <p>115.42 (a) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008 (pp. 10-13) that states all inmates shall be assessed for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Staff uses the PREA Risk Assessment Tool (PRAT) results to make these assessments. 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.</p> <p>The PREA standard 115.41(c) Screening for risk of victimization and abusiveness requires that such assessments shall be conducted using an objective screening instrument. The auditor has determined that the agency’s PRAT is not an objective risk screening tool and therefore the information gleaned from this screening instrument may not accurately inform staff on inmate housing, bed placement, work, education and program assignments.</p> <p>The auditor discussed the practicality and use of the PRAT with numerous staff within the facility. There is a clear understanding and process established that staff shall not make a housing unit, bed, work, program or education assignments without prior approval from the program, work supervisor and or unit manager of the housing unit etc. The approval of these types of moves or assignments is provided to those management and department heads that have access to viewing the confidential and restricted information in the Unit Management System WebTAS (inmate electronic information system). The WebTAS has user security roles</p>

built into to the software allowing only staffs (i.e. medical, mental health, PCM, counselors, unit managers, work and program supervisors) that has a working need to know access to sensitive, confidential inmate information within the system; WebTAS.

115.42 (b). The auditor discussed the use of the PRAT information with numerous staff within the facility and held specialized staff interviews while onsite. Staff was able to articulate the important safety and security needs for assessing each individual inmate for being at high risk of sexual victimization and or high risk of being sexually abusive. Additionally staff shared that when an inmate is identified of being at high risk of sexual victimization; staff is responsible for keeping separate an inmate who is at high risk for being sexually abusive (housing, program, work assignments). An example would be that an inmate identified as being high risk for sexual victimization would not be celled together with an inmate who has been identified as high risk for sexual abusiveness.

The WebTAS system maintains two separate reports; one is titled "Potential Sexual Assault Victim Report" and "Institution Sexual Predator". These lists are restricted within the WebTAS system (only staff as noted above who have access to PRAT information) and are used to keep separate those who are at high risk of being sexually abusive from those who are at high risk of sexual victimization. The auditor was able to view a sample of these reports provided by the facility in the PAQ.

There is a clear understanding and process established that line staff shall not make an inmate housing, bed, work, program and education assignment without prior approval from the program, work supervisor, or unit manager as appropriate. The approval of these types of moves or assignments is provided to those management and department heads that have security controlled access to viewing the confidential and restricted information in the inmate electronic information system WebTAS.

115.42 (c) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section – 9 Working with Transgender and Intersex Inmates (p. 9-2). Once an inmate has been identified as transgender or intersex individual, immediate notification shall be sent to the PREA Compliance Manager (PCM). The PCM shall meet privately with the inmate within five days of notification and complete the Gender Review Committee (GRC) Checklist.

Within five business days of meeting with the inmate, the PCM shall schedule a meeting of the Gender Review Committee. The purpose of the GRC is to make individualized determinations about transgender or intersex inmates' housing and programing assignments to ensure their safety. The facility reports two GRC occurred during the past 12-months. The auditor was able to review both of these files and found the documentation contained in the file was consistent with agency policy.

SCI Waymart is a facility identified within the PA DOC for not housing a transgender or intersex inmate. A majority of the general population housing units' at SCI Waymart are dormitory setting and the physical design of the inmate showers in a number of housing areas does not afford a transgender or intersex inmate privacy from others, therefore a transgender or intersex inmate would by agency practice be transferred to a PA DOC "proto-typical" facility to allow for privacy as appropriate.

115.42 (d) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section – 9 Working with Transgender and Intersex Inmates (p. 9-2). Policy states, once an inmate has been identified as transgender or intersex individual, immediate notification shall be sent to the PREA Compliance Manager (PCM). The PCM shall meet privately with the inmate within five days of notification and complete the Gender Review Committee (GRC) Checklist. Following the initial assessment, the inmate shall be reassessed every six months to review any threats to safety experienced by the inmate.

The auditor received confirmation from the PCM and other specialized staff who are assigned to participate on the GRC that the above outlined process would occur consistent with policy. During the 12-month review period the GRC committee has met to review two cases. One case involved an inmate who identified as transgender and at the inmate's and GRC's recommendation was transferred to another PA DOC facility to accommodate separate showering need and to enhance the agency's ability to manage the inmate's safety concerns.

The second inmate continues to be managed at the facility specific to his program and treatment needs. During the onsite phase of the audit staff were able to provide the auditor additional records and documentation specific to the inmate's treatment and program needs that demonstrate a frequent review of the inmate's safety concerns are discussed with the inmate and documented almost monthly.

115.42 (e) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section – 9 Working with Transgender and Intersex Inmates (p. 9-3). The policy states in part that a transgender/intersex inmate's own views, with the respect to his/her own safety shall be given serious consideration.

When completing the Gender Review Committee (GRC) Checklist, one of the questions asked of the inmate is under the Safety/Security Considerations: "Explain whether your current housing placement represents a safety or security concern." The inmate's response is to be recorded on this form to include staff's recommendations and responses. The auditor reviewed one GRC file which contained comments/quotes from the inmate in response to the questions on the GRC checklist. Some of those questions are as follows:

- Gender at birth?
- Which gender do you identify as?
- How long have you been living as that gender?
- Have you had a gender-affirming surgery?
- Explain whether your current housing placement represents a safety or security concern.
- Does the inmate present as gender non-conforming?
- Does the inmate concur with the GRC recommendations for housing placement?

The auditor interviewed the PCM based on the policy and practice of the facility which corroborated the practices of the facility aligns with the agency policy and the element requirement of this standard. The auditor recommends the agency/facility rephrase the question "How long have you been living as that gender?" to "When did you transition?" and to add a question "Have you been diagnosis with gender dysphoria (if yes, when and by

whom)?"

115.42 (f) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section – 9 Working with Transgender and Intersex Inmates (p. 9-6). The policy states in part that transgender/intersex inmates shall be given the opportunity to shower separately and privately from other inmates.

SCI Waymart PREA compliance manager informed the auditor that if an inmate were to report as transgender or intersex, the above steps would occur for an individual review and then a temporary means for showering privately (if the inmate desired after being asked). The inmate would be transferred to a facility where the physical plant can better accommodate the privacy of the inmate, showering being the main concern and challenge while at SCI Waymart.

115.42 (g) SCI Waymart has adopted a comprehensive agency written policy DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section – 2 (p. 2-13) the policy states that the department shall not place lesbian, gay, bi-sexual, transgender and intersex (LGBTI) inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgement for the purpose of protecting LGBTI inmates.

Interviews with the PCM, specialized staff and inmates during the onsite portion of the audit, corroborated that LGBTI inmates are not housed in a dedicated unit or housing area within the facility. During the onsite review of the facility, the auditors did not observe any segregation or separation of LGBTI inmates into dedicated units or wings. The facility reports that no transgender or intersex inmates are housed at the facility (reference 115.42 c). The agency PC and the facility PCM reports SCI Waymart is not under any decree or order to separately house LGBTI inmates.

Corrective Action:

1. Utilize screening information from an objective screening tool to inform housing, bed, work, education and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those of high risk of being sexually abusive.
2. Adopt terms and definitions current and consistent with the PREA standards and the National PREA Resource Center resources for use in revising the agency policy, objective screening instrument (PRAT), training curriculum and staff user guide.
3. Eliminate compound assessment questions and replace with singular.
4. Develop a training curriculum that informs staff on the importance and means by which to have effective and professional communication with LGBTI inmates. This requires a basic understanding of:
 - Sexual orientation;
 - Gender identity;
 - Gender expression;
 - How sex is assigned at birth;
 - Staff's own gaps in knowledge and cultural beliefs;
 - How the above factors may impact the ability to conduct effective interviews and assessments;

5. Request technical assistance from the National PREA Resource Center (PRC) to develop an objective risk screening instrument and training on same. The PRC provides technical assistance at no cost.
6. Establish oversight and monitoring of the WebTAS to assess “glitches” or errors in the system.

POST INTERIM CORRECTIVE ACTIONS:

115.42 (a) Use of screening information

Based upon the review and analysis of all the available evidence, the auditor has determined the facility and agency is fully compliant with this standard requiring the agency to use information from the risk screening required by 115. 41 (utilizing an objective screening instrument) to inform housing, work, education and programing assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

The agency and facility have effectively demonstrated compliance during this period of corrective action with supporting documentation, interviews, and revised training guides and policy. The facility is now compliant with this standard.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training b. DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual Section 1 – Placement in Administrative Custody Status c. Initial Response Check List – Alleged Victim form d. Administrative Custody Services Access Restriction form 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager b. Specialized Staff c. Random Staff d. Targeted Inmates 3. Site Review Observations: <p>Findings (By Provision):</p> <p>115.43 (a) 1-2. SCI-Waymart has adopted a comprehensive written policy DC-ADM 008 (p. 2-6), which states that an inmate at a high risk for sexual victimization or an inmate who has allegedly suffered sexual 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 facility manager/designee, 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.</p> <p>The PREA compliance manager and other specialized staff report that zero inmates were placed in involuntary segregated status/AC during the past 12 months as a result of being at a high risk for sexual victimization or when an inmate alleged sexual abuse. This was further corroborated through inmate interviews during the onsite portion of the audit.</p> <p>115.43 (b) 1-3. SCI-Waymart has adopted a comprehensive written policy DC-ADM 008 (p.2-6), which states that when an inmate at a high risk for sexual victimization or an inmate who has allegedly suffered sexual abuse and a determination has been made that there is no other available alternative means of separation from likely abusers or the assessment cannot be conducted immediately, the facility may hold the inmate in involuntary AC for less than 24 hours.</p> <p>Access to programs, privileges, education, or work opportunities shall be afforded to that inmate to the extent possible. If the facility restricts access to these opportunities, the facility shall document in the Involuntary Administrative Custody Services Access Restriction form.</p>

The form requires staff to document; the opportunities that have been limited, the duration of the limitation and the reasons for such limitations.

The PREA compliance manager and other specialized staff report that zero inmates were placed in involuntary segregated status/AC during the past 12 months. Not for any period of time as a result of being at a high risk for sexual victimization or when an inmate alleged sexual abuse. This was further corroborated through inmate interviews during the onsite portion of the audit.

115.43 (c). The PREA compliance manager and other specialized staff report that zero inmates were placed in involuntary segregated status or AC during the past 12 months as a result of being at a high risk for sexual victimization or when an inmate alleged sexual abuse. This was further corroborated through inmate interviews during the onsite portion of the audit.

115.43 (d). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008, Section 1 - Placement in Administrative Custody (p.1-2), which states that when an inmate at a high risk for sexual victimization or an inmate who has allegedly suffered sexual abuse would be placed involuntarily in AC, this would occur only until an alternative means of separation from likely abusers can be arranged and such assignment shall not ordinarily exceed 30 days.

If an involuntary AC placement is made, the facility shall clearly document on the DC-141, Part 1 Report the following; basis for the staff member's concern for the inmate's safety, other alternative means of separation that were explored and the reason why no alternative means of separation can be arranged.

115.43 (e). SCI-Waymart has adopted a comprehensive written policy DC-ADM 008, Section 1 - Placement in Administrative Custody (p.1-2), which states at least every 30 days, the Program Review Committee (PRC) shall ensure each such 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 Report form. PRC review of PREA related cases shall include the PREA compliance manager as a member of the reviewing committee.

The specialized staff report no such placement or review has occurred in the last 12 months.

Corrective Action: The audit team recommends no corrective action.

115.51	Inmate reporting
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 3 (Reporting Sexual Abuse and Sexual Harassment) c. Random Criminal and Administrative Investigations d. Form DC 135A e. Form DC 121 2. Interviews: <ol style="list-style-type: none"> a. Investigative Staff b. Random Staff c. Random Inmates d. Targeted Inmates e. Contract Staff 3. Site Review Observations: <ol style="list-style-type: none"> a. PREA Posters b. Abuse Hotline c. SCI-Waymart Hotline d. WebTAS system <p>Findings (By Provision):</p> <p>115.51 (a) 1. SCI-Waymart has adopted a comprehensive agency policy that allows for a variety of mechanisms to report sexual abuse, sexual harassment and retaliation. Policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) states in part that staff shall accept and document reports made verbally, in writing, anonymously, and from third parties and promptly forward to the facility's designated investigators.</p> <p>During the onsite audit phase, the auditor observed that there were PREA posters readily accessible and visible throughout the facility that provide instructions on reporting sexual abuse and sexual harassment. The poster information included: Written or verbal report to staff, submitting a DC 135A inmate request to staff member, and report in writing to BCI/PREA Coordinator 1800 Elmerton Avenue, Harrisburg PA 17110 in which the inmate can omit a return address, inmate number to maintain anonymity, and postage. This was also verified by the auditor during a discussion with mailroom staff.</p> <p>The BCI/PREA coordinator is the Bureau of Criminal Investigations with the Pennsylvania State Police. Inmates are provided 10 free envelopes (postage is paid for) by the facility. This was verified by informal interviews with staff and inmates during the onsite audit phase. Mail to the above address is processed as legal mail indicated in policy and verified through</p>	

interviews with specialized staff.

During the onsite audit phase, the auditor observed that SCI-Waymart has an internal phone line that is recorded in the security office and observed by the security captain and is available to inmates at the facility. Investigative staff indicated that the phone was not intended for sexual abuse/sexual harassment allegations but inmates do occasionally report this way. This hotline was tested while on-site and the auditors received a response within 24 hours. A poster by the phone indicates:

SCI Waymart Hotline

Having a problem and want to report it discretely?

Need to get information to the right people?

Concerned about safety?

Direct, confidential access

All inmate phones can now access the Waymart hotline at 570-488-2602

Does not need to be on your phone list

Will not be charged to any account

There are additional posters by separate inmate phones (in all general population housing units) informing inmates that an ABUSE hotline is available and to call the number to report physical abuse incidents. The auditor tested this system and found that the system is answered with an automated recording allowing inmate to report sexual abuse. This phone line goes to the agency's central office.

During the onsite audit phase, the auditor observed in the WebTAS system that over the past 12 months the majority of sexual abuse and sexual harassment reports were verbalized or written to staff. Interviews with random staff indicated that they have knowledge of and follow their reporting responsibility and are required to report the allegations to the shift commander and submit a written report detailing the allegations (DC-121).

Random and targeted interviews with inmates indicate that they are made aware of the variety of methods that are available to report sexual abuse and sexual harassment during their orientation. Inmates said they can get the address from posters visible throughout the facility and through the inmate PREA television channel. Inmates said they are able to report verbally or in writing or have friends and family make reports on their behalf. Interviews with random staff and a contractor stated that they were informed of their reporting responsibility as part of the annual PREA training and intermittent refreshers, as well as by the posters displayed throughout the facility.

115.51 (b) 1-2. Inmates may report sexual abuse/sexual harassment by writing to the Bureau of Criminal Investigations, Pennsylvania State Police PREA Coordinator at the following address: BCI/PREA Coordinator 1800 Elmerton Av, Harrisburg PA 17110. The auditor was able to view these postings located throughout the facility (housing units, visitation area, recreation, dining area, work and program areas, etc.) during the site review. This written communication allows for an inmate to anonymously report incidents of sexual abuse, sexual harassment and or retaliation.

Interviews with random inmates indicated that they were aware of how to report allegations of

sexual abuse and sexual harassment. The inmates said they can tell staff, write a complaint or call the abuse hotline. Some inmates said they saw the PREA posters and know there is an address on there to write to regarding sexual abuse and sexual harassment. The auditor recommends that SCI-Waymart provide information to the inmate population that educates them that the BCI/PREA Coordinator for the Pennsylvania State Police is different than the SCI-Waymart PREA compliance manager so they understand that they are writing to an outside source.

Agency policy stipulates that no inmates may be detained solely for civil immigration purposes. This was confirmed during informal discussions with the PREA compliance manager and superintendent.

115.51 (c) 1-2. Interviews with random staff indicated that they have knowledge of their reporting responsibilities. Staff was able to articulate to the auditor during formal and informal discussions that they are required to report all allegations of sexual abuse and sexual harassment made verbally, anything received in writing, anonymous reports, and from third parties. Each of these incidents/reports would require staff to immediately inform the shift commander and that staff submit a written report as soon as possible detailing the allegations on form DC-121. All allegations are then referred to specially trained staff for investigation.

115.51 (d) 1-2. Interviews with random staff indicated that SCI-Waymart staff believes that they can speak with the shift commander in a private setting if they requested it to report sexual abuse, sexual harassment or retaliation. During the onsite audit phase, the auditor was able to identify areas within each housing unit where staff could go to either radio or telephone the shift commander to maintain confidentiality.

Corrective Action: The audit team recommends no corrective action.

115.52	Exhaustion of administrative remedies
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1273 360">The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> <li data-bbox="252 416 443 450">1. Documents: <ol style="list-style-type: none"> <li data-bbox="252 461 868 495">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="252 506 1430 573">b. Policy DC-ADM 008, PREA Procedures Manual, Section 3 (Reporting Sexual Abuse and Sexual Harassment) <li data-bbox="252 584 1465 651">c. Policy DC-ADM 804, Inmate Grievance System Procedures Manual, Section 1 (Grievances and Initial Review) <li data-bbox="252 663 660 696">d. SCI-Waymart Grievance Log <li data-bbox="252 707 520 741">e. Inmate Handbook <li data-bbox="252 752 405 786">f. Form 1-C <li data-bbox="252 797 584 831">g. Random Investigations <li data-bbox="252 887 427 920">2. Interviews: <ol style="list-style-type: none"> <li data-bbox="252 931 466 965">a. Random Staff <li data-bbox="252 976 504 1010">b. Specialized Staff <li data-bbox="252 1055 628 1088">3. Site Review Observations: <ol style="list-style-type: none"> <li data-bbox="252 1099 798 1133">a. Grievance Lock Boxes in Housing Units <p data-bbox="252 1189 561 1223">Findings (By Provision):</p> <p data-bbox="252 1267 1487 1514">115.52 (a) 1. Policy DC-ADM 804, Section 1 (Grievances and Initial Review) states in part, that the inmate grievance system is intended to deal with a wide range of issues, procedures, or events that may be of concern to an inmate. It is not meant to address incidents of an urgent or emergency nature including allegations of sexual abuse. Any allegation of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual abuse must be addressed through department policy DC-ADM 008, Prison Rape Elimination Act (PREA).</p> <p data-bbox="252 1570 1471 1895">Further, DC-ADM 804 maintains that written reports may be submitted, either as identified above, or through the facility grievance lock-boxes located on every housing unit within the facility. The lock-boxes are accessible only by approved management staff, and reports shall be forwarded for review and action. Inmates shall not utilize the grievance system in accordance with Department policy DC-ADM 804, inmate grievance system, to report inmate-on-inmate sexual harassment allegations, which include repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature.</p> <p data-bbox="252 1951 1471 2152">Inmates shall not use the inmate grievance system to report sexual abuse or sexual harassment by a staff member or inmate-on-inmate sexual abuse. However, if an inmate files a grievance related to staff on inmate sexual abuse/sexual harassment or inmate-on-inmate sexual abuse, the facility grievance coordinator shall reject the grievance and forward it to the facility security office and PREA compliance manager/designee for tracking and investigation,</p>

and the inmate will be notified of this action. The auditor reviewed three grievances provided by the facility and a sample review of random sexual abuse and sexual harassment investigations, which demonstrated compliance with the agency policy.

115.52 (b) 1-2. Policy DC-ADM 804 does not allow for grievance allegations of sexual abuse. Therefore no time limits are imposed. The auditor verified this when interviewing specialized staff involved in this process and when reviewing inmate files that were provided during the pre-onsite audit phase. The agency does not by policy or practice impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. The agency does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. The auditor confirmed these two elements when reviewing the inmate handbook and through formal interviews with specialized staff.

115.52 (c) 1-2. Policy DC-ADM 008 states in part, "Inmates shall not use the inmate grievance system to report sexual abuse or sexual harassment by a staff member or inmate-on-inmate sexual abuse, as identified in the glossary of terms for the procedures manual. However, if an inmate files a grievance related to staff-on-inmate sexual abuse/sexual harassment or inmate-on-inmate sexual abuse, the facility grievance coordinator shall reject the grievance and forward it to the facility security office and PREA compliance manager (PCM) or designee for tracking and investigation. The inmate shall be notified of this action."

During the onsite audit phase, the auditor's review of files and documentation found that inmates utilizing the grievance process made three (3) allegations of sexual abuse/harassment. All three inmates received a formal grievance "rejection" form (1-C) informing the inmate that the grievance is being rejected per policy ADM-DC 008. The auditor recommended that SCI-Waymart may wish to include more specific language in the rejection letter to the inmate per their policy.

When the auditor interviewed specialized staff regarding this practice, the auditor was informed that remedial training was provided to staff to ensure that each inmate receives the following information: "Sexual abuse is taken seriously by the Department of Corrections. Any allegation of a sexual nature (abuse/harassment) against a staff member or inmate-on-inmate sexual contact must be investigated to make sure that inmates are safe in this facility. This grievance is being forwarded to the security department and the PREA Compliance Manager to start that investigation."

Each of the three allegations processed through the grievance system were assigned for investigation by a staff member trained to investigate sexual abuse/sexual harassment allegations (not the subject of the complaint) that met with each of the inmates. The auditor confirmed this information during onsite file reviews and through random staff interviews. During the onsite audit phase, the auditor observed grievance lock boxes on each of the facility's inmate housing units. During the auditor's review of the sexual abuse and sexual harassment investigations, documentation showed that grievances were not referred to any staff that was the subject of the complaint; rather the grievance was referred to staff responsible for conducting sexual abuse, sexual harassment and retaliation investigations.

115.52 (d) 1-7. Policy DC-ADM 804 states that inmates shall not use the inmate grievance

system to report sexual abuse or sexual harassment by a staff member or inmate-on-inmate sexual abuse. If they do, the grievance is rejected which does not impose time limits. This was verified by documents submitted in the pre-onsite audit phase, random and specialized staff interviews, and investigation files.

115.52 (e) 1-3. Policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) provides guidance on the methods of reporting for friends, family, and the general public. The sexual abuse reporting address is an option for the general public to report an allegation of sexual contact. The reporting address is: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110.

115.52 (f) 1-6. The agency does not have an established “emergency grievance” policy or process for reporting sexual abuse. All allegations of sexual abuse received via the grievance system are forwarded to a staff member trained to investigate sexual abuse/sexual harassment allegations who will interview the inmate.

115.52 (g) 1-2. The agency does not have a policy or practice of disciplining an inmate for utilizing the grievance system to report allegations of sexual abuse. This was verified through interviews with random and specialized staff during the onsite audit phase. The facility would forward all grievance allegations of sexual abuse and sexual harassment for investigation by a staff member trained to investigate sexual abuse/sexual harassment allegations, and notify the inmate in writing and follow up with an in person interview.

Corrective Action: The audit team recommends no corrective action.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) c. Policy DC-ADM 008, PREA Procedures Manual, Section 4 (Responding to Reports of Sexual Abuse) d. Memorandum of Understanding between Commonwealth of Pennsylvania and Victims Intervention Program 2. Interviews: <ol style="list-style-type: none"> a. Victims Intervention Program Staff b. Targeted Inmates c. Random Inmates 3. Site Review Observations: <ol style="list-style-type: none"> a. PREA Posters <p>Findings (By Provision):</p> <p>115.53 (a) 1-4. Policy DC-ADM 008, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) states in part that inmates shall be provided access to outside victim advocates for emotional support services related to sexual abuse. The agency’s PREA coordinator duties entail coordinating with the Pennsylvania Coalition Against Rape (PCAR) to ensure that the department is providing all related parties with the most current information on sexual abuse and sexual harassment.</p> <p>Policy, DC-ADM 008 Section 4, (Responding to Reports of Sexual Abuse) states in part, “The PCM 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 nonworking hours, the Shift commander shall 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.”</p> <p>During the pre-onsite audit phase, the auditor team interviewed the Victims Intervention Program Director via a conference call. The Victims intervention Program provides emotional support as well as counseling services to inmates upon request in the form of a face-to-face visit at the facility, as well as accompanying the inmate victim during a SANE/SAFE exam at the hospital if the inmate requests.</p> <p>Two resources are available for inmates who request emotional support and victim advocacy;</p>

Victims Intervention Program as noted above and PCAR. Contact information for PCAR is messaged and made available to inmates in the form of posters and pamphlets. The auditor observed these posters and pamphlets located in the housing units, and work and program areas throughout the facility. During the conference call with the Victims Intervention Program Director, it was verified that this process and agreement is consistent with the memorandum of understanding on file.

During the onsite audit phase, interviews with targeted inmates (inmates who reported sexual abuse) stated that they have had contact with the outside service providers for emotional support. Additionally, the inmates acknowledged that they can talk to a counselor or psychologist at SCI-Waymart if needed.

All randomly interviewed inmates stated that they were aware that there were PREA posters throughout the facility. The inmates shared they would call the hotline or contact family to report any sexual abuse or sexual harassment claim. The auditor confirmed with the PREA compliance manager that a PREA hotline at SCI-Waymart does not currently exist. The auditor observed abuse hotline posters by all of the inmate telephones in the housing units, which informs inmates to report abuse. This phone line does not go to a third party, although it does allow inmates to report all abuse (sexual and physical) and make a request for services.

SCI-Waymart has entered into a memorandum of understanding with the Victims Intervention Program and secured services of qualified staff as a victim advocate service provider. The auditor was able to verify the agreement and conducted additional interviews of Victims Intervention Program staff. Victims Intervention Program provides emotional support services for victims of sexual assault and other crimes in Wayne County, PA. Victims Intervention Program staff indicated that persons employed by the agency are qualified to serve in this role and have received education concerning sexual assault and forensic examination issues in general. Services are limited to inmates who alleged sexual misconduct at SCI-Waymart and a federal correctional institution nearby in regard to confinement settings.

When requested, a victim advocate from Victims Intervention Program travels to SCI-Waymart and meets with the inmate to provide emotional support, crisis intervention, information, and referrals. The audit team members interviewed staff of the Victims Intervention program during the pre-onsite audit phase. Staff stated that they have visited SCI-Waymart approximately five to six times in the past year to meet with inmates. The Victims Intervention Program staff shared they were able to meet with inmates in a private setting without SCI-Waymart staff observing, or being present in the room. Victims Intervention Program staff informs each inmate that Victims Intervention Program will maintain privacy with the exception of information they are mandated to report such as child abuse or domestic violence.

The Victims Intervention Program staff informed the auditor that they have mailed pamphlets and other material to inmates who have made allegations at SCI-Waymart. They have also been able to provide written information directly to inmates during a meeting at the facility, as long as security approves the material. They have not experienced any difficulty in gaining access to inmates, or providing information or support materials.

115.53 (b) 1-2. Policy DC-ADM 008 Section 4 states in part, "The PCM 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". Interviews with random inmates during the onsite audit phase indicated that they have chosen to use outside services as well as internal SCI-Waymart counselors.

115.52 (c) 1-4. The auditor was able to view the current memorandum of understanding between SCI-Waymart and Victims Intervention Program to verify it is current and the agreement is in place.

Corrective Action: The audit team recommends no corrective action.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 3 (Reporting Sexual Abuse and Sexual Harassment) c. Agency Website d. Attachment 2-H (Sexual Assault Awareness Handout) e. Form DC 135A 2. Interviews: <ol style="list-style-type: none"> a. PREA Compliance Manager 3. Site Review Observations: <ol style="list-style-type: none"> a. PREA Posters <p>Findings (By Provision):</p> <p>115.54 (a) 1-2. Both the agency and SCI-Waymart provide a method to facilitate third-party reporting of inmate sexual abuse or sexual harassment as outlined in Policy DC-ADM 008 Section 3 (Reporting Sexual Abuse and Sexual Harassment) that states in part, "Methods of reporting include; submitting a written report to the sexual abuse reporting address BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110. An inmate may choose to include his/her name and contact information, but it is not necessary in making a report as complaints can be made anonymously." The auditor was able to verify this through an interview with the PREA compliance manager and informal discussions with mailroom staff. The BCI/PREA Coordinator is a division of the Pennsylvania State Police</p> <p>During the onsite audit phase, the auditor observed numerous locations and means that inform staff and inmates of how to report to the BCI/PREA Coordinator which include the following:</p> <ol style="list-style-type: none"> a) Staff provides inmates the Sexual Assault Awareness Information handout at intake; b) PREA posters located in the visitation area; c) PA DOC website <p>Methods for Inmates to Report Sexual Abuse or Sexual Harassment:</p> <ol style="list-style-type: none"> a) Verbal or written report to any staff member b) Submission of a DC-135A, Inmate request to staff member c) Incidents of sexual abuse, sexual harassment and retaliation can be reported in writing by sending correspondence via U.S. mail to the BCI/PREA coordinator at 1800 Elmerson Avenue, Harrisburg, PA 17110

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

Methods for Civilians to Report Sexual Abuse or Sexual Harassment:

a) Incidents of sexual abuse, sexual harassment and retaliation can be reported in writing by sending correspondence via U.S. mail to the BCI/PREA Coordinator at 1800 Elmerton Avenue, Harrisburg, PA 17110.

Corrective Action: The audit team recommends no corrective action.

115.61	Staff and agency reporting duties
	<p data-bbox="248 170 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 1273 360">The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> <li data-bbox="248 416 443 450">1. Documents: <ol style="list-style-type: none"> <li data-bbox="248 461 868 495">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="248 506 1171 539">b. Policy DC-ADM 008, Section 3, (PREA Procedures Manual) 6 pages <li data-bbox="248 551 935 584">c. DC-121 Part 3, Employee Report of Incident Form <li data-bbox="248 595 970 629">d. DC-484, Mental Health Informed Consent Document <li data-bbox="248 674 427 707">2. Interviews: <ol style="list-style-type: none"> <li data-bbox="248 719 488 752">a. Superintendent <li data-bbox="248 763 651 797">b. PREA Compliance Manager <li data-bbox="248 808 699 842">c. Medical and Mental Health Staff <li data-bbox="248 853 464 887">d. Random Staff <p data-bbox="248 931 563 965">Findings (By Provision):</p> <p data-bbox="248 1010 1481 1469">115.61 (a) 1-3. Pennsylvania Department of Corrections policy DC-ADM 008, Section 3, PREA Procedures Manual (Reporting Sexual Abuse and Sexual Harassment), requires all staff to immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment that occurred in any facility, whether it was at the current facility or any other facility or part of another agency; retaliation against inmates or staff who reported such an incident and/or staff neglect violation of responsibilities that may have contributed to an incident or retaliation. During the pre-on-site audit phase, SCI-Waymart provided copies of the employee incident reports that were reviewed regarding allegations of sexual abuse or sexual harassment of inmates. Interviews with random staff (14) indicated that they are aware of their responsibility to immediately report allegations of sexual abuse or sexual harassment regardless of how they are notified.</p> <p data-bbox="248 1525 1473 1850">115.61 (b) 1. Policy DC-ADM 008, Section 3, PREA Procedures Manual, requires that apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse allegation to anyone other than to the extent necessary, to make treatment, investigation, and other security and management decisions, where sexual abuse with an inmate is reported. Interviews with 14 random staff consistently maintained that they would immediately contact the on duty Shift Commander, Master Control, PREA lieutenant, or PREA compliance manager. Similarly, staff interviewed also stated that they would not share the information other than with staff that has a need to know.</p> <p data-bbox="248 1906 1481 2152">115.61 (c) 1-2. Policy DC-ADM 008, Section 3, PREA Procedures Manual, requires that unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse, to inform inmates of the practitioner's duty to report, and the limitation of confidentiality, at the initiation of services. Interviews conducted with two (2) medical and mental health staff indicated that prior to conducting an interview with an alleged inmate victim, they read the portion of the DC-484 form and have the inmate sign,</p>

indicating their need to report and explain it is for the inmate's protection and will be shared only on a need to know basis with indicated staff (i.e. Counselor, Sexual Abuse Review Team, Pennsylvania State Police, etc.) Both medical and mental health staff also stated they would explain further if the inmate did not understand. Random staff that was interviewed (14) reported they understand their responsibility and the confidentiality requirements for inmate medical and mental health Information pursuant to this policy. Medical staff also directed the Auditor to review the pamphlets (English and Spanish versions) that are available to inmates that contains the confidentiality requirements. The Auditor did review the pamphlet in both English and Spanish.

115.61 (d) 1. Policy DC-ADM 008, Section 3, PREA Procedures Manual, requires if the alleged victim is under the age of 18, the Department shall refer the allegation to the designated State or local services agency under applicable mandatory reporting laws. Policy DC-ADM 008, Section 2, PREA Procedure Manual, mandates that male youthful inmates shall be transferred to SCI-Pine Grove within 24 hours of reception by the Department. Female youthful inmates under the age of 18 shall immediately be placed into the Youthful Inmate Unit at SCI-Muncy.

SCI-Waymart reported that inmates under the age of 18 are not housed at the facility. SCI-Waymart is also not a reception center for the agency and therefore would not have any youthful inmates transferred to the facility. During the onsite audit phase, the Auditor reviewed the ages of the inmates housed at SCI-Waymart to verify that no youthful inmates are housed at the facility. Information pertaining to the housing of youthful inmates is also located on the PA DOC public website. Interviews with the Superintendent and the PREA compliance manager confirmed that youthful inmates are not housed at SCI-Waymart.

115.61 (e) 1. Policy DC-ADM 008, Section 3, PREA Procedures Manual, requires staff to accept and document reports (DC-121 form) made verbally, in writing, anonymously, and from third parties and promptly forward to the facility's designed investigators. During the onsite audit phase, the Auditor reviewed a sample of investigations and noted the PREA lieutenant/investigation office was informed of each allegation as documented. The interviews with the Superintendent and PREA compliance manager also confirmed this practice.

Corrective Action: The audit team recommends no corrective action.

115.62	Agency protection duties
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, Section 2, (Sexual Abuse/Sexual Harassment Prevention and Training) c. Policy DC-ADM 008, Section 4, (Responding to Reports of Sexual Abuse) d. Inmate Query-Cell History of Alleged Victim and Perpetrator e. Initial Response Checklist-Alleged Victim (4 Examples) 2. Interviews: <ol style="list-style-type: none"> a. Agency Head (Notes from Previous Auditor Interview on 9/29/17) b. Superintendent c. PREA Compliance Manager d. PREA Lieutenant e. Random Staff <p>Findings (By Provision):</p> <p>115.62 (a) 1-4. Pennsylvania Department of Corrections policy ADM 008, PREA Procedures Manual sections 2 and 4 require that when staff learn that an inmate is subject to a substantial risk of imminent sexual abuse, appropriate and immediate action shall be taken to protect that inmate. During the pre-onsite audit phase, SCI- Waymart reported that there were 43 instances within the past 12months that the facility determined that an inmate was subject to a substantial risk of imminent sexual abuse.</p> <p>The Auditor also examined the Inmate Query-Cell History of Alleged Victim and Perpetrator and the Initial Response Checklist-Alleged Victim from actual incidents and noted the practice followed policy and what SCI-Waymart reported; moving the inmate immediately, without unreasonable delay. The interview with the agency head (conducted during a previous audit on 9/29/17) indicated that staff would separate the inmates immediately, and that the use of administrative segregation for any alleged victim would be the very last resort.</p> <p>The agency head also articulated that the Department of Corrections maintains Extraordinary Occurrence Reports (EOR) that are reviewed by the deputy. Facility staff would not segregate the victim, with a primary option being to move the inmate to another housing unit. According to the agency head, most prisons have an East or West section in a prison population of 2500. (SCI-Waymart has less than a 2500 population, but has the ability to move inmates to other housing units). As such, inmates could be separated by East or West. This was also confirmed in the interviews conducted with the PREA compliance manger and PREA lieutenant during the onsite audit phase.</p> <p>The facility would also have the ability to transport the alleged victim to another facility within the same region of the state. According to the Auditor’s interview with the Superintendent, they</p>	

would remove the perpetrator immediately or move the victim to an alternate housing unit or prison. The Superintendent also indicated that they separate the alleged victim and abuser immediately and look to protect the victim. Interviews with random staff (14) verified the inmates (alleged victim and perpetrator) would be separated immediately, including not leaving the alleged victim alone until a movement decision could take place, as well as reporting the imminent risk and keeping the alleged victim's identity as confidential as possible.

Corrective Action: The audit team recommends no corrective action.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, Section 3, (Reporting Sexual Abuse and Sexual Harassment) c. Attachment 3-B, Notification of Sexual Abuse Allegation to Another Facility form d. Initial Response Checklist-Alleged Victim e. Email Correspondences from PCM Administrative Officer to Superintendent f. Sexual Abuse Investigation Summary (Waymart) g. Investigation Packet 2. Interviews: <ol style="list-style-type: none"> a. Agency Head (Notes from Previous Auditor Interview on 9/29/17) b. Superintendent <p>Findings (By Provision):</p> <p>115.63 (a) 1-2. Pennsylvania Department of Corrections policy ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) ensures that an inmate may file a report of sexual abuse that occurred 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 occurred. During the pre-onsite audit phase, SCI-Waymart reported 19 allegations that were received in the past 12 months that an inmate was allegedly abused while confined at another facility.</p> <p>All of the allegations are documented on the "Notification of Sexual Abuse Allegation to Another Facility" form. The Auditor reviewed a sample of six (6) notifications and the accompanying investigation summaries. The information provided on the form includes numerous data points including the date the allegation was received, the staff who reported the allegation, date/timeframe of allegation, alleged victim and perpetrator, location of incident, whether it was a verbal or written notification, and actions taken upon notification of an incident. Email correspondences between the PCM's administrative Officer and the Superintendent were also reviewed regarding the "in writing" notification. The PREA compliance manager at both of the involved facilities is responsible for coordinating the information process, but forwards all materials to the Superintendents for their review.</p> <p>115.63 (b) 1. Policy ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) requires that notification must be provided as soon as possible, but no later than 72 hours after receipt of the information and documented on the "Notification of Sexual Abuse Allegation to Another Facility" form. As noted in subsection (a), six (6) notifications were reviewed by the Auditor, with all showing that they were reported to the other facility within 72 hours. In most instances, notification to the other facility was completed in 24 hours. All six (6) were investigated and had proper medical and mental health follow-up. The alleged victims were also offered the opportunity to meet with a staff member from the Victims Intervention</p>

Program who provides advocacy and counseling for SCI-Waymart.

115.63 (c) 1. Policy ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) requires a "Notification of Sexual Abuse Allegation to Another Facility" form be maintained by the PREA compliance manager in an annual file for audit verification purposes. SCI-Waymart's PCM was able to provide all documentation.

115.63 (d) 1-2. Policy ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) requires that allegations from another facility/agency is investigated in accordance with the PREA Standards and are the responsibility of the facility where the alleged abuse occurred. During the pre-onsite audit phase, SCI-Waymart reported three (3) allegations of sexual abuse which were received from another facility.

During the onsite audit phase, the Auditor reviewed the completed "Notification of Sexual Abuse Allegation to Another Facility" forms, PREA Tracking System, and investigation packets that found the allegations to be "unsubstantiated." This information was sent back to the reporting facility.

Interviews with the agency head (conducted during a previous audit on 9/29/17) and the Superintendent during the onsite audit phase indicated that there would be an acknowledgement receipt of complaint from the Facility Manager. A tracking number would be issued and an investigation initiated. The initial investigation would be conducted at the institution level if it was an administrative investigation. If out of state, the case would be assigned to the Office of Special Investigations and Intelligence (OSII) for investigation. The Superintendent stated that their investigations of allegations of sexual abuse or sexual harassment received from another facility are consistent with all PREA investigation standards.

Corrective Action: The audit team recommends no corrective action.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, Section 4, (Responding to Reports of Sexual Abuse) c. PREA Pocket First Responder Card d. PREA Pocket Medical Responder Card e. Shift Commander Checklist f. Initial Response Checklist (Alleged Victim and Alleged Abuser) 2. Interviews: <ol style="list-style-type: none"> a. Security Staff and Non-Security Staff First Responders b. Inmates Who Reported Sexual Abuse c. Random Staff <p>Findings (By Provision):</p> <p>115.64 (a) 1-5. Pennsylvania Department of Corrections policy ADM 008, Section 4 (Responding to Reports of Sexual Abuse) details the first responder duties required by this Standard upon learning that an inmate was sexually abused. During the pre-onsite audit phase, SCI-Waymart reported 21 allegations of sexual abuse or harassment (15 sexual abuse, 3 sexual harassment/sexual abuse, and 3 non-contact sexual abuse/sexual harassment) in the past 12 months.</p> <p>SCI-Waymart reported zero of the allegations were reported within the forensic examination timeframe that would have allowed for the collection of physical evidence from the alleged victim and alleged abuser. Additionally, none of the 21 allegations reported in the past 12 months involved penetrative sexual abuse.</p> <p>During the onsite audit phase, the Auditor reviewed the Shift Commander Checklists and Initial Response Checklists for Alleged Victims and Alleged Abusers. Examples were also provided during the pre-onsite audit phase. A review of the checklists indicated that all appropriate sections to the forms (Sections A, B and C) were checked off, indicating that staff had placed the victim in a safe location, escorted the alleged Victim and alleged abuser to the medical department at separate times, secured the crime scene, and instructed both the alleged victim and alleged abuser to not use the bathroom, drink, wash, brush teeth, change clothes, smoke, urinate, defecate, or drink/eat anything.</p> <p>During the onsite audit phase, interviews conducted with security and non-security staff first responders as well as interviews with random staff (14) indicated a significant understanding of their first responder duties and an ability to articulate them clearly to the Auditor. Staff indicated they would separate the inmates, secure the scene, and contact the shift commander and medical for further direction. SCI-Waymart has provided staff with PREA first</p>

responder cards that each possess on their person and can easily be accessible in their pockets or their ID badge holders when responding to an incident. Interviews with targeted inmates who reported sexual abuse (6) stated that they were initially separated from the alleged abuser and then taken directly to medical and were advised not use the bathroom, drink, wash, brush teeth, change clothes, smoke, or not smoke or drink/eat anything.

115.64 (b) 1. Policy DC-ADM 008, Section 4 (Responding to Reports of Sexual Abuse) distinguishes the first responder duties for security staff versus non-security staff. Security Staff are required to notify the Shift Commander, immediately separate the alleged victim and alleged abuser, secure any reported crime scene until appropriate steps can be taken to collect evidence, and if 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.

Non-Security Staff are also required to immediately notify the Shift Commander if the first responder is not a security staff member. According to policy DC-ADM 008, Section 4, the responder is required to request that the alleged victim not take any actions that could destroy physical evidence. Interviews with security and non-security staff first responders indicated they would immediately contact the shift commander, separate the inmates, secure the scene, contact medical, advise inmates not to use the bathroom, drink, wash, brush teeth, change clothes, smoke, or to not smoke/drink/eat. Similarly, interviews with random staff suggested that they were trained in this PREA Standard (115.64), and were able to report what they needed to do as a first responder, although some needed the assistance of their PREA pocket first responder card. Medical staff additionally has been provided a PREA pocket medical first responder card for reference purposes if needed.

Corrective Action: The audit team recommends no corrective action.

115.65	Coordinated response
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1273 360">The following evidence was analyzed in making the compliance determination:</p> <p data-bbox="252 416 443 450">1. Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 461 868 495">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="252 506 1230 539">b. SCI-Waymart Institutional Plan: Coordinated Response for Sexual Abuse <li data-bbox="252 551 746 584">c. PREA Pocket First Responder Card <li data-bbox="252 595 791 629">d. PREA Pocket Medical Responder Card <p data-bbox="252 674 427 707">2. Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 719 485 752">a. Superintendent <li data-bbox="252 763 651 797">b. PREA Compliance Manager <p data-bbox="252 842 561 875">Findings (By Provision):</p> <p data-bbox="252 931 1481 1133">115.65 (a) 1. During the pre-onsite audit phase, SCI-Waymart provided its institutional plan for their coordinated response for sexual abuse. The coordinated response plan provides a detailed description of the duties and responsibilities for a) security and non-security staff, b) shift commander, c) emergency medical treatment services and, d) mental health treatment services for specific actions to be undertaken in response to an incident of sexual abuse.</p> <p data-bbox="252 1189 1481 1738">In particular, the coordinated response plan also explains in detail of the multiple tasks required of the shift commander that includes immediate notification to the superintendent, PREA compliance manager, security captain, PREA administrative officer, and applicable unit manager in order to initiate investigative procedures. The response plan also provides information on the required forms to be completed by each component of the coordinated team (e.g., Initial Response Checklists for alleged victim and abuser, DC-121 Part 2: Extraordinary Occurrence Report, DC-121 Part 3: Employee Report of Incident, DC-457: Medical Incident/Injury Report, DC-97: Mental Health Referral Form; DC-484: Mental Health Informed Consent Document, DC-575: Post Sexual Assault Interview, and DC-97: Referral to Psychiatry), and required contacts to be made external to the facility such as Wayne Memorial Hospital for examination by a SANE/SAFE for an allegation of penetration, Pennsylvania State Police, and Victims Intervention Program for victim advocacy purposes as part of the memorandum of understanding between the facility and organization.</p> <p data-bbox="252 1783 1453 2029">Additionally, all security and non-security staff have been provided with a PREA pocket first responder card that is kept on their person that explains the “step-by-step” procedures to following for an allegation of sexual abuse. A similar PREA pocket medical responder card is also provided as well to relevant staff. During the onsite audit phase, the Auditor’s interviews with the superintendent and PREA compliance manager confirmed that staff is trained on an annual basis on the facility’s Coordinated Response Plan.</p> <p data-bbox="252 2085 1139 2119">Corrective Action: The audit team recommends no corrective action.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	<p data-bbox="252 170 1005 203">Auditor Overall Determination: Audited at Agency Level</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1273 360">The following evidence was analyzed in making the compliance determination:</p> <ol data-bbox="252 371 1260 913" style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Suspension Pending Investigation Memo & Procedures (January 13, 2015) c. H-1 Act 195 Interest Arbitration Award 2014 d. FOSCEP MOU e. FOSCEP Side Letter 2016 to 2019 f. PSCOE Interest Arbitration Award 2014-2017 Miller g. SEIU HC PA Side Letter 2016-2019 h. SEIU Healthcare Side Letter (February 17, 2017) i. SEIU Local 668 Contract-Salary Side Letter (October 3, 2016) j. SEIU Local 668 Memo-Salary Side Letter (October 3, 2016) k. AFSCME Master Agreement 2016-2019 l. CIVEA Agreement 2016-2019 2. Interviews: <ol style="list-style-type: none"> a. Agency Head <p data-bbox="252 1099 561 1133">Findings (By Provision):</p> <p data-bbox="252 1184 1481 1473">115.66 (a) 1. During the pre-onsite audit phase, SCI-Waymart submitted collective bargaining agreements with eight different unions. The Auditor reviewed the union agreements and verified 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.</p> <p data-bbox="252 1525 1468 1989">It should also be noted that H-1 Act 195 Interest Arbitration Award states “Article 33, Section 20 shall be amended to provide that the Commonwealth shall have no requirement to furnish 24 hours advance written notification of inmate or patient charges in accordance with Section 20, when an allegation falls within the purview of the Prison Rape Elimination Act of 2003.” The previous language in Article 33 Section 20 required 24 hours advance written notification of inmate charges against an employee at least 24 hours prior to commencement of proceedings. Notes from an interview with the agency head that occurred during a previous audit (9/29/17) indicated that through binding arbitration, the agency is permitted to remove alleged staff sexual abusers from contact with any inmate pending an investigation for a determination of whether and to what extent discipline is warranted, with suspension of 30 days to termination.</p> <p data-bbox="252 2040 1139 2074">Corrective Action: The audit team recommends no corrective action.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <p>1. Documents:</p> <ul style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, Section 3, (Reporting Sexual Abuse and Sexual Harassment) c. Policy DC-ADM 008, Section 2, (Sexual Abuse/Sexual Harassment Prevention and Training) d. Attachment 2-B, Retaliation Monitoring Form <p>2. Interviews:</p> <ul style="list-style-type: none"> a. Agency Head b. Superintendent c. Staff Member Charged with Monitoring Retaliation d. Inmates Who Reported Sexual Abuse <p>Findings (By Provision):</p> <p>115.67 (a) 1-2. Pennsylvania Department of Corrections policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) mandates the Department to protect all inmates and staff who report sexual abuse or sexual harassment, or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. Policy DC-ADM 008, Section 3 also stipulates that retaliatory action is prohibited against an inmate, staff member, or other individual who reports sexual abuse, sexual harassment, or provides information during an investigation. Furthermore, any individual who seeks to deter an inmate or other individual from reporting sexual activity, or who in any manner, harasses or intimidates any person who reports the alleged contact, is subject to discipline.</p> <p>Under policy DC-ADM 008, Section 3, the Deputy Superintendent for Centralized Services must meet with any staff that requires retaliation monitoring due to the reporting of sexual abuse or sexual harassment, or because of an expressed fear of retaliation due to cooperation with an investigation of inmate sexual abuse or sexual harassment. Contact shall be made with the identified staff or inmate for at least 90 days and be documented on the Department's Retaliation Monitoring form. During the pre-on-site audit phase, SCI-Waymart reported five (5) designated staff members charged with monitoring retaliation, (4) counselors and (1) social worker.</p> <p>115.67 (b) 1. Policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) requires the Department to employ multiple protection measures, such as housing changes or transfer for inmate victims or abusers, and the removal of alleged staff or inmate abusers from contact with the victim. The Department shall also make available emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment, or for cooperating with investigators.</p> <p>For at least 90 days following a report of sexual abuse, the Department shall monitor the</p>

conduct and treatment of inmates or staff who reported the sexual abuse or sexual harassment, and of inmates who were reported to have suffered sexual abuse or sexual harassment to determine if there are changes that may suggest possible retaliation by inmates or staff and act promptly to remedy such retaliation. Items the Department monitors include, a) disciplinary reports; b) housing reports; c) program changes; d) negative performance reviews and; e) reassignments of staff. Notes from an interview conducted with the agency head during an earlier audit (9/29/17) indicated that he is proactive and vocalizes the zero tolerance policy (sexual abuse, sexual harassment, and retaliation for reporting).

Similarly, during the onsite audit phase, an interview with the superintendent indicated that the facility immediately separates the alleged victim and abuser, and protect the inmate by monitoring them per the policy, for at least 90 days, or more if needed. If it rises to a level in which the inmate needs to be moved out of the facility, the superintendent stated he would do an administrative transfer. An interview with one of the staff members charged with monitoring retaliation reported that they would initiate the contact with the inmate and meet in a confidential area.

During the onsite audit phase, the auditor viewed the area in which an inmate is called down to and verified it was an area that was confidential, with others having no way to know why the inmate was being called down to the specific office area. The staff member also explained how they fill out and follow the Retaliation Monitoring form. During the pre-onsite audit phase, SCI-Waymart provided five (5) sample copies of completed Retaliation Monitoring forms. An additional seven (7) Retaliation Monitoring forms were randomly reviewed during the onsite audit phase, verifying that the policy was being followed. The staff member also maintained that if an inmate was being retaliated against, they would inform the PREA Lieutenant for an investigation to be conducted.

Interviews with inmates who reported sexual abuse (6) were consistent in regard to being followed due to potential retaliation. During the onsite audit phase, the Auditor was also informed that most inmates who reported sexual abuse were moved to different housing units within the facility for separation purposes to protect them from retaliation and to keep them safe.

115.67 (c) 1-9. Policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) requires the Department to continue monitoring for potential retaliation beyond 90 days if the initial monitoring indicates a continuing need. During the pre-onsite audit phase, SCI-Waymart reported zero times in the past 12 months an incident of retaliation occurred. The auditor reviewed a random sample (4) of the Retaliation Monitoring forms utilized to record retaliation monitoring past 90 days to confirm compliance with this subsection.

During the Interview with the staff member charged with monitoring retaliation it was described that they would ask the inmate about their housing situation, any issues they may be having, and observe their behavior, which in many instances, is based on the rapport they have built with the inmate. Follow-up would also occur with officers and other staff such as teachers who might have regular contact with the inmate, and that they would intervene if someone was having difficulties due to their victimization, and work with affected staff or programs/classes to assist the inmate.

115.67 (d) 1. Policy DC-ADM 008, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires periodic status checks of inmates by the corrections counselor in compliance with this subsection. During the onsite audit phase, a random sample (7) Retaliation Monitoring forms were reviewed. The documents showed that retaliation status checks were being conducted within 96 hours, 15 days, 30 days, 60 days, and 90 day increments. An interview with the staff member charged with monitoring retaliation indicated that the 90 days is the typical amount of time for monitoring, but continued monitoring would take place if deemed necessary.

115.67 (e) 1. Policy DC-ADM 008, Section 3 (Reporting Sexual Abuse and Sexual Harassment) ensures that if any other individual who cooperates with an investigation expresses fear of retaliation, the Department shall take appropriate measures to protect that individual against retaliation. Notes provided from an interview with the agency head during a previous audit (9/29/17) indicated that he frequently speaks to the new cadet classes and starts off the first day of the Correctional Academy. He speaks to them of ethical behavior, their duty to observe, and report to him via email as well as to his Assistant Secretary (if there is a fear of retaliation). The auditor's interview with the superintendent also indicated that SCI-Waymart would handle any type of retaliation toward an inmate or staff by conducting an investigation.

Corrective Action: The audit team recommends no corrective action.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <p>1. Documents:</p> <ul style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, Section 2, (Sexual Abuse/Sexual Harassment Prevention and Training) c. Involuntary Administrative Custody Services Access Restriction Form <p>2. Interviews:</p> <ul style="list-style-type: none"> a. Superintendent b. PREA Compliance Manager c. Staff Who Supervise Inmates in Restricted Housing <p>Findings (By Provision):</p> <p>115.68 (a) 1-5. Pennsylvania Department of Corrections policy DC-ADM 008, Section 2 (Sexual Abuse/Sexual Harassment Prevention and Training) requires that inmates at a high risk for sexual victimization or inmates who have allegedly suffered sexual abuse shall not be placed involuntarily in Administrative Confinement (AC) as a means of protection unless an assessment of all available alternative has been made by Psychology and Security staff in conjunction with the Facility Manager/designee, and a determination has been made that there is no other available alternative means of separation from like 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.</p> <p>During the pre-onsite audit phase, SCI-Waymart reported zero inmates in the past 12 months who alleged sexual abuse and placed into restricted housing. During the onsite audit phase, the Auditor did not observe an inmate in involuntarily AC as a means of protection or at a high risk of victimization. An interview with the superintendent and PREA compliance manager indicated that other options besides restricted housing were available. Both stated the inmate could be moved to a different housing unit or e administratively moved to another facility. SCI-Waymart has not used restricted housing as a means of protection for any inmate at a high risk for sexual victimization as there are a significant number of housing options available at the facility as well as other institutions close by to move an inmate. An interview with a staff member who supervises inmates in segregated housing reported they have not had any alleged inmate victim of sexual abuse placed in restricted housing.</p> <p>Corrective Action: The audit team recommends no corrective action.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008 PREA Procedures Manual, Section 5 (Investigating Allegations of Sexual Abuse and/or Sexual Harassment) c. Policy DC-ADM 008 PREA Procedures Manual, Section 6 (Sexual Abuse Incident Review) d. Memorandum of Understanding between Department and Pennsylvania State Police e. WebTAS Entries f. Investigative Training Lesson Plans g. Investigator Training Logs h. Random Criminal and Administrative Investigations i. Sexual Assault Incident Reviews (SAIR) 2. Interviews: <ol style="list-style-type: none"> a. Superintendent b. Investigative Staff c. Specialized Staff <p>Findings (By Provision):</p> <p>115.71 (a) 1-2. Pennsylvania Department of Corrections policy DC-ADM 008, PREA Procedures Manual, Section 5 (Investigating Allegation of Sexual Abuse and/or Sexual Harassment) details and directs investigative staff on how to proceed with an investigation of sexual abuse and sexual harassment. The policy states in part, “that every report, complaint, or allegation of sexual abuse and sexual harassment, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively.”</p> <p>During the onsite audit phase, the auditor reviewed a cross-section of 14 investigative files in their entirety. The auditor chose the following files for review:</p> <ol style="list-style-type: none"> (1) Allegation of sexual abuse staff on inmate - unsubstantiated, (1) Allegation of sexual abuse inmate on inmate - unfounded (1) Allegation of sexual abuse inmate on inmate - substantiated (4) Allegations of sexual harassment staff on inmate - unsubstantiated (1) Allegation of sexual harassment staff on inmate – unfounded (1) Allegation of sexual harassment staff on inmate – substantiated (2) Allegations of sexual abuse/ sexual harassment staff on inmate, same staff/ inmate in one incident- unsubstantiated (1) Allegation of sexual abuse/sexual harassment, inmate on inmate, same inmate/inmate in one incident – unfounded (2) Sexual harassment staff on inmate- single incidents

During the onsite audit phase, the auditor interviewed specialized who indicated that an investigation into allegations of sexual abuse, sexual harassment and retaliation would be initiated the same day that the allegation is received, regardless of how the allegation was received. This was confirmed through the review of the 14 investigative files. The 14 investigative files reviewed included allegations of inmate-on-inmate sexual abuse, staff-on-inmate sexual abuse, inmate-on-inmate sexual harassment, and staff-on-inmate sexual harassment.

115.71 (b) 1. During the pre-onsite audit phase, SCI-Waymart reported that all 16 of the assigned and trained investigators at the facility received specialized training specific to conducting sexual abuse, sexual harassment and retaliation investigations in 2017. This was verified by the auditor through a review of the training records for each of the 16 investigative staff that showed all had participated in the training. The auditor was also able to review the special investigations lesson plan which was utilized for this training.

The lesson plan for this specialized investigative training includes topics on the gathering and preservation of direct and circumstantial evidence including any available physical and DNA evidence, any available electronic monitoring data, interviews with alleged victims, suspected perpetrators, and witnesses, the review of prior reports and complaints of sexual abuse involving the suspected perpetrator, information on compelled interviewing, Garrity and Miranda rules, and referral to outside law enforcement for prosecution. These training topics were discussed with the investigative staff during their interviews. Investigative staff was able to articulate an understanding of all of the above information.

115.71 (c) 1-3. Policy DC-ADM 008, Section 5 also provides the requirement that upon completing the interviews of the inmate complainant(s), the investigator obtains an Inmate Written Statement of Sexual Abuse/Harassment (Attachment 5-A) following the interview. During the onsite audit phase, the auditor conducted a random review of the investigative files (14) and determined that SCI-Waymart retained reports, documents and evidence pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment specific to what evidence was made available. The auditor also observed in the 14 random files reviewed that the investigators were following policy DC-ADM 008, Section 5 by obtaining an Inmate Written Statement of Sexual Abuse/Harassment (Attachment 5-A) following the interview. If the complainant refuses to be interviewed or provide a written statement, said refusal, including date, time, and persons present, is documented and included in the investigative report.

The investigative files also included interviews with all staff member witnesses and/or undeveloped leads and a Staff Written Statement of Sexual Abuse/Harassment (Attachment 5-B). When appropriate, the investigative files included interviews with all alleged abusers and their written statements utilizing the designated form for inmate(s) or staff, reviews and saving of all available video footage to a media storage device, and copies of any corroborating evidence, including but not limited to: all housing unit log books, medical documentation, work-related reports, misconduct reports, inmate grievances, and other pertinent documentation specific to the allegation of sexual abuse.

The auditor's review of the 14 random investigative files showed the content to include: video evidence, alleged victim and abuser written statements, staff and inmate documentation

(evidence specific to the incident), medical records, movement logs, sign-in logs of staff, prior allegations and investigative information of sexual abuse, sexual harassment and retaliation, grievances and misconduct reports. No DNA evidence was observed as being collected or preserved. Specialized staff informed the auditor that if they did collect DNA it would be preserved and provided to the Pennsylvania State Police. The CCTV system is reviewed for the areas where the alleged incident occurred to determine if there was anything captured on the video to support or refute the allegation.

During interviews with investigative staff, the auditor observed that the evidence boxes contain step-by-step instructions on how to collect physical evidence such as clothing, instructions for interviews of alleged inmate victims and suspects, and directions as to who to report to as far as chain of command within SCI-Waymart. The instructions also include reminders to collect video if possible. These instructions were included in an investigations packet inside the box. There were two evidence kits secured in the restrictive housing unit. During specialized and investigative staff interviews, staff was able to articulate the appropriate protocols for obtaining evidence and securing a scene.

A review of the 14 random investigative files showed that the investigators review video as a regular part of the investigative process. During the onsite audit phase, the auditor observed that all sexual abuse, sexual harassment, and retaliation investigations were secured in a file cabinet in a secured administrative office.

115.71 (d) 1. Policy DC-ADM 008, Section 5 maintains that when the quality of evidence appears to support criminal prosecution, the Department will conduct compelled interviews only after consulting with local prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. The staff responsible for investigating allegations of sexual abuse, sexual harassment and retaliation at SCI-Waymart stated that all allegations of sexual abuse are referred to the Pennsylvania State Police. The Pennsylvania State Police then determines whether a criminal investigation is warranted. If they determine there is no criminal activity, SCI-Waymart initiates an administrative investigation. If criminal activity is discovered, SCI-Waymart will contact the Pennsylvania State Police. This was verified through an interview with a representative of the Pennsylvania State Police.

115.71 (e) 1-2. Policy DC-ADM 008, Section 5 stipulates that the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as an inmate or staff member. In particular, policy DC-ADM 008, Section 5 states that, "The Department shall NOT require an inmate who alleges unwanted or forced sexual abuse to submit to a polygraph examination or other truth telling device as a condition of proceeding with the investigation of such an allegation." Interviews with investigative and specialized staff indicated that neither polygraphs nor any other truth telling device is utilized.

115.71 (f) 1-2. Policy DC-ADM 008 Section 5, maintains that investigators "review and copy corroborating evidence, including but not limited to: all housing unit log books, medical documentation, work related reports, misconduct reports, inmate grievances, and other pertinent documentation specific to the allegations of sexual abuse and include documentation in the investigative report, and make an effort to determine whether staff actions or failures to act contributed to the abuse, specifically as it applies to administrative investigations." There is

currently one open investigation of staff-on-inmate sexual abuse. The investigation is being conducted by the Pennsylvania State Police as criminal and has been referred for prosecution.

This was confirmed by the auditor when reviewing a random sample of 14 of the 51 investigative files included in the WebTAS tracking system. Investigative staff was knowledgeable that they should make an effort to determine whether staff actions or failures to act contributed to an abuse.

In addition, policy DC-ADM 008 Section 6 (Sexual Abuse Incident Review) requires that each facility conduct a sexual abuse incident review (SAIR) at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated, and whether the investigation was conducted by the facility Security Office or by the Office of Special Investigations and Intelligence (OSII). No review is required to be conducted if the allegation has been determined to be unfounded. The SAIR must occur within 15 working days of the receipt of the notification from OSII that the investigation was deemed satisfactory.

115.71 (g) 1. Based on the auditor's review of investigations, the Pennsylvania State Police provides a copy of their criminal investigation to SCI-Waymart as soon as they can without disrupting the criminal/court process.

115.71 (h) 1. SCI-Waymart staff refers all allegations of sexual abuse to the Pennsylvania State Police. It is dependent upon the Pennsylvania State Police to make a referral for prosecution.

115.71 (i) 1. During the auditor's review of 14 randomly selected investigative files, SCI-Waymart was found to retain reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment. The investigative staff was able to recite investigation packet retention periods indicating they are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

115.71 (j) 1. Interviews with both investigative and specialized staff stated that they would not terminate an investigation because the alleged abuser left the facility. This applied to both employee and inmate investigations. This was also confirmed by the auditor during an interview with the superintendent.

115.71 (k) 1. During the pre-onsite audit phase, SCI-Waymart provided the auditor with a copy of the memorandum of understanding between the department and Pennsylvania State Police. The agreement grants the Pennsylvania State Police access to the facility for the purpose of conducting any criminal investigation.

115.71 (l) 1. The auditor was informed during interviews with specialized staff that the Pennsylvania State Police are provided access to the facility so that they can conduct interviews.

Corrective Action: The audit team recommends no corrective action.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1273 360">The following evidence was analyzed in making the compliance determination:</p> <ol data-bbox="252 416 1401 875" style="list-style-type: none"> <li data-bbox="252 416 443 450">1. Documents: <ol data-bbox="252 461 1401 618" style="list-style-type: none"> <li data-bbox="252 461 783 495">a. SCI-Waymart Pre-Audit Questionnaire <li data-bbox="252 506 1401 573">b. Policy DC-ADM 008 PREA Procedures Manual, Section 5 (Investigating Allegations of Sexual Abuse and/or Sexual Harassment) <li data-bbox="252 584 635 618">c. Random Investigative Files <li data-bbox="252 674 427 707">2. Interviews: <ol data-bbox="252 719 517 752" style="list-style-type: none"> <li data-bbox="252 719 517 752">a. Investigative Staff <li data-bbox="252 797 628 831">3. Site Review Observations: <ol data-bbox="252 842 507 875" style="list-style-type: none"> <li data-bbox="252 842 507 875">a. WebTAS System <p data-bbox="252 931 564 965">Findings (By Provision):</p> <p data-bbox="252 1021 1474 1346">115.72 (a) 1. Pennsylvania Department of Corrections policy DC-ADM 008, PREA Procedures Manual, Section 5 (Investigating Allegations of Sexual Abuse and/or Sexual Harassment) stipulates that, "In administrative investigations, the Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated." In addition, the auditor verified through a review of the investigative specialized training curriculum that staff is instructed that the agency will impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="252 1402 1458 1559">During informal discussions and through specialized interviews with investigative staff, the auditor determined that staff had a basic knowledge and understanding of preponderance of evidence. Staff articulated that preponderance of evidence to involve that the allegation was more likely than not to have occurred based on the evidence collected.</p> <p data-bbox="252 1615 1139 1648">Corrective Action: The audit team recommends no corrective action.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual, Section 8 (Notification of Inmates) c. Commonwealth of Pennsylvania Department of Corrections PREA Investigation-Inmate Notification Form (28 C.F.R. §115.73) d. Random Criminal and Administrative Investigations 2. Interviews: <ol style="list-style-type: none"> a. SCI-Waymart Investigative Staff b. Pennsylvania State Police Investigative Staff c. PREA Compliance Manager 3. Site Review Observations: <ol style="list-style-type: none"> a. Random Investigation Files <p>Findings (By Provision):</p> <p>115.73 (a) 1-3. Policy DC-ADM 008, Section 8 (Notification of Inmates) states in part that, “Inmates who made an allegation of sexual abuse, sexual harassment or retaliation are informed of the outcome of the investigation. The PCM shall inform the alleged victim(s) as to whether the investigation is found to be substantiated, unsubstantiated, or unfounded.” SCI-Waymart reported 51 investigations of sexual abuse and sexual harassment in the past 12 months.</p> <p>In each random file reviewed by the auditor during the onsite audit phase, the alleged victim was notified of the outcome of the investigative findings in writing, PA DOC PREA Investigation-Inmate Notification 28 C.F.R. §115.73. Within the investigative file, there was either a notice signed by the inmate in each case, or if the inmate refused to sign the form a staff member indicated the refusal.</p> <p>115.73 (b) 1-3. SCI-Waymart staff has continual and ongoing communication with the Pennsylvania State Police (PSP) regarding investigations. The auditor was able to corroborate this during interviews with SCI-Waymart investigative staff and a PSP representative.</p> <p>115.73 (c) 1-4. SCI-Waymart did not have a substantiated staff-on-inmate sexual abuse investigation in 2017 (12-month review period). As a result, 115.73 (c) 1-4 are not applicable. Based on a review of investigation files of unsubstantiated allegations, the auditor observed documentation that the inmate was notified in writing of the investigative findings. There is a criminal case currently pending. The administrative investigation is open pending the criminal case status.</p>

115.73 (d) 1-2. During a review of random investigations, the auditor observed that each file contained an inmate notification form, specifically PREA Investigation-Inmate Notification (28 C.F.R. §115.73), informing the inmate of the outcome of the investigation and location/status of the alleged abuser.

115.73 (e) 1. SCI-Waymart uses an inmate notification form (PREA Investigation-Inmate Notification (28 C.F.R. §115.73), which has a space for the signature of the inmate. The auditor noted that refusal of the inmate to sign the form is documented, indicating “refusal.”

Corrective Action: The audit team recommends no corrective action.

115.76	Disciplinary sanctions for staff
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1273 365">The following evidence was analyzed in making the compliance determination:</p> <ol data-bbox="248 416 1362 875" style="list-style-type: none"> <li data-bbox="248 416 443 452">1. Documents: <ol data-bbox="248 456 1362 703" style="list-style-type: none"> <li data-bbox="248 456 868 492">a. SCI-Waymart Pre-Audit Questionnaire (PAQ) <li data-bbox="248 497 1161 533">b. Policy DC-ADM 008, (PREA Procedures Manual Section 7) 3 pages <li data-bbox="248 537 1362 618">c. Policy 4.1.1, Human Resources and Labor Relations Procedures Manual Section 7 (Standardization of Pre-Disciplinary Conferences) 3 pages <li data-bbox="248 622 1362 703">d. Policy 4.1.1, Human Resources and Labor Relations Procedures Manual Section 4 (Resignations in Lieu of Discharge) 4 pages <li data-bbox="248 757 427 792">2. Interviews: <ol data-bbox="248 797 596 875" style="list-style-type: none"> <li data-bbox="248 797 596 833">a. Human Resources Staff <li data-bbox="248 837 507 875">b. PREA Lieutenant <p data-bbox="248 927 564 963">Findings (By Provision):</p> <p data-bbox="248 1014 1481 1346">115.76 (a) 1. Pennsylvania Department of Corrections policy DC-ADM 008 PREA Procedures Manual Section 7 (Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) maintains that any employee who violates the Department's zero tolerance policy by engaging in, failing to report, or knowingly condones sexual abuse or sexual harassment of an inmate shall be subject to disciplinary or administrative action up to and including termination. Human Resources confirmed during the Auditor's interview that all staff is subject to disciplinary sanctions up to and including termination for violations of the agency's policies on sexual abuse or sexual harassment.</p> <p data-bbox="248 1397 1481 1688">In the past 12 months, SCI-Waymart reported that two (2) staff members have been subject to disciplinary or administrative action up to and including termination. In one instance, the agency's Office of Special Investigations and Intelligence (OSII) investigated the incident, with the staff member resigning from their position and criminal charges having been filed. The other staff member is pending disciplinary sanctions pursuant to Department policy which was not concluded at the time of the onsite audit phase. This was also confirmed during the Auditor's interview with Human Resources during the onsite phase of the audit.</p> <p data-bbox="248 1740 1481 2072">115.76 (b) 1-2. Pennsylvania Department of Corrections policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 7 (Standardization of Pre-Disciplinary Conferences) stipulates that termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse. SCI-Waymart reported during the pre-onsite audit phase that they have had two (2) staff terminations, resignations, or other sanctions for a violation of the agency's sexual abuse or sexual harassment policies in the past 12 months. One of the staff members resigned with criminal charges having been filed, and the other pending disciplinary sanctions.</p> <p data-bbox="248 2123 1449 2159">115.76 (c) 1-2. Pennsylvania Department of Corrections policy 4.1.1 Human Resources and</p>

Labor Relations Procedures Manual Section 7 (Standardization of Pre-Disciplinary Conferences) requires disciplinary sanctions for violations of agency policies related to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be 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. SCI-Waymart reported that they have had two (2) staff terminations, resignations, or other sanctions for a violation of the agency's sexual abuse or sexual harassment policies in the past 12 months. The Auditor's interview with Human Resources confirmed that SCI-Waymart has one (1) staff member pending disciplinary sanctions in the past 12 months for sexual abuse or sexual harassment, with another resigning from their position with criminal charges pending.

115.76 (d) 1-2. Pennsylvania Department of Corrections policy DC-ADM 008 Prison Rape Elimination Act (PREA) Procedures Manual Section 7 (Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) provides that terminations for violations of the agency's sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation are to be reported to law enforcement agencies, unless the activity was not clearly criminal, and to any relevant licensing bodies.

In addition, policy 4.1.1 Human Resources and Labor Relations Procedures Manual Section 4 (Resignations in Lieu of Discharge) requires that when a staff member resigns in lieu of discharge for a violation of policy DC-ADM 008, Human Resources must notify of the Office of Special Investigations and Intelligence (OSII) to determine if a potential criminal violation exists. If the violation meets criminal standards, OSII must refer the case to the District Attorney's Office that has jurisdiction over the affected facility. SCI-Waymart reported that there has been one (1) staff member in the past 12 months that was reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies.

Corrective Action: The audit team recommends no corrective action.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <p>1. Documents:</p> <ul style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, (PREA Procedures Manual Section 7) 3 pages <p>2. Interviews:</p> <ul style="list-style-type: none"> a. Superintendent b. PREA Lieutenant <p>Findings (By Provision):</p> <p>115.77 (a-b). Pennsylvania Department of Corrections policy DC-ADM 008 Prison Rape Elimination Act (PREA) Procedures Manual Section 7 (Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) provides procedures for taking corrective action for contractors and volunteers, that denotes when an allegation is made involving a contractor or volunteer, the individual must be removed from contact with the alleged victim until the conclusion of an investigation. The facility is required to take appropriate measures and consider whether to prohibit any further contact with inmates if the contractor or volunteer violates policy DC-ADM 008 Section 7 other than by engaging in sexual abuse. Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates, and is to be reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies.</p> <p>During the Pre-onsite audit phase, SCI-Waymart reported that during the past 12 months, zero contractors or volunteers were reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse or sexual harassment of inmates. The Auditor's interview with the Superintendent also confirmed that any violation of the agency's sexual abuse or sexual harassment policy by a contractor or volunteer would prompt the facility to prohibit their contact with inmates and follow the procedures set forth in DC-ADM 008.</p> <p>Corrective Action: The audit team recommends no corrective action.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <p>1. Documents:</p> <ul style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, (PREA Procedures Manual Section 7) 3 pages c. SCI-Dallas Investigations Log d. Policy DC-ADM 801 (Inmate Discipline Procedures Manual Section 1, Attachment 1-A) Inmate Misconduct/Rule Violations <p>2. Interviews:</p> <ul style="list-style-type: none"> a. Superintendent b. Mental Health Staff c. PREA Compliance Manager d. PREA Lieutenant <p>Findings (By Provision):</p> <p>115.78 (a) 1-4. Pennsylvania Department of Corrections policy DC-ADM 008 Prison Rape Elimination Act (PREA) Procedures Manual Section 7 (Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) stipulates that 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. During the pre-onsite audit phase, SCI-Waymart reported one (1) administrative finding of inmate-on-inmate sexual abuse in the past 12 months. However, due to the inmate abuser’s mental health status, no formal disciplinary sanctions were issued. The Auditor review of a sample of PREA investigations confirmed that one (1) substantiated finding from allegations of inmate-on-inmate sexual abuse occurred, with others either unsubstantiated or unfounded. A majority of the inmate allegations were against staff.</p> <p>115.78 (b) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) requires that inmate sanctions 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. A majority of the sample PREA investigations reviewed were found to be against staff. The Auditor’s interview with the Superintendent verified that any disciplinary sanctions imposed on an inmate following an administrative or criminal finding that they engaged in inmate-on-inmate sexual abuse would be proportionate to the nature of the circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.</p> <p>115.78 (c) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) states that the disciplinary process shall consider whether an inmate’s mental disabilities or mental illness contributed to his/her behavior when determining</p>

what type of sanction, if any, should be imposed. Additionally, policy DC-ADM 008 Section 7 provides that there is a Psychologist review when an inmate is charged with Misconduct #19 (Engaging in Sexual Acts with Others or Sodomy) due to the possibility that the sexual activity was not consensual. Policy DC-ADM 008 Section 2 requires that when there is an allegation of sexual abuse, the Licensed Psychology Manager (LPM) or designee shall administer the PREA Risk Assessment Tool to all involved inmates within 72 hours of the allegation being made. The Auditor's interview with Mental Health staff confirmed these processes.

115.78 (d) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) maintains that 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. The Auditor's interview with Mental Health staff confirmed that SCI-Waymart offers therapy, counseling, or other intervention services designed to address the underlying reasons or motivations of sexual abuse for the inmate.

115.78 (e) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) states that 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. During the pre-onsite audit phase, SCI-Waymart reported zero substantiated occurrences inmate sexual conduct with staff during this rating period.

115.78 (f) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) ensures that 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. During the onsite audit phase, discussions with SCI-Waymart's PREA compliance manager and PREA lieutenant indicated that no inmate has been disciplined for falsely reporting an allegation of sexual abuse or sexual harassment that was made in good faith. A reporting inmate can only be subject to disciplinary action for sexual abuse or sexual harassment allegations which have been unfounded and for which the investigation was satisfactorily approved by the Office of Special Investigations and Intelligence (OSII).

115.78 (g) 1. Policy DC-ADM 008 Section 7 ((Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation) provides that the Department prohibit all sexual activity between inmates and may discipline inmates for such activity. The Department does not deem such activity to constitute sexual abuse if, through the investigative process, determines that the activity is not coerced or forced. The Auditor's review of the agency's Inmate Misconduct/Rule Violations (DC-ADM 801 Inmate Discipline Procedures Manual Section 1, Attachment 1-A) noted the following acts of a sexual nature: rape, involuntary deviate sexual intercourse, engaging in sexual acts with others or sodomy, sexual harassment, indecent exposure, and kissing or inappropriate physical contact.

Corrective Action: The audit team recommends no corrective action.

115.81	Medical and mental health screenings; history of sexual abuse
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. State Correctional Institution SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy ADM 008, Section 2 (PREA Procedures Manual) 19 pages c. Mental Health Informed Consent form d. Mental Health Referral form 2. Interviews: <ol style="list-style-type: none"> a. Inmates Who Disclose Sexual Victimization During Risk Screening b. Staff Responsible for Risk Screening c. Medical and Mental Health Staff d. Victims of Crime Services staff member 3. Onsite Observations: <ol style="list-style-type: none"> a. Sapphire (electronic medical record) b. Medical records area and medical hard copy files <p>Findings (By Provision):</p> <p>115.81 (a). Policy ADM 008, Section 2 (PREA Procedures Manual [page2-10: D (2)]) requires 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 or mental health practitioner within 14 days of the intake screening or sooner, if clinically indicated.</p> <p>During the pre-onsite audit phase SCI-Waymart reported 100 percent of inmates who disclosed prior victimization during screening, were offered a follow up meeting with a medical or mental health provider in the past 12 months.</p> <p>During the onsite audit, the auditor reviewed the mental health referral forms of five inmates. All of these five inmates who reported sexual abuse or harassment were referred and seen by a mental health staff member according to the documentation reviewed. An interview with an inmate who disclosed sexual victimization during risk screening indicated they were referred to someone from medical (psychologist) and met with them. They also reported meeting with their counselor on a regular basis. An interview with the specialized staff who administers the PRAT verified that mental health services would conduct a follow up meeting with the inmate and provide counseling services as needed.</p> <p>115.81 (b). Policy ADM 008, Section 2 (PREA Procedures Manual [page2-10: D (3)]) requires 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</p>	

community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening or sooner, if clinically indicated. In addition, when information becomes available relating to perpetration of inmate on inmate sexual abuse history, a mental health evaluation shall be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

During the pre-onsite audit phase SCI-Waymart reported 100 percent of inmates who have previously perpetrated sexual abuse, as indicated during screening who were offered a follow up meeting with a mental health provider in the past 12 months. The auditor interviewed medical and mental health specialized staff who both indicated they would also meet with any inmate who was referred to them for perpetrating either while in custody or in the community. The area where the inmates would be meeting with a medical/mental health provider is the medical/clinical area, so others would know the reason for the professional contact.

115.81 (c). Not Applicable. Facility is a prison. See 115.81 (a)

115.81 (d). Policy ADM 008, Section 2 (PREA Procedures Manual [page2-10: D (4)]) requires 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. While onsite the auditor observed SCI-Waymart staff utilize the newly implemented Sapphire System (electronic medical record software) to track inmate details and movement and any inmate with a risk of victimization (ROV) or risk of abusiveness (ROA) designation is populated as a "Housing concern" statement. This allows designated staff to consult a tracking database to determine the specifics of the housing concern. Counselors are also assigned to each inmate and meet following a 14 day follow up or any types of monitoring that may need to take place. While at the facility, the specialized staff demonstrated the Sapphire system to the auditor.

115.81 (e). Policy ADM 008, Section 2 (PREA Procedures Manual [page2-10:D(5)]) requires medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting, unless the inmate is under the age of 18. If the inmate refuses to sign, it shall be noted and signed by a witness and maintained in the medical record. The auditor reviewed a sample of Mental Health Informed Consent forms and Mental Health Referral forms during the pre-audit phase and while onsite at the facility to verify practice follows policy. Interviews with multiple medical and mental health staff confirmed their adherence to this policy and practice. Staff indicated if the inmate did not understand, they would explain in further detail. Interviews with inmates who have reported sexual abuse whether in the community or in a custody setting also confirmed they were aware of being informed of this information.

Corrective Action: The audit team recommends no corrective action.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. State Correctional Institution SCI-Retreat Pre-Audit Questionnaire (PAQ) b. Policy ADM 008, Section 4 (PREA Procedures Manual) c. Documents d. Post Sexual Assault Interviews e. Medical Reports from Wilkes-Barre General Hospital 2. Interviews: <ol style="list-style-type: none"> a. Medical and Mental Health Staff b. Inmates Who Reported Sexual Abuse c. Staff First Responders d. Victim of Crime Services staff member 3. Site Review Observations: <ol style="list-style-type: none"> a. Sapphire system (electronic medical records) b. Medical records area (hard copy review of medical records) <p>Findings (By Provision):</p> <p>115.82 (a). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-2;D(a)]) requires alleged inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope with which are determined by a medical and mental health practitioner according to their professional judgment. The interviews with medical and mental health staff confirmed that victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services, as quickly as possible, and if the abuse happened within 96 hours they'll go out to the community hospital (Wayne Memorial Hospital), for a SAFE/SANE (MOU provided in the PAQ and hospital representative confirmed during pre-onsite interview).</p> <p>During the onsite audit, the auditor reviewed files of the inmates who reported sexual abuse and the records verified that the inmates were seen by medical and then by mental health staff within 24 hours (dates were provided in the hard copy records and not all had times designated). Review of the medical reports, during the pre-audit phase, and the clinical notes reviewed during the onsite review verify the inmates have been seen timely if not immediately.</p> <p>115.82 (b). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-2;D(b)]) requires if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the alleged victim and shall immediately notify the appropriate medical and mental health practitioners. The interviews with the staff first responders all reported they would separate and isolate the</p>

alleged victim from the alleged abuser, contact the shift commander, tell both the victim and abuser not to wash, urinate, defecate, eat or drink, notify medical, secure the immediate area as a crime scene, protect any evidence and keep the victim safe.

The Auditor noted that some of the staff did consult their First Responder pocket guides and they were all able to articulate the correct responses. Staff also stated they would assure the alleged victim was safe and that they were in a confidential area as possible, depending on the report, and wait with the inmate until they can be seen by medical, a shift supervisor, or clinical.

115.82 (c). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-2; D (d)]) requires all facilities shall provide alleged victims with medical and mental health services consistent with community level of care. The Interviews with the Inmates who reported sexual abuse indicated they were tested for sexually transmitted diseases if they were assaulted. The interviews with the medical and mental health staff confirmed that inmates are offered information about emergency contraception and sexually transmitted infection prophylaxis. Review of the medical notes indicates inmates were tested for sexually transmitted infections and access to care was consistent with policy.

115.82 (d). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-2;D(c)]) requires treatment services shall be provide to the alleged victim without financial cost and regardless of whether the alleged victim names the abuser or cooperates with any investigation arising out of the incident.

The auditor conducted informal interviews with medical and mental health staff and inmates who reported sexual abuse or harassment; all verified that they are not charged for any medical or mental health treatment services. During the evidence review phase of the audit, the auditor requested the PCM send two of the inmates financial records (who had had STI lab work conducted specific to allegations of sexual abuse) to verify that no charges are incurred by the inmate for treatment. Based on the records reviewed and interviews with staff and inmates, the auditor was able to confirm that the practices of the facility are consistent with agency policy and inmates are not charged for medical services consistent with the provisions of this standard.

Corrective Action: The audit team recommends no corrective action.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. State Correctional Institution SCI Waymart Pre-Audit Questionnaire (PAQ) b. ADM 008, Section 2 (PREA Procedures Manual) c. ADM 008, Section 4 (PREA Procedures Manual) d. Post Sexual Assault Interview e. Mental health Contact Notes f. Medical Progress Notes g. Mental Health Referral Form h. Medical and Mental Health File 2. Interviews: <ol style="list-style-type: none"> a. Medical and Mental Health Staff b. Inmates Who Reported Sexual Abuse c. The Victims of Crime Services Staff 3. Site Review Observations: <ol style="list-style-type: none"> a. Sapphire system (electronic medical record software) b. Medical file room (hard copy review of medical records) <p>Findings (By Provision):</p> <p>115.83 (a). Policy ADM 008, Section 4 (PREA Procedures Manual [page4-7: F (1)]) requires the facility shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have allegedly been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. The auditor reviewed a sample documentation of mental health contact notes and post sexual assault interview notes in the inmate’s medical and mental health files during the onsite audit. The auditor verified during interviews with targeted inmates and specialized staff during the onsite review that an inmate would be offered medical and mental health follow up treatment services if an inmate was sexually assaulted and/or sexually harassed.</p> <p>115.83 (b). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-7:F(3)]) requires the evaluation and treatment of alleged victims shall include, as appropriate, follow up services, treatment plans, and when necessary, referrals for continued care following their transfer to, or placement in, to other facilities, or their release from custody.</p> <p>During the onsite review the auditor examined the mental health contact notes and post sexual assault interview documents and found they indicate whether continued care, a treatment plan, and further follow up services including whether a transfer is needed to another facility or continued care in the community.</p> <p>The interview with inmates who reported sexual abuse while at the facility indicated they met</p>	

with medical staff (did not know if staff was medical or mental health professionals). The interviews with the mental health staff verified that it's their practice to ensure that follow up continues up to 90 days with inmates about mental health needs and this can be continued beyond the 90 days. They stated they will also offer the Victim of Crime Services information as well as set up an appointment if they request. They are further informed they can change their mind at a later date if they don't wish to be seen immediately. Medical staff indicated the inmates are assessed for any physical injury and are treated by medical. Medical staff will preserve evidence if they can, but the inmates are sent to a SAFE/SANE immediately if it's within the 96 hours' time frame. If it's past 96 hours, they will document in the case notes/medical chart if there are visible signs of injury, abrasions etc. and follow up with the community hospital if needed, and a referral to mental health staff.

115.83 (c). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-7: F (4)]) requires all facilities shall provide alleged victims with medical and mental health services consistent with the community level of care. The Medical Notes and the mental health notes reviewed during the pre-audit phase are consistent with the policy and the medical and mental health statements that indicate services are in level with the community standards. Inmates are seen within 24 hours by mental health staff and immediately by medical staff. This was also verified reviewing investigations during the onsite Audit. Shift Report checklists were reviewed while at the facility. The dates and times indicate when an alleged assault takes place the victim and the perpetrator are seen by medical and mental health staff, and/or sent to Wilkes-Barre General Hospital.

115.83 (d-e). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-8: F (5)]) requires that alleged inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. During the Pre-audit phase SCI-Retreat reported they do not house adult female inmates. The Auditor reviewed the PA DOC public website and confirmed that SCI- Retreat has an adult male inmate population. No female inmates were interviewed for this subsection.

115.83 (f). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-7: F (7)]) requires alleged inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infectious as medically appropriate. The auditor reviewed inmate medical notes and they indicate that the inmate is tested for sexually transmitted diseases. The interviews with the inmates who reported sexual abuse corroborate that the sexually transmitted infections testing was made available to them.

115.83 (g). Policy ADM 008, Section 4 (PREA Procedures Manual [page 4-2:D(1)(c)]) ensures that treatment services shall be provided to the alleged victim without financial cost and regardless of whether the alleged victim names the abuser or cooperates with any investigation arising out of the incident. The interviews with the inmates who reported sexual abuse indicated they were not charged. Medical and mental health staff state the inmates are not charged for services when there is an allegation of sexual assault or sexual harassment. During the evidence collection phase of the audit, the auditor requested two inmates' financial records to determine if charges had occurred after receiving treatment services. The records did not indicate any charges.

If the inmate is referred to the Victims of Crime Services, they are also not charged for these

services. This was verified on site when a staff from the Victims of Crime Services indicated they do not charge the inmate.

115.83 (h). Policy ADM 008, Section 2 (PREA Procedures Manual [page 2-13:D(3)]) ensures when information becomes available relating to perpetration of inmate on inmate sexual abuse history, a mental health evaluation shall be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners. During the pre-audit phase, staff reported in the PAQ that inmate on inmate abusers were offered mental health evaluations but all refused. This was verified by the mental health notes and documented on the Mental Health Referral Form.

Corrective Action: The audit team recommends no corrective action.

115.86	Sexual abuse incident reviews
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents: <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. Policy DC-ADM 008, PREA Procedures Manual c. Random Sexual Abuse Incident Reviews (SAIR) 2. Interviews: <ol style="list-style-type: none"> a. Deputy Superintendent for Facilities Management b. PREA Compliance Manager 3. Site Review Observations: <ol style="list-style-type: none"> a. SAIR Documents <p>Findings (By Provision):</p> <p>115.86 (a). During the on-site portion of the audit, the auditor observed that Sexual Abuse Incident Review (SAIR) is completed at the conclusion of each of the reviewed substantiated and unsubstantiated investigations. This is supported by the agency policy DCADM 008 stating in part that each facility will conduct a Sexual Abuse Incident Review (SAIR) at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated, and whether the investigation was conducted by the facility Security Office or by the Office of Special Investigations and Intelligence (OSII). No review is to be conducted if the allegation has been determined to be unfounded. The review must also occur within 15 working days of the receipt of the notification from OSII that the investigation was deemed satisfactory.</p> <p>During the onsite audit review, SCI-Waymart reported 51 allegations of sexual abuse or sexual harassment investigations from January 1 to December 31, 2017. The SAIR Team includes upper-level management officials allowing for input from line supervisors, investigators, and medical or mental health practitioners. An interview with the institution deputy superintendent for facilities management indicated that the superintendent had not been involved in a SAIR meeting and had not reviewed any PREA investigations for the previous 5 months because he is new to the facility.</p> <p>The deputy superintendent indicated he would consider the following information:</p> <p>Whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.</p> <p>Whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender or intersex identification, status or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility.</p>	

Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

Assess the adequacy of staffing levels in that area during different shifts.

Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

Consider information such as housing assignment, measures taken as a result of the allegation, need for follow-up for the inmate victim, etc.

Gather information that can help to sensitize staff to possible clues and situations that is present before such incidents may occur. The aim is to help all staff become more proficient at detecting preventable incidents before they occur.

115.86 (b). The SAIR meets monthly or as needed to review investigations.

115.86 (c). The SAIR committee includes two deputy superintendents, a licensed psychology manager, a correction health care administrator, a security office representative, and a major of unit management or major of the guards.

115.86 (d). The deputy superintendent indicated that the SAIR review considers the following when reviewing the incident:

Whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.

Whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender or intersex identification, status or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility.

Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

Assess the adequacy of staffing levels in that area during different shifts.

Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

Consider information such as housing assignment, measures taken as a result of the allegation, need for follow-up for the inmate victim, etc.

Gather information that can help to sensitize staff to possible clues and situations that is present before such incidents may occur. The aim is to help all staff become more proficient at detecting preventable incidents before they occur.

115.86 (e). Per the deputy superintendent, recommendations are either implemented or

referred to central office, in writing and may be implemented depending on cost.

Corrective Action: The audit team recommends no corrective action.

115.87	Data collection
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.88	Data review for corrective action
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The following evidence was analyzed in making the compliance determination:</p> <ol style="list-style-type: none"> 1. Documents <ol style="list-style-type: none"> a. SCI-Waymart Pre-Audit Questionnaire (PAQ) b. PA DOC Policy DC-ADM 008, PREA Procedures Manual Section 2: Sexual Abuse/Sexual Harassment Prevention and Training c. PREA Training and Understanding Verification Form d. Handout 1: Sexual Abuse and Sexual Harassment e. 2017 Basic Training Lesson Plan f. PA DOC PREA Video g. Post Orders h. Individual Employee Training Transcripts 2. Interviews <ol style="list-style-type: none"> a. PREA Compliance Manager b. Random Staff c. Specialized Staff <p>Findings (By Provision):</p> <p>115.401 (h). During the onsite audit phase, all three (3) members of the audit team had unfettered access to all areas of the facility’s buildings and grounds. The audit team was able to view any operation within the facility upon request. If a specific task or process was not occurring or scheduled to occur during the onsite audit phase, staff demonstrated the specific process as requested by the auditors (e.g., inmate intake, religious services, vocational programming).</p> <p>115.401 (i). During all phases of the audit process, SCI-Waymart staff made available to all members of the audit team any documents, records, files, videos, and photographs (electronic) in a timely manner. The PREA compliance manager took pictures of specific items and areas within the facility upon request, and provided copies via email for the auditor’s use and reference in preparing the audit findings. During the pre-onsite and onsite audit phases, the auditor team had unfettered access to agency and facility level files, reports and automated information systems.</p> <p>115.401 (m). During the onsite audit phase, the audit team, PREA compliance manager, and other staff worked cooperatively to develop a confidential process and location for conducting interviews of both staff and inmates. The audit team was able to conduct interviews utilizing the offices of two (2) counselors and a unit manager; locations where inmates frequent on a daily basis. Where necessary, the auditors were able to locate to other areas of the facility to interview randomly selected staff to help ease the required officer relief/coverage factor of security operations. The auditors observed facility staff actively engaged in keeping a constant flow of inmates and staff available for interviews while trying to minimize disruptions to</p>

operations.

The audit team and SCI-Waymart staff worked cooperatively when any inmate shared their hesitancy to participate in an interview; responding in a professional manner and acknowledging their sensitivity and apprehension by working to educate the inmate(s) on the purpose, reason, and selection criteria for the interviews. This process worked well with only one inmate refusing to participate in an interview. A total of 49 formal inmate interviews occurred during the onsite audit phase (27 random, 22 targeted).

115.401 (n). SCI-Waymart's PREA compliance manager coordinated the postings of the auditor supplied "Notice of Audit" poster that was in both English and Spanish. The posters were placed throughout the facility and in conspicuous places such as inmate housing, program and work areas, kitchen, visitation, medical, and intake. The PREA compliance manager provided the auditor pictures sent via email when the postings were completed (6 weeks in advance of the onsite audit phase). The audit team also observed the "Notice of Audit" postings throughout the facility when conducting the onsite audit phase.

Within the "Notice of Audit," inmates were informed that any person with information relevant to this compliance audit may confidentially correspond with the lead auditor (address provided) and would be handled at the facility level as legal mail. This was also verified by the facility's mailroom staff who articulated that they were knowledgeable of the procedures in place for any correspondence being submitted to the PREA auditor.

Corrective Action: The audit team recommends no corrective action.

115.403	Audit contents and findings
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

Appendix: Provision Findings

115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes

115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes

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

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

115.13 (a)	Supervision and monitoring	
	Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video	yes

	monitoring, to protect inmates against sexual abuse?	
	Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring?	yes

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

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

115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

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

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

115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.)	na
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20,2017.)	na

115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates?	no

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes

115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes

115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

	aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes

115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates?	yes

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

115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

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

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes

115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

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

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

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

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

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

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes

115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes

115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes

115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.)	na

115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes

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

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes

115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes

115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes

115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes

115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes

115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes

115.33 (c)	Inmate education	
	Have all inmates received such education?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

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

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

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

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

115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment?	yes

115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.)	na

115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere?	yes

115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31?	yes
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32?	yes

115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes

115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes

115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a: Referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Request?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes

115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes

115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes

115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes

115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes

115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes

115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes

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

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations?	yes

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes

115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes

115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes

115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security?	yes

115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes

115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes

115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	no
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes

115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	na
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	na

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	na
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	na
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	na

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	na
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	na
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	na

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	na
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	na
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na

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

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies?	no
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes

115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes

115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes

115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes

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

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes

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

115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes

115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes

115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes

115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

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

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

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

115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes

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

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes

115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes

115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes

115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes

115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes

115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes

115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes

115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes

115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes

115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes

115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes

115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes

115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes

115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes

115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes

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

115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes

115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes

115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes

115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes

115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes

115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes

115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes

115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes

115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes

115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes

115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes

115.78 (g)	Disciplinary sanctions for inmates	
	Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

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

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

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

115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

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

115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes

115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes

115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)	na

115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.)	na

115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes

115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

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

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

115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes

115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes

115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes

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

115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes