

PREA Facility Audit Report: Final

Name of Facility: SCI Benner Township

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 05/01/2017

| 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: Paula J Stoudt | Date of Signature: 05/01/2017 |

| AUDITOR INFORMATION | |
|-------------------------------------|---------------------|
| Auditor name: | Stoudt, Paula |
| Address: | |
| Email: | Paula.Stoudt@wi.gov |
| Telephone number: | |
| Start Date of On-Site Audit: | 03/01/2017 |
| End Date of On-Site Audit: | 03/02/2017 |

| FACILITY INFORMATION | |
|-----------------------------------|--|
| Facility name: | SCI Benner Township |
| Facility physical address: | 301 Institution Drive, Bellefonte, Pennsylvania - 16823 |
| 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 | | | |
|-----------------------|--|--------------------------|--|
| Name: | | Title: | |
| Email Address: | | Telephone Number: | |

| Warden/Superintendent | | | |
|-----------------------|-------------------|--------------------------|----------------|
| Name: | Tammy Ferguson | Title: | Superintendent |
| Email Address: | taferguson@pa.gov | Telephone Number: | 814-353-3630 |

| Facility PREA Compliance Manager | | | |
|----------------------------------|------------------|-----------------------|-----------------|
| Name: | Jennifer Rossman | Email Address: | jrossman@pa.gov |

| Facility Health Service Administrator | | | |
|---------------------------------------|-----------------|--------------------------|--------------|
| Name: | Lori Sossong | Title: | CHCA |
| Email Address: | lsossong@pa.gov | Telephone Number: | 814-353-3630 |

| Facility Characteristics | | |
|--|------------------|---------------------|
| Designed facility capacity: | 1900 | |
| Current population of facility: | 2069 | |
| Age Range | Adults: 20-84 | Youthful Residents: |
| Facility security level/inmate custody levels: | Medium / 2,3,4,5 | |
| Number of staff currently employed at the facility who may have contact with inmates: | 562 | |

| 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: | dradziewicz@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.

The Prison Rape Elimination Act audit of SCI-Benner Township located at 301 Institution Drive, Bellefonte, PA was conducted by certified PREA auditors Paula Stoudt (lead) and Paul Lockwood. Both auditors are employees of the State of Wisconsin. The audit was conducted as part of a consortium between the states of Pennsylvania, Wisconsin, Maryland and Michigan.

The audit of SCI-Benner Township was conducted on March 1st & 2nd, 2017. Audit notices were sent and posted on all housing units and common areas of the facility by January 18, 2017. The notices explained the purpose and dates of the audit, and provided residents and staff with the auditor's contact information.

The Pre-audit Questionnaire was successfully completed and submitted via the PREA Online Audit System (OAS) by staff from the facility. Prior to the onsite visit, this auditor conducted a review of the documents submitted by the agency, including the agency's PREA policy, DC-ADM 008 "Prison Rape Elimination Act." This auditor also reviewed information available on the agency's website. There were several facility-specific documents included in the Pre-Audit Questionnaire which aided in understanding the facility's PREA related practices. This auditor stayed in contact with the PREA Compliance Manager and PREA Administrative Officer via e-mail. The Agency PREA Director was present during the on-site tour.

On March 1st, 2017 an entrance meeting prior to the tour was conducted with Tammy Ferguson, Superintendent; Bobbi Jo Salamon, Deputy Superintendent of Centralized Services; Brad Booher, Major of the Guard; Tim Graham, Major of Unit Management; Jennifer Rossman, Corrections Classification Program Manager/PREA Compliance Manager; Kevin Holmberg, PREA Lieutenant; and Laura Hughes, PREA Administrative Officer. Following the entrance meeting, PREA Compliance Manager (PCM) Jennifer Rossman lead the group on a tour of the buildings and grounds within SCI-Benner Township.

The remainder of day one and all of day two of the on-site visit consisted of staff and resident interviews and a review of available documents. Interviews of staff and inmates were split between the Lead Auditor, Paula Stoudt, and back-up Auditor, Paul Lockwood. Both auditors were provided suitable accommodations and private interview space. Inmate's chosen for interviews were those from each of the eight (8) housing units and also those who met the criteria for Specialized Interviews such as those who reported sexual abuse, those who corresponded with this auditor prior to the audit, LEP inmates, those who identified as gay/transgender and/or bi-sexual, and those who disclosed sexual victimization during the risk screening. Staffing rosters were reviewed and staff were randomly chosen from the rosters provided from each shift.

In total there were 20 inmates interviewed, 20 random staff interviews, and 11 specialized staff interviews conducted. The auditors were not limited in any way from speaking with staff or residents and had

inspection access to all areas of the facility. Any files or documents requested for review were provided in a timely and unrestricted manner. Discussions with the PREA Coordinator and PREA Compliance Manager assisted in gaining a better understanding of the facility's PREA related policies and practices.

While on-site, the auditors interviewed (11) agency-wide staff to include:

- Superintendent (1)/Deputy Superintendents (2)
- Agency PREA Coordinator
- PREA Compliance Manager
- Contract staff (1)
- High Level Security Staff--Major
- PREA Investigator
- Medical Staff
- Mental Health Staff
- Human Resource Director for SCI-Benner Township and SCI-Rockview

Several of the staff noted above acted in dual roles and were able to answer questions for the specialized interviews.

Auditor interviews of random staff, also included:

- Four (4) officers from 3rd shift
- Eight (8) officers from 1st shift
- Eight (8) officers from 2nd shift

This auditor also contacted the SANE/SAFE nurse at Mount Nittany Medical Center and a representative from the Centre County Women's Resource Center to verify victim services provided to inmates at SCI-Benner Township. Informal interviews of staff were also conducted during the tour in order to get an idea if practice meets policy. During the on-site tour, staff were observed working in their respective areas. Discussions with staff confirmed they were knowledgeable about PREA and knew who to contact with any PREA related questions or issues.

Interviews with inmates indicate they know where to find information and how to make reports. They all knew the meaning of PREA when asked. They were familiar with resources and most indicated they felt safe from sexual abuse and sexual harassment while at SCI-Benner Township.

An exit meeting was held on March 2nd, 2017 with the individuals who were present at the entrance meeting in addition to Daniel Myers, Deputy Superintendent of Facilities Management and Scott Klinefelter, Security Captain. During the exit meeting the preliminary audit findings were discussed. It should be noted that facility and agency administrators were extremely professional, polite, and accommodating throughout the audit process. They should be commended on their commitment to the Prison Rape Elimination Act and the hard work put forth in preparation for the audit.

At the conclusion of all interviews with staff and inmates from SCI-Benner Township, the auditors met to discuss the outcome of interviews and had a discussion regarding the overall findings of the on-site portion of the audit. Interview notes were reviewed and areas that required additional clarification and follow-up were noted. This auditor then conducted the necessary follow-up activities as identified.

During the post-audit phase if this auditor had questions or needed additional information, I was able to e-mail the PCM and would receive a timely and detailed response. Documents provided in the Pre-Audit

Questionnaire were extremely helpful in determining compliance with the standards.

There were no corrective action recommendations required for this audit.

AUDIT FINDINGS

Facility Characteristics:

The auditor's description of the audited facility should include details about the type of the facility, 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.

SCI-Benner Township, authorized under Act No. 41 2008, was officially named the State Correctional Institution at Benner Township; recognized for the township in which it is located.

Construction of SCI Benner Township began in October 2010. Facility construction was completed January 29, 2013 and on April 1, 2013, SCI Benner Township was officially dedicated by Governor Corbett. The facility became the 26th correctional institution under the jurisdiction of the Department of Corrections.

This medium-security facility houses only adult male offenders. The buildings on the institutional grounds are made of precast concrete and are characterized by its campus-like design.

In May 2013, SCI Benner Township and SCI Rockview combined Business Offices and Human Resource Offices to provide conjoined services for both facilities. The only time inmates are allowed at the Business Office/Human Resources building is when they are there to complete lawn care and cleaning duties. All inmate activities in this location are supervised by security staff. Staff assigned to the Business Office fall under the purview of SCI Benner Township; this includes accounting activities, mailroom services, and warehouse operations. SCI Rockview currently maintains the Human Resource Office.

SCI Benner Township is situated on 88 acres of SCI Rockview property. There are 46 acres of land inside the fence.

The facility has 549 cameras installed throughout each of the respective buildings. A listing of cameras and where they are located was provided to this auditor. Cameras are added as identified in the Sexual Abuse Incident Reviews and as resources allow.

Buildings include: A, B, C, D, E, F, G, H, and K general population housing units; J Housing Unit which is a security Level-5 housing unit, Administration (Building 1), Security Admin (Building 2), Medical (Building 3), Food Service (Building 4), Maintenance (Building 5), PCI Laundry (Building 6), Program Services (Building 7), Education (Building 8), Activities (Building 9), Field House (Building 12A, 12B), Pump House (Building 12), Warehouse (Building 14), Sally Port (Building 16), Central Utility Plant (Building 17), and Transportation Hub (Building 20).

Food Service (Building 4) contains a food preparation area, three inmate dining areas, and a staff dining area. Food preparation areas are equipped with cameras to assist with viewing of blind spots. This auditor was informed that additional cameras were added in the food preparation and serving areas in response to an allegation of sexual abuse that occurred.

The Program Service Building (Building 7) contains the following departments: Education, Activities, Chapel, Psychology, and Treatment Rooms.

There are eight housing units (A-H) consisting of 128 cells each and K Housing Unit which consists of 13 cells, 2 dorms (17 bed and 16 bed) and 1 detention cell. The housing units are spacious and allow for

easy viewing of all areas. The units are equipped with cameras and mirrors to assist in viewing of inmate activities. The showers on the housing units are designed to provide privacy to inmates yet allow for supervision by security staff to ensure the safety of those in the showers. The showers are individual stalls with a changing area in front of the shower stall.

Security Level-5 housing is located on J Unit which consist of 96 cells. There are gender specific posts in this housing unit due to staff viewing cameras that have views inside inmate cells.

The Infirmary contains 4 POC cells, 4 Isolation cells, and 3 dorms (5 beds in each).

The Medical Department provides all medical and mental healthcare services to the inmate population. SCI Benner Township is equipped with a 19 bed infirmary that provides sub-acute hospital care with included physician rounds daily. This unit is also used to house inmates from SCI Benner Township who are in need of help with daily care, but are not acute enough to need admitted. A four bed Psychiatric Observation Unit is available for use for patients in need of crisis intervention or suicide intervention.

The Department of Corrections has contracted with Correct Care Solutions and Mental Health Management. These contracted vendors are responsible for providing medical and psychiatric care. Each inmate has access to 24-hour emergency care and a registered nurse is on site 24 hours a day. Sick call is available M-F for general population inmates and seven days per week for RHU inmates. The time of the visit can vary from day to day depending on patient flow and previously scheduled appointments. Each inmate may access sick call for a minimal co-pay of \$5.00. All chronic care issues are treated on routine chronic clinics that are scheduled on the basis of the severity of the condition. Any required specialty is provided when the medical situation meets the nationwide HMO norms and established insurance guidelines. The institution pharmacy is inspected quarterly by a Pharmacist from Diamond Pharmacy Services. Inmates are issued medication blister packets for self-medication or individual doses at the pharmacy window.

A range of dental services is available including dentures from the dental department staff. Medical services are evaluated and monitored by QA/QI standards that are submitted to the Bureau of Healthcare Services. A QA/QI and Infection Control meeting is held monthly in the medical department on the last Wednesday of the month. Bio Med Services collects hazardous waste generated by the department up every Friday.

The existing EMS system in Benner Township provides for emergency evacuation of any emergency. Patients needing emergency services are taken to Mount Nittany Medical Center. In addition, all medical staff receive yearly CPR/AED certification training.

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.

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| Number of standards exceeded: | 4 |
| Number of standards met: | 35 |
| Number of standards not met: | 0 |
| Number of Standards Not Applicable: (The total number of standards that were audited at the agency level) | 6 |

After a review of documents, interviews of staff, inmates and providers; combined with on-site audit information this auditor has determined the following for SCI-Benner Township:

Number of standards exceeded: 3

Number of standards met: 38

Number of standards not met: 0

Number of standards not applicable: 2

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.

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| 115.11 | Zero tolerance of sexual abuse and sexual harassment; PREA coordinator |
| | <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>115.11 (a) -1 -5: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008; Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Agency Mission Statement.</p> <p>Prevention</p> <p>The Department will take appropriate actions to ensure zero tolerance toward all forms of sexual abuse and sexual harassment in order to promote the safety of inmates. The Department will implement federal Prison Rape Elimination Act (PREA) Standards to ensure that all aspects of operations work toward preventing, detecting, and responding to such conduct resulting in a safer environment. (28 C.F.R. §115.11[a])</p> <p>DC ADM 008; Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>It is the policy of the Department to prohibit any form of sexual abuse and/or sexual harassment of an inmate. The Department has zero tolerance for sexual abuse or sexual harassment of any individual under the supervision of the Department. (28 C.F.R. §115.11[a])</p> <p>115.11 (a) -3: Compliance evidence: 1)Glossary of Terms provided from DC ADM 008; to include sexual abuse and sexual harassment definitions.</p> <p>115.11 (a)-4: Compliance evidence: 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation A. Staff Discipline; B. Corrective Action for Contractors and Volunteers; C. Inmate Discipline.</p> <p>Observations: DC ADM 008 includes all the elements of this PREA Standard, including mandating a zero tolerance toward all forms of sexual abuse and sexual harassment. The policy outlines the agency’s approach to preventing, detecting, and responding to such conduct. Interviews with staff and inmates indicate an understanding of the Agency's commitment to the Prison Rape Elimination Act.</p> <p>115.11 (c) -1: Compliance evidence: The facility provided this auditor with; 1) SCI Benner Township Centralized Services Organizational Chart (PREA); 2) DC ADM 008: III. Policy--It is the policy of the Department to prohibit any form of sexual abuse and/or sexual harassment of an inmate. The Department has zero tolerance for sexual abuse or sexual harassment of any individual under the supervision of the Department. (28 C.F.R. §115.11[a]); 3) PREA SCI Contacts updated 1/20/17.</p> <p>115.11(c)-2: Compliance evidence: DC ADM 008 Section 2; specifically A. 1 & 2.</p> <p>115.11(c)-3: The position of the PREA Compliance Manager in the agency's organizational structure is that of the Corrections Classification and Program Manager.</p> |

115.11(c)-4: The PCM reports to the Deputy Superintendent for Centralized Services.

Observations: The agency has one statewide PREA Coordinator who is responsible for PREA compliance across the Department. The statewide PREA Coordinator's sole responsibility is to develop, implement, and oversee Department efforts to comply with the federal PREA Standards in all of the Department's facilities. The statewide PREA Coordinator shall report directly to the Director of the Bureau of Standards, Audits, and Accreditation and shall be responsible for the below listed duties. (28 C.F.R. §115.11[b]).

The Corrections Classification and Program Manager is the designated PREA Compliance Manager for SCI-Benner Township. She has been given sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

The interview with the PREA Compliance Manager (PCM) indicates that she is allotted the time, authority, and resources to coordinate and oversee the facility's efforts to comply with the PREA standards. The PCM also has an Administrative Officer 1 to assist with compliance measures and also a designated PREA Lieutenant who conducts all of the facility's PREA investigations.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it was determined that SCI-Benner Township Meets this standard.

| 115.12 | Contracting with other entities for the confinement of inmates |
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| | Auditor Overall Determination: Audited at Agency Level |
| | Auditor Discussion |
| | This standard was audited on the AGENCY level. SCI-Benner Township has no responsibility for this standard, separate from the agency's responsibilities. There are no contracts that have been renewed or entered into since the last facility of the agency was audited on 2/24/16. There are three active MOUs with Columbia County (2014), Lackawanna County (2015), and York County (2015) for the confinement of inmates. Page 7, Section 15 (A) states, "Pursuant to federal regulations promulgated under the authority the Prison Rape Elimination Act, the County understands and agrees that it shall adopt and comply with all PREA regulations, including, but not limited to, the standards related to hiring and promotion as set forth in 28 C.F.R. 115.17." The Bureau of Community Corrections also completes a PREA Contract Compliance Monitoring Report. Two examples of this monitoring report were provided for Montgomery County Correctional Facility and Wayne County Correctional Facility. |

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| 115.13 | Supervision and monitoring |
| | <p data-bbox="248 168 928 203">Auditor Overall Determination: Exceeds Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1485 616">115.13 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008-Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) SCI Benner Position Worksheet—Staffing Summary from 2014; 3) PIDS Meeting Minutes from 2/16/16 that demonstrates meeting discussion that additional cameras would be considered based on areas identified as needing additional supervision; 4) Camera Listing from 2017. 549 total cameras within SCI – Benner Township; 5) Unannounced PREA Rounds schedule 12/18/15; 6) Sexual Abuse Incident Review Example dated 6/09/16.</p> <p data-bbox="248 667 1481 1128">Observations: Interviews with facility Superintendent and Deputy Superintendents indicate that SCI-Benner Township makes its best efforts to comply on a regular basis with a staffing plan that takes into consideration all 11 requirements of the PREA standard. The PCM sits in on all staffing reviews. Any deficiencies in supervision or monitoring are addressed during the SAIRT’s and cameras are added as resources allow. The staffing plan is audited quarterly by Central Office. There are cameras on all GP units throughout the facility. Blind spots are considered and decisions are made on additional camera placement as an outcome of the Sexual Abuse Incident Reviews. Facility staff also look at augmenting the staffing plan with cameras for extra supervision. They also look at the need for additional staff based on specialized populations and have an increased level of staffing during times when programming takes place.</p> <p data-bbox="248 1180 1469 1346">115.13(b)- 1: Interview with Superintendent/Deputy Superintendent indicate that there have been no deviations from the facility staffing plan in the past 12 months. If coverage is needed, the facility utilizes a forced hold-over system to ensure adequate coverage as noted on the Daily Overtime Report.</p> <p data-bbox="248 1397 1442 1601">115.13(c)-1: Compliance evidence: The facility provided this auditor with; 1) Staffing Survey Memo date 2016; 2) Staffing Survey dated 2014; 3) DC ADM 008 Section 2 Sexual Abuse-Sexual Harassment Prevention and Training; 4.) 6.3.1 Facility Security Procedures Manual-Section 15-Correctional Officer Staffing System; 5) Staffing Plan Review Memo; and 6) Staffing Survey Review.</p> <p data-bbox="248 1653 1353 1688">DC ADM 008 Section 02 Sexual Abuse-Sexual Harassment Prevention and Training:</p> <p data-bbox="248 1740 1481 1989">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 shall also review any documentation for non-compliance with a staffing plan. (28 C.F.R. §115.11) (28 C.F.R. §115.13[c])</p> <p data-bbox="248 2040 1398 2114">Whenever necessary, but no less frequently than once a year, each facility shall assess, determine, and document whether adjustments are needed to:</p> |

The facility's deployment of video monitoring systems and other monitoring technologies; and (28 C.F.R. §115.13[c][2])

The resources the facility has available to commit to ensure adherence to the staffing plan. (28 C.F.R. §115.13[c][3])

The annual reviews shall be conducted in consultation with the PCM at that facility and the statewide PREA Coordinator. (28 C.F.R. §115.13[c])

6.3.1 Facility Security Procedures Manual-Section 15-Correctional Officer Staffing System:

The PREA Coordinator/designee shall:

Serve as a liaison between Executive Staff and the facility PREA Compliance Manager;

Review all completed Corrections Officer Staffing Audits submitted by the Central Office Staffing Audit Team; and

When necessary, meet with the Secretary, the EDS, the respective RDS, Facility Manager, and the Central Office Security Division staff member who chaired the audit team to review the findings of the audit. (§115.13[c])

Staffing Plan Review Memo dated 1/26/17 notes that the staffing plan will be reviewed annually.

Staffing Survey Review dated 1/27/17 noted modifications made to the K-block shower room doors and additional camera coverage added. This was signed by the PCM, Facility Superintendent and PREA Coordinator.

Observations: Documentation demonstrates that the facility works in collaboration with the PREA Coordinator regarding the staffing plan to determine whether adjustments are needed to: (a) the staffing plan, (b) the deployment of monitoring technology, or (c) the allocation of facility/agency resources to commit to the staffing plan to ensure compliance with the staffing plan. This is done annually as noted in the Staffing Plan Review Memo and reviewed once every three years by PA DOC Central Office. Interview with the PREA Coordinator supports that he is has input on the staffing plan during the annual review period.

115.13(d)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) 6.3.1 Section 19-Managerial Visits Inspections

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:

Conduct and document unannounced rounds to identify and deter sexual abuse and sexual harassment in accordance with Department policy 6.3.1, "Facility Security," Section 19, utilizing the PREA Administrative Tour Documentation Form. This form shall be submitted with the Monthly PREA Report Form. (28 C.F.R. §115.13[d])

6.3.1 Section 19-Managerial Visits Inspections

Prison Rape Elimination Act (PREA) Compliance Inspections

Unannounced PREA compliance inspections shall be conducted and documented to identify and deter staff sexual abuse and sexual harassment. These inspections can be incorporated with Administrative/Managerial Visits/Inspections, with the exception that they be documented separately. (§115.13 [d])

Staff as outlined in Subsection B.4. above shall conduct unannounced rounds specific to PREA compliance measures no less than once per month and must occur on all shifts. These inspections shall be documented.

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

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

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

115.13(d)-2: Compliance evidence: The facility provided this auditor with; 1) PREA Rounds Memo addressing Unannounced Rounds; 2) Log Book documentation of staff rounds.

The PREA Rounds Memo addressing Unannounced Rounds noted that after completion of rounds, a PREA Administrative Tour Document Form (Policy 6.3.1 Attachment 19-D) will be completed and submitted to the PCM and Administrative Officer no later than the first Friday of the following month.

115.13(d)-3 and (d)-4: Compliance evidence: The facility provided this auditor with; 1.) Administrative Staff Conducting PREA Rounds Memo's (2); 2.) Log Book documentation of staff rounds.

The Administrative Staff Conducting PREA Rounds Memo's address unannounced PREA rounds from January – June 2016 and July – December 2016. The schedule is divided out by zone, month and shift; as well as, a tracking log provided. The memos also note that staff are not to inform anyone that the rounds are occurring and the schedule is confidential.

Log Book documentation of staff rounds demonstrate that rounds took place on all three shifts.

Observations: Memos to supervisory staff indicate that PREA rounds are to be unannounced and that staff who alert staff to unannounced rounds can be subject to discipline. Interview with higher-level facility staff indicate that unannounced rounds are taking place per DC ADM 008 and are documented in the unit log books. The supervisor interviewed also indicated that staff are prohibited from alerting other staff about rounds and that if found to be doing so, disciplinary action may result. Documentation provided of unannounced rounds demonstrate that they are conducted on all three shifts.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Exceeds this standard.

| 115.14 | Youthful inmates |
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| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | COMPLIANCE DETERMINATION: It is determined that SCI-Benner Township Meets this standard as they were able to demonstrate that this standard is not applicable due to the fact that they do not house Youthful Inmates. |

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| 115.15 | Limits to cross-gender viewing and searches |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.15(a)-1: Compliance evidence: The facility provided this auditor with; 1) 6.3.1 Facility Security Procedures Manual-Section 30-Searches; 2) DC ADM 008-Limits to Cross –Gender Viewing and Searches; 3) 6am – 2pm staff rosters indicating gender-specific posts for male staff; 4) 8am – 4pm staff rosters indicating gender-specific posts for male staff; 5) 2pm – 10pm staff rosters indicating gender-specific posts for male staff; 6) 10pm – 6am staff rosters indicating gender-specific posts for male staff.</p> <p>115.15(a)-2: The facility does not conduct cross-gender strip or cross-gender visual body cavity searches of inmates nor have they ever housed female inmates.</p> <p>115.15(a)-3: The facility does not conduct cross-gender strip or cross-gender visual body cavity searches of inmates nor have they ever housed female inmates.</p> <p>115.15(b)-1, 2, 3 & 4: Compliance evidence: The facility provided this auditor with; 1) 6.3.1 Facility Security Procedures Manual-Section 30-Searches; 2) DC ADM 008-Limits to Cross – Gender Viewing and Searches-Section 9-Working with Transgender and Intersex Inmates; 3) DC ADM 008-Limits to Cross –Gender Viewing and Searches.</p> <p>115.15(c)-1: Compliance evidence: The facility provided this auditor with; 1)6.3.1 Facility Security Procedures Manual-Section 30-Searches; Section F. Searches of Inmates Person; 2) DC ADM 008-Limits to Cross –Gender Viewing and Searches; 3) DC ADM 008 Section 2- Sexual Abuse-Sexual Harassment Prevention and Training (Attachment 2-D-Cross Gender Search Validation Form).</p> <p>6.3.1 Facility Security Procedures Manual-Section 30-Searches:</p> <p>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. (§115.15 [b])</p> <p>DC ADM 008 Limits to Cross-Gender Viewing and Searches:</p> <p>Staff shall not conduct cross-gender strip searches except in exigent circumstances, in accordance with Department policy 6.3.1, Section 30. (28 C.F.R. §115.15 [a])</p> <p>All cross-gender strip searches shall be documented on the Cross-Gender Search Validation Form (Attachment 2-D). (28 C.F.R. §115.15[c])</p> <p>A copy of the Cross-Gender Search Validation Form shall be maintained by the Security Office in an annual file for audit verification purposes in accordance with Section 1 of this procedures manual.</p> |

Cavity searches shall only be conducted when performed by a physician, in accordance with Department policy 6.3.1, Section 30. (28 C.F.R. §115.15[a])

No facility shall permit cross-gender pat down searches of female inmates, absent exigent circumstances. Facilities shall not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision. (28 C.F.R. §115.15[b])

In order to comply with the pat search requirement, the female facilities should continuously analyze staffing plans to make appropriate adjustments to ensure PREA compliance.

Areas of consideration should include search teams, work supervisors, staff that monitor 24 hour cameras and transportation staff.

All cross-gender pat searches of female inmates shall be documented on the Cross-Gender Search Validation Form. (28 C.F.R. §115.15[c])

A copy of the Cross-Gender Search Validation Form shall be maintained by the Security Office in an annual file for audit verification purposes in accordance with Section 1 of this procedures manual.

Inmates shall be able to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. This limitation not only applies to in-person viewing, but also all forms of remote viewing as well. (28 C.F.R. §115.15[d])

Staff of the opposite gender shall announce their presence when entering an inmate housing unit in accordance with the following: (28 C.F.R. §115.15[d])

When the status quo of the gender supervision on a housing unit changes from exclusively same gender, to mixed- or cross-gender supervision, the opposite gender staff are required to verbally announce their arrival on the unit. The announcement is required for both custody and non-custody staff, and may include, for example, a clinician or case worker who spends time on the unit, or senior staff making supervisory rounds;

When an opposite gender staff member is entering a housing unit and it is unknown to him/her whether any other opposite gender staff are present, the entering staff member shall announce their presence;

This announcement may be made by the officer working the control desk via the intercom system; and

This announcement may also be made via a specific tone system that is utilized only for the purpose of announcing a member of the opposite gender entering the housing unit. Inmates shall be educated on the tone system utilization.

Staff shall 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 and Department policy 6.3.1, Section 30. (28 C.F.R. §115.15[f])

Observations: SCI-Benner Township does not conduct cross-gender strip or cross-gender visual body cavity searches of inmates nor have they ever housed female inmates; therefore, the PREA standards pertaining to searches of female inmates is not applicable.

115.15(d)-1 -2: Compliance evidence: The facility provided this auditor with; 1) 6.3.1 Facility Security Procedures Manual-Section 30-Searches; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 3) Memos to ALL SCI-Benner staff regarding Cross Gender Announcing. One memo dated 12/11/15 and the second memo dated 1/23/17.

Observations: Interviews with staff and inmates indicate that when a female enters a housing unit that the cross-gender announcement is made verbally. Interviews were also able to ascertain that inmates are rarely ever naked in full view of staff unless incidental to routine cell checks as part of security rounds.

115.15(e)-1: Compliance evidence: The facility provided this auditor with; 1) 6.3.1 Facility Security Procedures Manual-Section 30-Searches; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 9 – Working with Transgender and Intersex Inmates.

Observations: DC ADM 008 Section 9 prohibits staff from searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Interviews with staff indicate they are aware that policy prohibits transgender or intersex inmates from being strip searched for the sole purpose of determining the inmate's genital status. No cross gender strip or visual body cavity searches were conducted on inmates at SCI-Benner in the past 12 months.

115.15(f)-1: Compliance evidence: The facility provided this auditor with; 1) 6.3.1 Facility Security Procedures Manual-Section 30-Searches; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 9 – Working with Transgender and Intersex Inmates; 3) Search Training Curriculum was provided which included How to Communicate Effectively and Professionally (to include communicating with transgender and intersex inmates) and Key Points for the Search of Transgender and Intersex Inmates; 4) 2016 Contraband & Searches training record.

Observations: Interviews with random staff indicate they have been trained on professional communication and also received training specific to transgender/intersex pat searches. Contraband & Searches training record displays 100% of security staff received training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner consistent with security needs.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.16 | Inmates with disabilities and inmates who are limited English proficient |
| | <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 1477 658">115.16(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008, Section 2; A. Prevention; a – d; 2) Sign Language Interpretation Contract with Language Services Associates dated through 6/30/17; 3) DC ADM 006-Reasonable Accommodations for Inmates with Disabilities Manual-Section 3-Specific Disabilities; 4) DC ADM 006-Reasonable Accommodations for Inmates with Disabilities Manual-Section 2-Accomodatio; 5) DC ADM 006-Reasonable Accommodations for Inmates with Disabilities Manual-Section 1-General Procedures; 6) Example from SCI-Benner case management system that demonstrates an inmate who is legally blind received PREA education.</p> <p data-bbox="252 712 1437 786">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p data-bbox="252 840 842 873">Access to Information for Special Populations</p> <p data-bbox="252 927 1461 1088">Pursuant to Department policy DC-ADM 006, “Reasonable Accommodations for Inmates with Disabilities,” the Department shall ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the Department’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. (28 C.F.R. §115.16[a])</p> <p data-bbox="252 1142 1453 1303">Written materials shall either be delivered in alternative formats that accommodate the inmate’s disability or the information shall 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. (28 C.F.R. §115.16[a])</p> <p data-bbox="252 1357 1477 1688">The Department shall take reasonable steps to ensure meaningful access to all aspects of the Department’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide qualified interpreters. The PCM shall ensure that only staff members or qualified contractors who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary, provide translation for inmates. (28 C.F.R. §115.16[b][c]) If a multi-lingual staff member is not available, then the current contracted translation service must be utilized.</p> <p data-bbox="252 1742 1477 1993">The Department shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter would compromise the inmate’s safety, the performance of first response duties under PREA Standard 28 C.F.R. §115.64, or the investigation of the inmate’s allegations (28 C.F.R. §115.16[c]). Justification for any use of an inmate interpreter shall be documented accordingly.</p> <p data-bbox="252 2083 1461 2157">DC ADM 006-Reasonable Accommodations for Inmates with Disabilities Manual--Section 3 – Specific Disabilities:</p> |

An inmate who is diagnosed as having a qualified disability will receive accommodations so that he/she can properly communicate/participate in the Department's facilities. An inmate will not be denied services solely for reason of his/her disability(ies).

Observations: DC-ADM 006 Reasonable Accommodations for Inmates with Disabilities and DC ADM 008 address access to Information for Special Populations. These procedures provide disabled inmates 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.

115.16(b)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008, Section 2; A. Prevention; a – d; 2) Sign Language Interpretation Contract with Language Services Associates dated through 6/30/17; 3) Propio Language Services Contract for interpretation services dated through 6/30/17; 4) PREA Spanish poster; 5) Spanish PREA education pamphlet; 6) Multilingual SCI-Benner staff listing and shift available (6 staff noted on this listing).

Observations: Spanish PREA posters were posted on housing units as noted during on-site tour. Spanish PREA education pamphlets available; as well as, language interpretation services contracts and a listing of multilingual staff available to assist inmates. Interview with Spanish speaking inmate indicates he has received information in his native language and is able to understand who to contact if he needs assistance and how to report. The interview with this Spanish speaking inmate was conducted utilizing the language line.

115.16(c)-1, 2 & 3: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008, Section 2; A. Prevention; a – d; 2) Sign Language Interpretation Contract with Language Services Associates dated through 6/30/17; 3) Propio Language Services Contract for interpretation services dated through 6/30/17; 4) Multilingual SCI-Benner staff listing and shift available (6 staff noted on this listing).

Observations: In the past 12 months there have been no instances where inmate interpreters or readers were used to assist with PREA reporting. Interviews with random staff demonstrated that staff are aware of the language line and other staff interpreters that can be used in place of inmate assistants.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.17 | Hiring and promotion decisions |
| | <p data-bbox="252 168 925 201">Auditor Overall Determination: Exceeds Standard</p> <p data-bbox="252 246 523 280">Auditor Discussion</p> <p data-bbox="252 324 1484 873">115.17(a)-1: Compliance evidence: The facility provided this auditor with; 1) 1.1.4 Centralized Clearance Policy-Section 4-Centralized Clearance Check Procedures; 2) 1.1.4 Attachment 4A PREA Current/Prior Employer Letter; 3) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 40-B; 4) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-A.3. Consistent with the PREA; 5) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 40-C—Position Vacancy Interest Form; 6.) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 41-Job Applicants Having Adverse Contacts; 7) Vendor List dated 1/11/17; 8) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 38-A PA DOC Application; 9) Background Checks completed examples; 10) Examples of completed Current/Prior Employer Letters.</p> <p data-bbox="252 918 1316 952">Centralized Clearance Policy-Section 4-Centralized Clearance Check Procedures:</p> <p data-bbox="252 1008 970 1041">Consistent with the Prison Rape Elimination Act (PREA)</p> <p data-bbox="252 1097 1444 1220">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:</p> <p data-bbox="252 1265 1460 1344">a. has engaged in sexual abuse in a prison, jail, lockup, community facility, juvenile facility, or other institution, as defined in 42 U.S.C. §1997 (28 C.F.R. §115.17 [a][1]); and/or</p> <p data-bbox="252 1400 1484 1556">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. (28 C.F.R. §115.17 [a][2] and [3])</p> <p data-bbox="252 1612 1428 1736">The Department shall also consider any incidents of sexual harassment when determining whether to enlist the services of any contractor who may have contact with inmates. (28 C.F.R. §115.17 [b])</p> <p data-bbox="252 1780 1484 2072">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. (28 C.F.R. §115.17[c])</p> <p data-bbox="252 2116 1476 2150">4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-</p> |

Employment Background Investigations-A.3. Consistent with the PREA:

Prior employment in any type of 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 will be further investigated to ensure that the candidate has not been found to have any of the following: (28 C.F.R. §115.17 [a][1], §115.217 [c][2])

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); and (28 C.F.R. §115.17 [a][1], §115.217 [a][1])

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. (28 C.F.R. §115.17 [a][2][3], §115.217 [a][2][3])

Human Resource Offices will be responsible for sending the PREA Consent to Release of Information Form, along with the PREA Current/Prior Employer Letter to the attention of applicable employer's Human Resource Office, receiving and reviewing their responses, and determining whether the applicant may be hired consistent with the PREA. Human Resource Offices should wait a minimum of two weeks for a response before proceeding with the hiring process. Completed forms will be forwarded to the Background Coordinator.

If the answer is "Yes" to any of the questions, then the Background Coordinator will obtain the Office of Chief Counsel's concurrence that the candidate will be considered unsuitable for hire.

If the answers are "No" or if no response is received, then the Background Coordinator will ensure that the letter is included in the candidate's appointment package.

Human Resource Offices will be responsible for ensuring that candidates complete the Position Vacancy Interest Form (Attachment 40-C) when submitting application materials to job postings. Consistent with the PREA, responses must be reviewed and considered when determining whether to hire or promote anyone.

Section 41 – Employment of Job Applicants Having Prior Adverse Contacts with Criminal Justice Agencies:

Guidelines

The Department will ensure that any job applicant who has had adverse contact with a criminal justice agency will be evaluated as to his/her suitability for employment.

Consistent with Public Law 108-79, 28 C.F.R. Part 115, the Prison Rape Elimination Act (PREA), the Department shall not hire or promote anyone 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) 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;

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

Has been convicted of any offense under the following (or equivalent out of state offense):

Title 18 Pa. C.S.A. Chapter 31 – Sexual Offenses; or

Title 18 Pa. C.S.A. Chapter 59 – Public Indecency.

Also, consistent with the PREA, the Department will consider any incidents of sexual harassment in determining whether to hire or promote anyone.

115.17(b)-1: Compliance evidence: The facility provided this auditor with; 1) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 40-B; 2) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 41-Job Applicants Having Adverse Contacts; 3) 1.1.4 Attachment 4A PREA Current/Prior Employer Letter; 4) 1.1.4 Centralized Clearance Policy-Section 4-Centralized Clearance Check Procedures.

115.17(c)-1: Compliance evidence: The facility provided this auditor with; 1) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 41- Employment of Job Applicants Having Prior Adverse Contacts with Criminal Justice Agencies; 2) DC ADM 008-Section 1-C. Document Retention – Staff and Contractors – 4.; 3) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 38-A PA DOC Application; 4) Example of Employee Application with background Check Completed.

115.17(c)-2: In the past 12 months, there were 45 employees hired who may have contact with inmates who have had criminal background record checks completed.

115.17(d)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention; 2) 1.1.4 Centralized Clearance Policy-Section 4-Centralized Clearance Check Procedures.

115.17(d)-2: Compliance evidence: The facility provided this auditor with; 1) Centralized Clearance Report from PA DOC. *In the past 12 months there were a total of 341 criminal background checks conducted on contractors, vendors and volunteers.

Observations: Information provided in pre-audit questionnaire demonstrates that background checks were conducted on all new hires. Examples of completed Current/Prior Employer

Letters also demonstrate that Human Resources solicited specific information from prior employers regarding an applicant's previous misconduct. Incidents of sexual harassment are also taken into consideration when making hiring decisions. Interview with Human Resources staff indicate that background checks are completed on all applicants prior to hire. All contractors, vendors and volunteers receive background checks and must be cleared by security.

115.17(e)-1: Compliance evidence: The facility provided this auditor with; 1) 1.1.4 Centralized Clearance Policy-Section 4-Centralized Clearance Check Procedures; 2) 4.1.1, Human Resources and Labor Relations Procedures Manual-Section 3 - Employee Arrests - Felony, Misdemeanor, or Summary Offenses; 3) Examples of J-NET Notifications of employee arrests (4 examples provided).

4.1.1, Human Resources and Labor Relations Procedures Manual-Section 3 - Employee Arrests - Felony, Misdemeanor, or Summary Offenses:

Employees charged with criminal misconduct shall be dealt with appropriately, dependent upon the seriousness of the charge and the resultant violations of the Department of Corrections' Code of Ethics, as well as the Governor's Code of Conduct.

Additionally, employee arrests must be reported to the respective Regional Deputy Secretary as soon as the facility is made aware of the arrest.

A. Procedures for Employee Arrests – Felonies and Work-Related Criminal Misconduct

B. Procedures for Employee Arrests - Misdemeanors and Summary Offenses

Observations: A discussion with PA DOC PREA Coordinator identified that the PA DOC utilizes J-NET to continuously monitor for employee arrests. This system operates in real-time. The system continuously scans for identifiers such as name, DOB, social security number, etc. and also will register hits based on fingerprints. Once a "hit" is received, this information acted upon by HR staff. For this reason, criminal background record checks for employees every 5 years is not necessary.

115.17(f): The PREA questions are asked on the employee application.

115.17(g): Compliance evidence: The facility provided this auditor with; 1) 4.1.1 Human Resources and Labor Relations Procedures Manual-Section 40-Conducting Pre-Employment Background Investigations-Attachment 38-A PA DOC Application.

Observations: Oath and signature section of application contains language about material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

115.17(h): It was confirmed through interview with Human Resources that the agency provides information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for who such employee has applied to work; as well as, are in receipt of a release of information from the former staff.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Exceeds this standard.

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| 115.18 | Upgrades to facilities and technologies |
| | Auditor Overall Determination: Exceeds Standard |
| | Auditor Discussion |
| | <p>115.18(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008 Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training.</p> <p>115.18(b)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008 Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) PIDS Meeting Minutes from 2/16/16 indicating that cameras were added to the RHU Property room and Gym storage area; 3.) SCI-Benner 2017 Camera Listing. Nine new cameras added since last audit in February 2016.</p> <p>DC ADM 008 Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Upgrade to Facilities and Technologies</p> <p>When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the Department shall consider the effect of the design, acquisition, expansion, or modification upon the Department's ability to protect inmates from sexual abuse. (28 C.F.R. §115.18[a])</p> <p>When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Department shall consider how such technology may enhance the Department's ability to protect inmates from sexual abuse. (28 C.F.R. §115.18[b])</p> <p>Observations: Interview with Superintendent indicates that the addition of cameras is a continuous process. The facility added cameras in the food service area and other areas of the facility to enhance their ability to protect inmates. 9 new cameras were added since the last facility audit in February 2016 for a total of 549 cameras. The addition of new cameras is discussed at committee meetings. SCI-Benner also augments areas of the facility with other features like mirrors when the budget does not immediately allow for cameras.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Exceeds this standard.</p> |

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| 115.21 | Evidence protocol and forensic medical examinations |
| | <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 1484 443">115.21(a)-1: Compliance evidence: The facility provided this auditor with; 1.) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-Section 4 – Responding to Reports of Sexual Abuse.</p> <p data-bbox="252 499 1329 573">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-Section 4 – Responding to Reports of Sexual Abuse:</p> <p data-bbox="252 629 1469 790">Security staff shall take steps to gather and/or preserve direct and circumstantial evidence, including any available physical or DNA evidence and shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. (28 C.F.R. §115.71[c]) (28 C.F.R. §115.21[a])</p> <p data-bbox="252 846 1469 920">Medical shall observe the evidence collection process in circumstances where the officer is of the opposite gender of the inmate.</p> <p data-bbox="252 976 1353 1010">115.21(a)-2: Criminal investigations are conducted by the Pennsylvania State Police.</p> <p data-bbox="252 1066 1461 1140">115.21(a)-3: Compliance evidence: The facility provided this auditor with; 1) DOC PSP MOU; 2) Final PSP Memo; 3.) PA State Police Letter.</p> <p data-bbox="252 1196 1484 1357">Observations: SCI-Benner investigators complete only administrative investigations. Criminal investigations are conducted by the Pennsylvania State Police. SCI-Benner has requested that the PSP comply with PREA standards as evidenced in the DOC PSP MOU, Memo, and PA State Police Letter.</p> <p data-bbox="252 1413 1461 1648">115.21(a)-4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008- Attachment 4-E- Section 4 –Responding to Reports of Sexual Abuse-- INSTRUCTIONS FOR PREA EVIDENCE RETENTION; 2) DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 4) Initial Response Checklists for alleged victim and alleged abuser.</p> <p data-bbox="252 1704 1401 1778">DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse:</p> <p data-bbox="252 1834 1477 2157">To the extent the Department is responsible for investigating allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions, in accordance with the Response to Allegation of Sexual Abuse Checklists (Shift Commander Cover Sheet [refer to Attachment 4-A], Initial Response – Victim [refer to Attachment 4-B], Initial Response – Abuser [refer to Attachment 4-C], the Instructions for PREA Evidence Retention [refer to Attachment 4-D], and as well as Department policy 6.3.1, “Facility Security,” Section 15. (§115.21[a])</p> |

Observations: Uniform evidence protocol is followed utilizing the Allegation of Sexual Abuse Checklists. Initial Response Checklists are utilized to ensure proper procedure followed by responsible staff. Interviews with random staff indicate they are aware of how to preserve and collect evidence. They were able to give examples of this during the interviews. The INSTRUCTIONS FOR PREA EVIDENCE and Initial Response Checklists serve as a guide for proper evidence collection and retention.

115.21(b)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008- Attachment 4-E- Section 4 –Responding to Reports of Sexual Abuse-- INSTRUCTIONS FOR PREA EVIDENCE RETENTION; 2) DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse-Section –A. 5.

DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse-Section –A. 5:

The protocol established for evidentiary purposes shall be developmentally appropriate for youth, where applicable, in accordance with PREA Standard 28 C.F.R. §115.21[b].

115.21(b)-2: Pre-Audit Questionnaire indicates that the protocol was adapted from or otherwise based on the most recent edition of the DOJ'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.

115.21(c)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-Section 4 – Responding to Reports of Sexual Abuse; 2) MOU with Mt. Nittany Medical Center dated 12/28/15.

115.21(c)-2: SCI-Benner Township does not conduct forensic medical examinations. All such exams are conducted at Mount Nittany Medical Center as outlined in the MOU.

115.21(c)-3: SCI-Benner Township offers all inmates who experience sexual abuse access to forensic medical examinations at Mount Nittany Medical Center.

115.21(c)-4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-Section 4 – Responding to Reports of Sexual Abuse.

115.21(c)-5: Examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).

115.21(c)-6: The MOU with Mt. Nittany Medical Center provides for examinations to be conducted by SANE/SAFE staff.

115.21(c)-7: Letter of agreement with Mt. Nittany Medical Center demonstrates the facility's documentation of efforts to provide SANE/SAFE's.

115.21(c)-8 & 9: The Pre-Audit Questionnaire indicates there were 5 forensic medical exams

conducted during the past 12 months and that those were performed by SANE/SAFE's.

115.21(c)-10: There were no exams performed by a qualified medical practitioner during the past 12 months as all forensic medical examinations were performed by a SAFE; however, all inmates were also seen medically by a physician.

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:

Abuse Occurred Within the Past 96 Hours (Victim)--

When abuse occurred within the past 96 hours and the alleged victim reports an allegation of vaginal, oral, and/or anal penetration by a body part or inanimate object, the following procedures shall be followed.

The alleged victim shall be immediately transported to an outside hospital to be examined by a medical professional who is skilled and experienced in the use of a rape kit for the collection of forensic evidence. In order to determine the appropriate medical facility for transport, the following is required:

The facility shall attempt to enter into a Memorandum of Understanding (MOU) with the medical facility; and (28 C.F.R. §115.21[c])

The local hospital shall employ a Sexual Assault Nurse Examiner (SANE) or a Sexual Assault Forensic Examiner (SAFE).

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-Section 4 – Responding to Reports of Sexual Abuse:

Emergency Medical and Mental Health Treatment Services--

General

Alleged inmate victims of sexual abuse shall 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. (28 C.F.R. §115.82[a])

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, in accordance with Prison Rape Elimination Act (PREA) Standard 28 C.F.R. §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (28 C.F.R. §115.82[b])

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. (28 C.F.R. §115.83[g]) (28 C.F.R. §115.21[c]) (28 C.F.R. §115.82[d])

Observations: Interview with SAFE/SANE nurse at Mt. Nittany Medical Center indicates that SCI-Benner Township refers all victims of sexual abuse to them for forensic medical examinations free of charge. The emergency department at Mt. Nittany conducts the examinations. There is always a SAFE/SANE trained nurse available, and if not available, someone who is trained would be called in to conduct the examination.

115.21(d)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008-Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse—E. 4; 2) PREA LOA with Centre County Women’s Resource Center (CCWRC) dated 4/10/16.

115.21(d)-2: SCI-Benner Township attempts to make a victim advocate from a rape crisis center available to the victim is demonstrated through the LOA with CCWRC.

115.21(d)-3: Compliance evidence: The facility provided this auditor with; 1) Final PSP Memo dated 6/18/15; 2) PA State Police Letter to PA DOC Secretary dated 7/01/15; 3) PREA LOA with Centre County Women’s Resource Center (CCWRC) dated 4/10/16.

DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse—E. 4:

Inmate Access to Outside Supportive Services

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

If the inmate is taken to a local hospital for a forensic examination, they should be afforded the opportunity for support services provided by a victim advocate. If requested, the victim advocate shall meet the alleged victim at that hospital to accompany and support the alleged victim through the forensic medical examination process and investigatory interview. They shall also provide emotional support, crisis intervention, information, and referrals. (28 C.F.R. §115.21[d][e])

If the inmate discloses outside the 96 hour timeframe, the facility PCM shall make arrangements for the victim advocate to meet with the inmate at the facility or via telephone, if the alleged victim wishes to speak with an advocate. This meeting should occur in a private area with video surveillance and no audio to ensure confidentiality. The safety of the victim advocate should be paramount in determining where the interaction will occur. (28 C.F.R. §115.21[d])

Observations: SCI-Benner Township has a Letter of Agreement with the Centre County Women’s Resource Center (CCWRC) for victim advocate services. CCWRC provides all victim advocate services to inmates. Interview with an inmate who was a victim of sexual abuse indicates that he was offered victim advocate services. The PREA Compliance Manager noted that every time there is a sexual abuse allegation SCI-Benner Township automatically contacts the Women's Resource Center and they send an advocate. SCI-Benner Township has never had anyone ask for a staff advocate as the CCWRC provides all victim advocacy services. Any

time there is a sex abuse allegation a letter is sent out to the inmate offering outside services. They do not wait for the investigation to be concluded before providing victim advocate information to the inmate victim. Examples of these letters were provided to this auditor.

115.21 (e)-1: Compliance evidence: The facility provided this auditor with; 1) Final PSP Memo dated 6/18/15; 2) PA State Police Letter to PA DOC Secretary dated 7/01/15; 3) MOU with Mouny Nittany Medical Center dated 12/25/15; 4) PREA LOA with Centre County Women's Resource Center (CCWRC) dated 4/10/16; 5) DC ADM 008- Section 5 – Investigating Allegations of Sexual Harassment and/or Sexual Abuse—E. 4.

Observations: SCI-Benner Township has a LOA with the Centre County Women's Resource Center to provide for victim advocate services. The MOU indicates that the CCWRC will provide advocacy services for and accompany the victim to the hospital where the forensic medical exam is to be conducted if requested by the victim.

115.21 (f)-1: Compliance evidence: The facility provided this auditor with; 1) MOU between Pennsylvania State Police and PA DOC dated 9/24/13; 2) Final PSP Memo dated 6/18/15; 3) PA State Police Letter to PA DOC Secretary dated 7/01/15.

Observations: SCI-Benner Township conducts administrative investigations. Criminal investigations are conducted by the Pennsylvania State Police (PSP). The MOU between PSU and PA DOC indicates that when conducting investigations the PSP will follow the requirements of 115.21 (a) – (e).

115.21 (h)-1: Centre County Women's Resource Center is the provider of victim advocacy services to inmates at SCI-Benner Township.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.22 | Policies to ensure referrals of allegations for investigations |
| | <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>115.22 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment; 2) PREA Tracking System screenshot.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment:</p> <p>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>Observations: DC ADM 008 requires that all allegations of sexual abuse or sexual harassment, including third party and anonymous reports be investigated. All investigations are tracked in the PREA Tracking System. A review of PREA investigation files revealed full investigative reports with findings.</p> <p>115.22 (a)-2 & 3: During the past 12 months there were 60 allegations of sexual abuse and sexual harassment received at SCI-Benner Township. All 60 of those allegations resulted in an administrative investigation.</p> <p>115.22 (a)-4: 34 of the 60 allegations were referred for criminal investigation. At SCI-Benner Township all allegations of sexual abuse are referred to the Pennsylvania State Police immediately following the allegation.</p> <p>115.22 (a)-5: The Pre-Audit Questionnaire reflected that of all allegations received in the past 12 months all administrative and/or criminal investigations were completed.</p> <p>115.22 (b)-1: Compliance evidence: The facility provided this auditor with; 1)DOC-PSP MOU dated 9/24/13; 2) Final PSP Memo dated 6/18/15; 3) PA State Police letter dated 7/01/15; 4) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment; 5) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual-- Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation--Staff Discipline.</p> <p>Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment:</p> <p>General Responsibilities</p> <p>If the case is being investigated for criminal charges, the Department investigators shall suspend the administrative investigation and allow the criminal investigation to take precedence. The Security Office and/or Office of Special Investigations and Intelligence (OSII)</p> |

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.

Observations: DC ADM 008 requires that allegations of sexual abuse or sexual harassment be referred for investigation to the Pennsylvania State Police. All allegations that involve potentially criminal activity shall receive a criminal investigation. A review of the provided documentation demonstrates referrals of allegations of sexual abuse and/or sexual harassment to the Pennsylvania State Police.

115.22 (b)-2: DC ADM 008 "Prison Rape Elimination Act" is published on the agency website. It can be located at www.cor.pa.gov.

115.22 (b)-3: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008 Attachment 4.A; 2) Examples of notifications of sexual abuse allegations made to the Pennsylvania State Police.

Observations: SCI-Benner Township documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.31 | Employee training |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.31 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training—E. 1 & 2; 2) PREA Training Lesson plan dated 1/15/15; 3) PREA Basic Training Participant Guide; 4) PREA Course Lesson Plan; 5) PREA Course Resource Materials; 6) PREA Basic Training PowerPoint; 7) Handout 1 – Sexual Abuse and Sexual Harassment; 8) PREA Essentials Refresher Training; 9) PREA Policy Update training 10/04/16.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Training</p> <p>Employee Training (Basic Training)</p> <p>The PCM, in conjunction with the Training Coordinator at each facility, shall ensure that all employees who have contact with inmates receive the following training: (28 C.F.R. §115.31[a])</p> <p>The zero tolerance policy against sexual abuse and sexual harassment within the Department; (28 C.F.R. §115.31[a][1])</p> <p>How staff are to fulfill their responsibilities under the Department’s sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures as defined in this policy; (28 C.F.R. §115.31[a][2])</p> <p>Inmates’ right to be free from sexual abuse and sexual harassment; (28 C.F.R. §115.31[a][3])</p> <p>The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (28 C.F.R. §115.31[a][4])</p> <p>The dynamics of sexual abuse and sexual harassment in confinement; (28 C.F.R. §115.31[a][5])</p> <p>The common reactions of sexual abuse and sexual harassment victims; (28 C.F.R. §115.31[a][6])</p> <p>How to detect and respond to signs of threatened and actual sexual abuse; (28 C.F.R. §115.31[a][7])</p> <p>How to avoid inappropriate relationships with inmates; (28 C.F.R. §115.31[a][8])</p> <p>How to communicate effectively and professionally with inmates, including LGBTI or gender</p> |

nonconforming inmates; and (28 C.F.R. §115.31[a][9])

How to comply with relevant laws of Pennsylvania related to mandatory reporting of sexual abuse to outside authorities. (28 C.F.R. §115.31[a][10])

Newly hired staff members shall receive this training as part of basic training at the Training Academy.

Specialized Staff Training:

Investigations

Any staff designated to conduct sexual abuse investigations shall receive training in accordance with 28 C.F.R. §115.34[a].

This specialized training shall include, but is not limited to: interviewing sexual abuse victims, proper use of Miranda warnings, the Garrity rule, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecutorial referral. (28 C.F.R. §115.34[b])

This training shall be developed by the PCD and standardized for Department wide training purposes.

This specialized training shall occur on an annual basis unless it is deemed necessary to be held more frequently by the statewide PREA Coordinator or Facility Manager.

Staff shall be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form unless completed through web-based training. This information shall be kept in the staff member's training file in accordance with Section 1 of this procedures manual. (28 C.F.R. §115.34[c])

The Department, any state entity, or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations. (28 C.F.R. §115.34[d])

Medical/Mental Health Practitioners

Any staff providing medical/mental health services, whether on a full or part-time status, shall receive additional training on working with victims of sexual abuse and sexual harassment. (28 C.F.R. §115.35[d]) For the purposes of this training requirement, medical staff shall include all licensed medical staff, as well as non-licensed contact medical staff such as dental assistants, Correctional Health Care Administrators (CHCAs), and contracted provider staff.

This specialized training shall include, but is not limited to: how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment, and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. (28 C.F.R. §115.35[a][1][2][3][4])

This training shall be developed by the PCD and standardized for Department wide training purposes.

All new medical/mental health staff shall receive this training within the first six months of employment with the Department. The training shall either be provided by the current contracted medical health provider or locally by staff who have been trained.

Staff shall be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information shall be kept in the employee's training file in accordance with Section 1 of this procedures manual. (28 C.F.R. §115.35[c])

Contractors and Volunteers

Contractors and volunteers (to include contract service providers, public visitors, or Non-Department Employees) shall receive training on their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. They shall be trained during orientation sessions and annual training reflective of the level of contact that they have with inmates. (28 C.F.R. §115.32[a])

All contractors and volunteers shall be required to sign and acknowledge the PREA Training and Understanding Verification Form. (28 C.F.R. §115.32[b]) The Volunteer Coordinator at each facility shall be responsible for documenting the PREA training that each volunteer has received and maintain the documentation in the volunteer file in accordance with Section 1 of this procedures manual. PCMs shall be responsible for maintaining PREA Training and Understanding Verification Forms for all contractors. PREA Training shall be effective for a period of one year. (28 C.F.R. §115.32[c])

Any contractor or volunteer that has multi-facility access should request and maintain a copy of the PREA Training and Understanding Verification Form for provision to the PCM or Volunteer Coordinator at each subsequent facility.

115.31 (a)-1 - 10: Training materials provided trains employees who may have contact with inmates on the zero tolerance policy against sexual abuse and sexual harassment within the Department; how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; on the right of inmates to be free from sexual abuse and sexual harassment; on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; on the dynamics of sexual abuse and sexual harassment in confinement; on the common reactions of sexual abuse and sexual harassment victims; on how to detect and respond to signs of threatened and actual sexual abuse; on how to avoid inappropriate relationships with inmates; on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender-nonconforming inmates; and on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Observations: Interviews with random staff indicate they have received training on all PREA topics (1 -10). DC ADM 008 requires that beginning in 2017 and every odd numbered year thereafter, the annual PREA education shall be provided in the form of an update to the

procedures manual for all staff members. Staff shall be required to verify that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. Training curriculum demonstrates training on all topics.

115.31 (b)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) PREA Basic Training Curriculum.

Observations: Training is tailored to the gender of the inmates at the facility; specifically pages 5 – 10 of the PREA Basic Training Curriculum.

115.31 (b)-2: SCI-Benner Township was not required to provide additional gender-specific training as they did not have any staff transfer from SCI-Cambridge or SCI-Muncy (where female inmates are housed) within the past 12 months.

115.31 (c)-2: Compliance evidence: The facility provided this auditor with; 1) PREA Essentials Refresher Training; 2) PREA Policy Update training 10/04/16; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training.

115.31 (c)-3: PREA refresher training takes place every other year beginning in 2017.

Observations: Between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. Every even numbered year after 2016, the annual PREA education shall be provided in the form of a refresher of the initial basic staff training information for all staff members. Beginning in 2017, and every odd numbered year thereafter, the annual PREA education shall be provided in the form of an update to the procedures manual for all staff members.

115.31 (d)-1: SCI-Benner Township documents that employees who may have contact with inmates understand the training they have received by requiring them to sign the PREA Training and Understanding Verification Form. Documentation of this was provided in the Pre-Audit Questionnaire.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.32 | Volunteer and contractor training |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Contractors and Volunteers</p> <p>Contractors and volunteer (to include contract service providers, public visitors, or Non-Department Employees) shall receive training on their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. They shall be trained during orientation sessions and annual training reflective of the level of contact that they have with inmates. (28 C.F.R. §115.32[a])</p> <p>Level 1 – For contractors and volunteers who have a high level of contact (five hours or more per week on average) with inmates, the training shall be the same as regular staff members receiving both pre-service and annual training. (28 C.F.R. §115.32[b])</p> <p>All contractors and volunteers shall be required to sign and acknowledge the PREA Training and Understanding Verification Form. (28 C.F.R. §115.32[b]) The Volunteer Coordinator at each facility shall be responsible for documenting the PREA training that each volunteer has received and maintain the documentation in the volunteer file in accordance with Section 1 of this procedures manual. PCMs shall be responsible for maintaining PREA Training and Understanding Verification Forms for all contractors. PREA Training shall be effective for a period of one year. (28 C.F.R. §115.32[c])</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention:</p> <p>Document Retention – Volunteers:</p> <p>The below listed document shall be maintained at the individual facility for audit verification purposes.</p> <p>The PREA Training and Understanding Verification Form for volunteers shall be maintained in the Volunteer File, as appropriate. (28 C.F.R. §115.32[c])</p> <p>115.32 (a)-1: Compliance evidence: The facility provided this auditor with; 1) PA DOC Volunteer and Contractor PREA training document; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training—2. C. 1(a) & 2.</p> <p>115.32 (a)-2: The Pre-Audit Questionnaire noted there were 156 volunteers and contractors who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response.</p> |

115.32 (b)-1 & 2: Compliance evidence: The facility provided this auditor with; 1) PA DOC Volunteer and Contractor PREA training document; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training—2. C. 1(a) & 2.

115.32 (c)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention; 2) Examples of Volunteer and Contractor staff training records.

Observations: DC ADM 008 outlines the training requirement for contractors and volunteers who have contact with inmates. Volunteers and contractors with 5 hours or more of contact per week get the same PREA training as regular staff. Interview with contractor staff indicated she was provided with PREA education and was aware of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Volunteer/Contractor training records were reviewed and contained the PREA training verification forms.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard

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| 115.33 | Inmate education |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>15.33 (a)-1: Compliance evidence: The facility provided this auditor with; 1) PREA Inmate Education Facilitator’s Guide; 2) Sexual Assault Informational Handout in English and Spanish; 3) PREA posters in English and Spanish; 4) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training, F. 1 – 7; 5) 11.2.1, Reception and Classification Procedures Manual-- Section 2 – Diagnostic and Classification Procedures--Diagnostic and Classification Center (DCC) Orientation-- d. Sexual abuse/sexual harassment prevention, reporting and intervention in accordance with Department policy DC-ADM 008, “Prison Rape Elimination Act (PREA);”6) PREA Information at Intake—screenshot of case management system (ICAR) noting inmate received PREA information.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Inmate Education</p> <p>Each facility shall provide inmate education explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he/she is the victim of such. This information shall be provided in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. (28 C.F.R. §115.33[d])</p> <p>During the intake process, all inmates, including Parole Violators (PVs), shall receive information explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he/she is the victim of sexual abuse, sexual harassment, or retaliation. Medical shall provide a copy of the Sexual Assault Awareness Informational Handout (Attachment 2-H) to the inmate immediately upon intake. (28 C.F.R. §115.33[a][b]).</p> <p>Within the first 30 days of reception, additional information shall be provided to all inmates, including PVs, either during orientation at the Diagnostic and Classification Center (DCC) and reception sites, or upon return to Department custody. All inmates shall be shown a video regarding their rights to be free from sexual abuse, sexual harassment, and retaliation. They shall also be provided information regarding Department policies and procedures for responding to such incidents. Inmate education may be provided to inmates individually or in groups. A staff member must be present at all times to facilitate discussion, in conjunction with the National PREA Resource Center Inmate Education Facilitator’s Guide PREA: What You Need To Know and to answer questions. (28 C.F.R. §115.33[b]).</p> <p>The PREA video, “PREA: What You Need To Know” is available for use. Each facility shall have access to this video in Spanish and English, with subtitles. (28 C.F.R. §115.33[d])</p> |

An intake counselor shall remain in the room during the playing of the video to observe inmates, looking for reactions.

Additionally, the intake counselor shall ask questions, as outlined in the Facilitator's Guide, at the end of the video to determine comprehension of the materials.

The intake counselor shall offer to meet privately with any inmates if they request to discuss issues related to the video.

An inmate who did not receive the education at the DCC shall receive this training within one year of the effective date of the PREA Standards. This education may be provided as a group presentation or individually during the inmate's annual/semi-annual case review, as needed. (28 C.F.R. §115.33[c])

The PREA video is to be played a minimum of two times each month over the inmate television channel. (28 C.F.R. §115.33[f])

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 his/her annual review.

Sexual abuse, sexual harassment, and retaliation training shall be documented by the inmate signing the PREA Inmate Education Verification Form.

Observations: DC ADM 008 requires that inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates receive PREA information during the intake process and additional information within 30 days of reception. Interview with Intake staff indicate that the PREA information is given to inmates every Friday during orientation. The PREA video is played and then they conduct a question and answer session. The inmates are told where to find the information and how to report. Inmates currently have an annual case review. During this time they are given a Sexual Abuse Awareness Informational Brochure. This is documented in the inmate's case management record. In addition to this, the PREA video plays on the inmate TV channel a minimum of two times per month.

Interviews with inmates indicate that they did get information about the facility's rules against sexual abuse and sexual harassment. They appeared to have a sound understanding of the information provided to them and what their rights were as they relate to being safe from sexual abuse and sexual harassment. The information was delivered via the PREA video and through PREA information pamphlets. Inmates signed the PREA Inmate Education Verification Form acknowledging they received and understand the training. Five (5) inmate files were reviewed that included PREA education entries into the inmate case management record and progress notes.

115.33 (b)-1: The Pre-Audit Questionnaire reported that there were 717 out of 717 inmates admitted during the past 12 months who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such

incidents and on agency policies and procedures for responding to such incidents within 30 days of intake.

115.33 (c)-1: Any inmates who were NOT educated within 30 days of intake have been educated subsequently during annual case reviews. During this time inmates are provided with the PREA brochure and a discussion takes place regarding issues related to sexual abuse and sexual harassment. This is documented in the inmate's case management record.

115.33(c)-4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training-- Any inmate that is transferred must receive education upon transfer, only to the extent that the policies and procedures of the inmates new facility differs from those of the previous facility. (28 C.F.R. §115.33[c])

Observations: All inmates who did not receive PREA education within 30 days of intake receive such information during their annual case reviews. Inmates who transfer to SCI-Benner Township will receive education to the extent that the policies and procedures differ from the facility they transferred from. This is documented in the case record and Progress Notes as demonstrated in examples provided in the Pre-Audit Questionnaire.

115.33 (d)-1 - 5: Compliance evidence: The facility provided this auditor with; 1) Sexual Assault Informational Handout in English and Spanish; 2) PREA posters in English and Spanish; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training--Inmate Education; 4) Inmate TV PREA Information in Spanish; 5) Screenshot of ICAR entry regarding Spanish speaking inmate given PREA information in Spanish and English; 6) DC ADM 006, Reasonable Accommodations for Inmates with Disabilities Manual—Section 3—Specific Disabilities; 7) Propio contract for language interpretation services valid through 6/30/17; 8) Sign Language contract with Language Services Associates valid through 6/30/17; Screenshot of ICAR entry demonstrating inmate who is legally blind was given PREA education.

Observations: Inmate PREA education is available in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, disabled and limited in their reading skills. DC ADM 006--Reasonable Accommodations for Inmates with Disabilities Manual requires that an inmate who is diagnosed as having a qualified disability will receive accommodations so that he/she can properly communicate/participate in the Department's facilities.

115.33 (e)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training--Inmate Education; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention—B. 1. ; 3) Screenshot of ICAR entry an inmate received PREA information and signed the verification form.

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention:

Document Retention – Inmates

The below listed documents shall be maintained at the facility for audit verification purposes.

The following forms shall be maintained in the DC-14, Counselor File:

PREA Inmate Education Verification Form.

Observations: The agency maintains documentation of inmate participation in PREA education sessions by utilizing the PREA Inmate Education Verification Form. Examples of this were provided to this auditor.

115.33 (f)-1: Compliance evidence: The facility provided this auditor with; 1) Sexual Assault Informational Handout in English and Spanish; 2) PREA posters in English and Spanish; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training--Inmate Education; 4) Weekly Movie Schedule indicating that PREA Education in English and Spanish are to be shown on Monday's and Tuesday's on inmate TV; 5) Inmate TV PREA education in English; 6) Inmate TV PREA education in Spanish; 7) SCI-Benner Township Inmate Handbooks ; Handbook Supplement.

Observations: The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters in all areas of the facility, through the Inmate Handbook and on the inmate TV's on a regular basis. PREA posters were visible during the on-site portion of this audit.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.34 | Specialized training: 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 1453 573">115.34 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) PREA Investigator Training offered by The National PREA Resource Center/NCCD --Modules 1 through 5; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment.</p> <p data-bbox="252 622 1437 701">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p data-bbox="252 752 584 786">Specialized Staff Training</p> <p data-bbox="252 837 432 871">Investigations</p> <p data-bbox="252 922 1337 1001">Any staff designated to conduct sexual abuse investigations shall receive training in accordance with 28 C.F.R. §115.34[a].</p> <p data-bbox="252 1052 1453 1218">This specialized training shall include, but is not limited to: interviewing sexual abuse victims, proper use of Miranda warnings, the Garrity rule, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecutorial referral. (28 C.F.R. §115.34[b])</p> <p data-bbox="252 1270 1437 1348">This training shall be developed by the PCD and standardized for Department wide training purposes.</p> <p data-bbox="252 1400 1445 1478">This specialized training shall occur on an annual basis unless it is deemed necessary to be held more frequently by the statewide PREA Coordinator or Facility Manager.</p> <p data-bbox="252 1529 1477 1695">Staff shall be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form unless completed through web-based training. This information shall be kept in the staff member’s training file in accordance with Section 1 of this procedures manual. (28 C.F.R. §115.34[c])</p> <p data-bbox="252 1747 1481 1861">The Department, any state entity, or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations. (28 C.F.R. §115.34[d])</p> <p data-bbox="252 1912 1337 1991">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment:</p> <p data-bbox="252 2042 1458 2121">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> |

General Responsibilities:

Where sexual abuse is alleged, the Department shall use investigators who have received specialized training in sexual abuse investigations pursuant to Prison Rape Elimination Act (PREA) Standards 28 C.F.R. §115.34[a]

115.34 (b) Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

115.34 (c)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Investigator Training Documentation.

Observations: Those staff who investigate PREA allegations have been trained on how to conduct sexual abuse investigations in confinement settings. Modules 1 – 5 of the PREA Investigator Training offered by The National PREA Resource Center/NCCD was provided as evidence of the training curriculum utilized to train PREA investigators. Interview with the PREA Lieutenant, who conducts the PREA investigations at SCI-Benner Township, indicated that he has received training on how to interview sexual assault victims, proper use of Miranda and Garrity warnings, evidence collection and that a preponderance of evidence is needed to substantiate allegations of sexual abuse or sexual harassment. SCI-Benner Township maintains documentation showing that six (6) investigators have completed the required training.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.35 | Specialized training: Medical and mental health care |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.35 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) PREA Specialized Training Medical and Mental Health Care Standards dated 10/04/16; 3) Sexual Abuse and Sexual Harassment Definitions Handout; 4) PREA Medical and Mental Care Standards Participant Guide.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Specialized Staff Training</p> <p>Medical/Mental Health Practitioners</p> <p>Any staff providing medical/mental health services, whether on a full or part-time status, shall receive additional training on working with victims of sexual abuse and sexual harassment. (28 C.F.R. §115.35[d]) For the purposes of this training requirement, medical staff shall include all licensed medical staff, as well as non-licensed contact medical staff such as dental assistants, Correctional Health Care Administrators (CHCAs), and contracted provider staff.</p> <p>This specialized training shall include, but is not limited to: how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment, and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. (28 C.F.R. §115.35[a][1][2][3][4])</p> <p>This training shall be developed by the PCD and standardized for Department wide training purposes.</p> <p>All new medical/mental health staff shall receive this training within the first six months of employment with the Department. The training shall either be provided by the current contracted medical health provider or locally by staff who have been trained.</p> <p>Staff shall be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information shall be kept in the employee’s training file in accordance with Section 1 of this procedures manual. (28 C.F.R. §115.35[c])</p> <p>Observations: DC ADM 008 requires additional PREA training of medical and mental health practitioners who work regularly in PA DOC facilities. The PREA Specialized Training on Medical and Mental Health Care Standards covers topics such as 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</p> |

sexual harassment. The Pre-Audit Questionnaire indicates that 38 medical and/or mental health practitioners have received training according to agency policy which constitutes 100% of these healthcare personnel. Interviews with medical/mental health personnel indicate they have received PREA training. Documentation that these specialized staff have received additional training is maintained on the PREA Training and Understanding Verification Form. Examples of this documentation was reviewed by this auditor.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.41 | Screening for risk of victimization and abusiveness |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.41 (a)-1: Compliance evidence: The facility provided this auditor with; 1)PREA Risk Assessment Tool (PRAT); 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 3) PRAT User Guide 2015.</p> <p>Observations: DC ADM 008 requires screening upon admission to a facility or transfer to another facility for risk of sexual abuse victimization or sexual abusiveness toward other inmates. Interview with staff who conduct risk screenings confirmed that inmates who are new admits or those who transfer to SCI-Benner Township are screened for risk of sexual abuse victimization or sexual abusiveness. Inmates interviewed who entered the facility within the last 12 months indicated they were asked questions about prior incarcerations, if they felt safe, and about prior history of abuse while incarcerated.</p> <p>115.41 (b)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Listing of five inmates (dated 3/15/16 and 9/15/16) who received initial PRAT within 72 hours and 20-30 days thereafter.</p> <p>115.41 (b)-2: Compliance evidence: The facility provided this auditor with; 1)2016 PRAT’s Completed listing.</p> <p>115.41 (c)-1: Compliance evidence: The facility provided this auditor with; 1)PREA Risk Assessment Tool (PRAT); DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training—B.</p> <p>115.41 (f)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Listing of five inmates (dated 3/15/16 and 9/15/16) who received initial PRAT within 72 hours and 20-30 days thereafter.</p> <p>115.41 (f)-2: Compliance evidence: The facility provided this auditor with; 1)2016 PRAT’s Completed listing.</p> <p>115.41 (g)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Examples of PRAT’s completed in response to a sexual abuse allegation.</p> <p>115.41 (h)-1: Compliance evidence: The facility provided this auditor with; 1) The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Information noted on top of PA DOC PREA Risk Assessment Tool: “The Prison Rape Elimination Act, known as PREA, is a law designed to protect inmates from sexual abuse.</p> |

PREA requires prison staff to ask every inmate the following series of assessment questions. You may share as much or as little information as you feel comfortable providing. The results of the assessment are used to help keep you and other inmates safer, and the Department is committed to confidentiality regarding the information that you share. You will not be penalized in any way if you choose not to provide any information. ”

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2

Sexual Abuse/Sexual Harassment Prevention and Training:

Screening for Risk of Victimization and Abusiveness

All inmates shall be assessed during the intake screening process, upon receipt into another facility, whenever an inmate is involved in an incident of sexual abuse and at his/her annual review, for risk of being sexually abused by other inmates or sexually abusive toward other inmates. (28 C.F.R. §115.41[a])

Inmates currently in Department custody, not assessed through the above means, shall be administered the PREA Risk Assessment Tool at the semi-annual or annual review, to ensure that all inmates are assigned a risk level within the first six months of implementation. Assigned counselors shall be responsible for administering the PREA Risk Assessment Tool.

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. (28 C.F.R. §115.42[a]) The sensitive information collected through these tools shall be kept as confidential as possible so as not to be used to the inmate's detriment by staff or other inmates. (28 C.F.R. §115.41[i])

The PREA Risk Assessments shall be conducted utilizing the PRAT. The tool will be an objective instrument that shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization or abusiveness: (28 C.F.R. §115.41[c][d])

- a. whether the inmate has a mental, physical, or developmental disability; (28 C.F.R. §115.41[d][1])
- b. the age of the inmate; (28 C.F.R. §115.41[d][2])
- c. the physical build of the inmate; (28 C.F.R. §115.41[d][3])
- d. whether the inmate has previously been incarcerated; (28 C.F.R. §115.41[d][4])
- e. whether the inmate's criminal history is exclusively nonviolent; (28 C.F.R. §115.41[d][5])
- f. whether the inmate has prior convictions for sex offenses against a child or an adult; (28 C.F.R. §115.41[d][6])
- g. whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (28 C.F.R. §115.41[d][7])
- h. whether the inmate has previously experienced sexual victimization; (28 C.F.R. §115.41[d][8])
- i. the inmate's own perception of vulnerability; (28 C.F.R. §115.41[d][9])
- j. whether the inmate is detained solely for civil immigration purposes; and (28 C.F.R.

§115.41[d][10])

k. the initial assessment, which is conducted within 72 hours of reception, shall consider prior acts of abuse, prior convictions for violent offenses, and history of prior facility violence or sexual abuse, as known to the Department, in order to assess inmates for the risk of being sexually abusive. (28 C.F.R. §115.41[b][e])

Within the first 72 hours of reception to the Department and receipt into another facility, the PRAT shall be conducted by qualified health care or unit management staff.

A reassessment shall be conducted between day 20 and 30 of every inmate's arrival in the system or receipt into another facility utilizing the PRAT. (28 C.F.R. §115.41[f]) Additionally, the counselor shall reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility staff since the intake screening. (28 C.F.R. §115.41[g])

Any inmate who reports sexual victimization during the administration of a PRAT should be asked for sufficient details to determine whether a sexual abuse investigation is warranted.

When there is an allegation of sexual abuse, the Licensed Psychology Manager (LPM)/designee shall administer the PRAT to all involved inmates within 72 hours of the allegation being made. (28 C.F.R. §115.41[g])

Every inmate shall be reassessed at the annual review conducted by his/her counselor utilizing the PRAT.

Inmates shall not be disciplined for refusing to answer, or for not disclosing complete information in response to the questions regarding prior victimization, disabilities, their perception of vulnerability, or their sexual orientation. (28 C.F.R. §115.41[h])

The Department shall make individualized determinations about how to ensure the safety of each inmate. (28 C.F.R. §115.42[b])

Any inmate who self-identifies as transgender during the administration of the PRAT shall be referred to the facility PCM for additional follow-up as indicated in Section 9 of this procedures manual.

Observations: The Pre-Audit Questionnaire indicates there were 779 inmates within the past 12 months whose length of stay in the facility was for 72 hours or more and who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility. The Pre-Audit Questionnaire indicates there were 717 inmates who entered SCI-Benner Township within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake. Of the five inmate examples provided in the Pre-Audit Questionnaire, all five inmates had documentation of the initial PRAT being conducted within 72 hours of intake and again within 20-30 days later as required by DC ADM 008. Interviews with inmates indicate that they do recall being asked questions regarding feeling safe, if they were previously incarcerated, and/or if they identify as being gay or bisexual.

The PREA Risk Assessment Tool (PRAT) is an objective screening instrument that includes all required questions to determine risk of sexual victimization and/or risk of sexual abusiveness. Interviews with PREA Coordinator and PREA Compliance Manager indicate that if an inmate is identified as high risk for victimization or high risk for abusiveness that they are noted as such in the Unit Management System under Security Concerns. The only two staff at SCI-Benner Township who can view the actual PRAT scoring outcome is the PREA Compliance Manager and the Administrative Officer I.

DC ADM 008 requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Interview with staff responsible for risk screening indicates that an inmate's risk level is reassessed when warranted due to the above noted reasons. Inmates who were interviewed that had come to SCI-Benner Township within the past 12 months reported that they do recall being asked questions again about feeling safe. Inmates are not disciplined for failure to answer questions on the risk screening.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.42 | Use of screening information |
| | <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 1436 488">115.42(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) PREA Risk Tracking in Unit Management System Memo dated 2/18/15.</p> <p data-bbox="252 539 1436 658">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training: Screening for Risk of Victimization and Abusiveness</p> <p data-bbox="252 710 1445 960">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. (28 C.F.R. §115.42[a]) The sensitive information collected through these tools shall be kept as confidential as possible so as not to be used to the inmate’s detriment by staff or other inmates. (28 C.F.R. §115.41[i])</p> <p data-bbox="252 1012 1484 1301">Observations: If an inmate is identified as high risk for victimization or high risk of abusiveness as an outcome of the PREA Risk Screening (PRAT) it is noted in the Unit Management System under Security Concerns. This information is then used in informing housing unit placement decisions in accordance with PREA standards. Interview with the PREA Compliance Manager indicates that the Unit Manager and/or Unit Sergeant has to check for the security concerns prior to making housing decisions in an effort to keep inmates at high risk of victimization separated from inmates at high risk of being sexually abusive.</p> <p data-bbox="252 1352 1458 1603">115.42 (b)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 9 – Working with Transgender and Intersex Inmates; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 3) Gender Review Committee Checklist; 4) Institutional Sexual Predator List; 5) Potential Sexual Assault Victim List.</p> <p data-bbox="252 1610 1449 1729">Observations: Interview with staff responsible for risk screening confirmed that housing, bed placement, work, education, and program assignments are made on an individual basis to ensure the safety of each inmate.</p> <p data-bbox="252 1780 1484 2031">115.42 (c)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 9 – Working with Transgender and Intersex Inmates; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 3) Gender Review Committee Checklist; 4) Examples of completed Gender Review Committee Checklists for three different inmates.</p> <p data-bbox="252 2123 1455 2157">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 9 – Working</p> |

with Transgender and Intersex Inmates:

Reception and Classification

Every inmate shall be assessed upon reception for potential risk of sexual abuse and victimization in order to identify at-risk inmates and ensure safety and security for all inmates committed to the custody of the Department. (28 C.F.R. §115.41)

1. The Prison Rape Elimination Act (PREA) Risk Assessment Tool (PRAT) shall be administered in accordance with Section 2 of this procedures manual. This assessment shall provide an opportunity for the inmate to self-identify as a transgender or intersex individual.
2. If an inmate identifies as a transgender, a DC-97, Mental Health Referral Form shall be completed and forwarded to the Psychology Department to initiate the procedures outlined in accordance with Department policy 13.2.1, "Access to Health Care Procedures Manual."
3. The facility shall not search or physically examine 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. (28 C.F.R. §115.15[e])
4. Once an inmate has been identified as a transgender or intersex individual, immediate notification shall be sent to the PREA Compliance Manager (PCM).
 - a. All pertinent information regarding the transgender or intersex individual should be discussed on a need-to-know basis and shared only with the appropriate staff to provide necessary services.
 - b. The PCM shall privately meet with the transgender or intersex inmate within five business days of notification and complete the Gender Review Committee (GRC) Checklist (Attachment 9-A). Following this assessment, the inmate shall be re-assessed every six months to review any threats to safety experienced by the inmate. (28 C.F.R. §115.42[d])
 - c. If the inmate was erroneously identified as transgender and/or intersex during the completion of the GRC Checklist, the GRC Checklist shall be subsequently marked with a notation by the PCM indicating the error and acknowledged through signature by the inmate.
 - d. Once the PCM has met with the transgender or intersex inmate, a GRC meeting shall be scheduled to convene within five business days of that interview.
 - e. The purpose of the GRC is to make individualized determinations about transgender or intersex inmates' housing and programming assignments to ensure their safety.
 - f. If the inmate refuses to meet with the PCM, the GRC shall convene, as required, and complete the GRC Checklist based upon available information.
 - g. If the transgender or intersex inmate is transferred to another facility prior to the required

six month review, the GRC at the receiving facility shall be activated to meet with the inmate within five business days.

h. The transgender or intersex inmate, upon self-disclosure, may be housed with a temporary Z-Code until the PCM and GRC convenes and determines permanent housing placement based on the inmate's responses to the questions presented in the GRC Checklist.

i. The GRC shall consist of, but not be limited to, the following individuals:

- (1) PCM;
- (2) Licensed Psychology Manager (LPM)/designee;
- (3) Corrections Health Care Administrator (CHCA)/designee;
- (4) Deputy Superintendent of Centralized Services (DSCS)/designee; and
- (5) Deputy Superintendent of Facility Management (DSFM)/designee.

j. The transgender or intersex inmate shall be invited to attend the GRC meeting unless contraindications exist or they choose to not attend. The inmate's presence is not required.

k. The transgender or intersex inmate shall be informed of the GRC's housing recommendation within 48 hours of the GRC meeting, and be permitted the opportunity to concur or object to the recommendation.

(1) For all instances in which the inmate and GRC agree that the inmate remain where they are currently housed, the GRC Checklist will be retained by the facility and a copy shall be forwarded to CR, DOC PREA Reports email address for informational purposes only.

(2) For all instances in which the facility or the inmate request a transfer to a facility that is consistent with the gender identification of the inmate, a referral packet will be submitted to the Administrative Gender Review Committee (A-GRC) for review.

In deciding whether to assign a transgender or intersex inmate to a facility that is consistent with his/her gender identity, and in making other housing and programming assignments, the Department shall consider, on a case-by-case basis, whether a placement would ensure the health and safety of all impacted inmates and whether the placement could potentially present management or security problems. (28 C.F.R. §115.42[c])

Observations: SCI-Benner Township makes housing and program assignments for transgender or intersex inmates in the facility on a case-by-case basis utilizing the Gender Review Committee Checklists which include input from a multi-disciplinary team. Interview with PREA Compliance Manager indicates that within 5 days of intake a transgender or intersex inmate will meet with her to complete the Gender Review Committee Checklist. The inmate is then reviewed every 6 months. Transgender inmates interviewed reported they were asked questions about their safety and were not placed in a housing area only for transgender or intersex inmates. A transgender or intersex inmate's own views with respect to his or her own safety is given serious consideration as documented on the Gender Review Committee Checklist.

Transgender and intersex inmates are given the opportunity to shower separately from other inmates at SCI-Benner Township. Transgender and intersex inmates are allowed to shower separate from other inmates due to the physical design of the showers. There are no units or

wings dedicated solely for transgender or intersex inmates.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.43 | Protective Custody |
| | <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 1474 831">115.43(a – e)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Initial Response Checklist—Alleged Victim—noting: (alleged Victim should be housed in the RHU only if he/she requests placement or cannot be protected by other means. (Documentation shall articulate this information); 3) DC-ADM 802, Administrative Custody Procedures Manual--Section 1 – Placement in Administrative Custody Status; 4) DC-ADM 802, Administrative Custody Procedures Manual--Section 3 – Administrative Custody Housing Status; 5) DC-ADM 802, Administrative Custody Procedures Manual--Section 4 – Release from Administrative Custody Status; 6) Involuntary Administrative Custody Services -Access Restriction Form; 7) DC-ADM 802, Administrative Custody Procedures Manual--Section 2 – Administrative Hearings; 8) Program Review Committee Action Form</p> <p data-bbox="252 887 1347 958">DC-ADM 802, Administrative Custody Procedures Manual--Section 1 – Placement in Administrative Custody Status:</p> <p data-bbox="252 1014 975 1048">Section 1 – Placement in Administrative Custody Status</p> <p data-bbox="252 1104 719 1137">Involuntary Protective Custody (PC)</p> <p data-bbox="252 1193 1474 1563">Inmates at a high risk for sexual victimization or inmates that have alleged abuse shall not be placed involuntarily in Administrative Custody (AC) as a means of protection unless an assessment of all available alternatives has been made by the Shift Commander. The Shift Commander in conjunction with the Prison Rape Elimination Act (PREA) Compliance Manager and the on-call administration representative (e.g., Facility Manager, Deputy Superintendent for Facilities Management [DSFM], Deputy Superintendent for Centralized Services [DSCS]), will determine 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. (§115.43[a])</p> <ol data-bbox="252 1619 1449 2033" style="list-style-type: none"> 1. The staff must consider other alternative placements for an alleged victim and make the appropriate placement. 2. The staff should take into consideration the alleged victim’s opinion regarding his/her own safety. Placement in AC is permissible when the victim requests or agrees to it. (§115.42[c]) 3. Alternative placements can include, but are not limited to, any one, or combination of, the following temporary options: <ol data-bbox="252 1877 1238 2033" style="list-style-type: none"> a. moving to a different housing unit; b. placement in a cell closer to the Corrections Officer’s desk within the unit; c. placement in a single cell (Z Code); and d. placement in the Special Needs Unit (SNU). 4. If an involuntary AC housing assignment is made, the Shift Commander shall clearly document on the DC-141, Part 1 (Other) Report in the DC-15, the following information: |

- a. the basis for the staff member's concern for the inmate's safety; (§115.43[d][1])
- b. the other alternative means of separation that were explored; and
- c. the reason why no alternative means of separation can be arranged. (§115.43[d][2])

5. If the Shift Commander assigns an inmate to involuntary AC for the purpose of protection from sexual victimization, 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 in accordance with Department policy DC-ADM 008, "Prison Rape Elimination Act (PREA)," Section 2 and in the DC-15: (§115.43[b])

- a. the opportunities that have been limited; (§115.43[b][1])
- b. the duration of the limitation; and (§115.43[b][2])
- c. the reasons for such limitations. (§115.43[b][3])

6. The facility may assign inmates to involuntary AC only until an alternative means of separation from likely abusers can be arranged and such assignment shall not ordinarily exceed 30 days. (§115.43[c])

7. 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 (Other). PRC review of PREA-related cases shall include the PREA Compliance Manager (PCM) as a member of the reviewing committee. (§115.43[e])

DC-ADM 802, Administrative Custody Procedures Manual--Section 2 – Administrative Hearings:

Involuntary Administrative Custody Services -Access Restriction Form- Inmates held in involuntary administrative custody must be afforded access to programs, privileges, education, and work opportunities. If an inmate is denied these services, staff must document the services that were denied and the reason for the denial.

Observations: Within the last 12 months there has been no use of segregated housing at SCI-Benner Township for inmates at high risk of sexual victimization. Interviews with staff indicate that alternative housing arrangements are made for inmates who are at high risk of victimization. If there were ever a situation in which an inmate at high risk for victimization was placed in segregated housing, the inmate would have access to privileges and programs when at all possible. DC ADM 802 requires that if an inmate were to be placed in involuntary segregated housing that at least every 30 days he will be reviewed to determine whether there is a continuing need for separation from general population inmates. There were no inmates placed in Segregated Housing for risk of sexual victimization/who allege to have suffered sexual abuse; therefore, there are no inmate interviews to reference for this standard.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.51 | Inmate reporting |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.51-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 2) PREA Posters in English and Spanish that indicate how to report for both inmates and staff; 3) Examples of PREA allegations from the following: Hotline call, Request Slip, Inmate Grievance, Verbal report from Non-Involved Party, Written Letter to PSP, Verbal reports from alleged victim and Verbal report form alleged abuser.</p> <p>115.51 (b)-1: Compliance evidence: The facility provided this auditor with; 1) PREA Posters in English and Spanish that indicate how to report for both inmates and staff; 2) Copy of PREA allegation letter sent to the Pennsylvania State Police.</p> <p>115.51 (c)-1 & 2: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 2) Examples of PREA allegations from the following: Hotline call, Request Slip, Inmate Grievance, Verbal report from Non-Involved Party, Written Letter to PSP, Verbal reports from alleged victim and Verbal report form alleged abuser.</p> <p>115.51 (d)-1 & 2: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 2) Basic Training Curriculum for Officers.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment:</p> <p>General</p> <ol style="list-style-type: none"> 1. A report, complaint, or allegation of sexual abuse, sexual harassment, or retaliation as defined in the glossary of terms for this procedures manual, staff neglect or violation of responsibilities that may have contributed to such incidents can be reported by several means, as outlined below. (28 C.F.R. §115.51[a]) 2. Anyone who reports sexual abuse, sexual harassment, or retaliation should provide as many details as possible regarding the incident(s), including the following information: <ol style="list-style-type: none"> a. comprehensive description of incident(s); b. names of all parties involved; c. date(s); d. time(s); e. place(s) of alleged incidents; and f. witness(es), if any. 3. Staff shall accept and document reports made verbally, in writing, anonymously, and from third parties and promptly forward to the facility’s designated investigators. (28 C.F.R. |

§115.51[c]) (28 C.F.R. §115.61[e])

4. All reports received by the Sexual Abuse Reporting Address, established for the anonymous reporting of sexual abuse or sexual harassment to the Pennsylvania State Police (PSP), shall be handled as follows: (28 C.F.R. §115.51[b])

a. when the PSP receives Prison Rape Elimination Act (PREA)-related complaint correspondence at this address, the letter shall be scanned and emailed to the Department's PREA Notification email address (CR, DOC PREA Notification) for tracking purposes and dissemination to the appropriate facility;

b. the PREA Compliance Division (PCD) is responsible to check the email box daily (business days only) for follow-up and referral purposes; and

c. this information shall be maintained within the investigative file, in accordance with Section 1 of this procedures manual.

5. 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 as outlined in Department policy 1.1.16, "Mandatory Reporting Guidelines." (28 C.F.R. §115.61[d])

B. Methods of Reporting for Inmates

1. An inmate who is an alleged victim of any of the following shall report the abuse to a staff member as soon as possible:

a. sexual abuse;

b. sexual harassment;

c. retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and/or

d. staff neglect or violation of responsibilities that may have contributed to such incidents. (28 C.F.R. §115.51[a])

2. A report may be made to any staff member in the facility including, but not limited to, Medical staff, Psychology staff, Corrections Officers, and Counselors. (28 C.F.R. §115.51[c])

3. As soon as a staff member, contractor, or volunteer receives a report of sexual abuse or sexual harassment, either verbally or in writing, he/she is required to notify the Shift Commander immediately. The required process for making this report is outlined in Subsection C. below. (28 C.F.R. §115.51[c])

4. Methods of reporting include the following: (28 C.F.R. §115.51[a])

a. verbal report to a staff member;

b. submitting a DC-135A, Inmate Request to Staff Member; and/or

c. submitting a written report to the Sexual Abuse Reporting Address: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110.

5. These written reports may be submitted, either as identified above, or through the facility grievance lock-boxes located on every housing unit within the facility. These lock-boxes are accessed only by an approved management staff, and reports shall be forwarded for review and action, as outlined within this policy. Inmates shall utilize the inmate 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.

6. Inmates shall not utilize the inmate grievance system to report sexual abuse or sexual harassment by a staff member or inmate-on-inmate sexual abuse, as defined in the Glossary of Terms for this 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)/designee for tracking and investigation. The inmate shall be notified of this action.

7. Every inmate must be provided with immediate access to at least one of the methods indicated above through which he/she may privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. (28 C.F.R. §115.51[a])

General

1. A report, complaint, or allegation of sexual abuse, sexual harassment, or retaliation as defined in the glossary of terms for this procedures manual, staff neglect or violation of responsibilities that may have contributed to such incidents can be reported by several means, as outlined below. (28 C.F.R. §115.51[a])

Methods of Reporting for Staff, Contractors, and Volunteers

5. The Sexual Abuse Reporting Address is an option for an employee, contract service provider, or volunteer to privately report an allegation of sexual abuse, sexual harassment, or retaliation. (28 C.F.R. §115.51[d]) The reporting address is: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110, as outlined on the PREA Reporting Poster (Attachment 3-A).

Observations: SCI-Benner Township has established procedures allowing for multiple internal ways for inmates to report privately to agency officials. Inmates Interviews with staff and inmates indicate that both are able to make a private report to a supervisor or directly to the PREA Coordinator via the Harrisburg, PA address. Staff are informed on reporting through basic training and familiarization with DC ADM 008 and the available PREA posters. Inmates interviewed indicated they were aware they could make a report to any staff member or through a request slip. Staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. All staff interviewed reported that they would document verbal reports and immediately contact a supervisor. Inmates are able to make a report in writing to the Pennsylvania State Police which is not part of the PA DOC; thus

fulfilling the outside agency reporting requirement. There was some confusion amongst inmates and staff regarding reporting to an outside entity as www.tipsubmit.com is no longer an option for inmates or staff to use for reporting. It was suggested that updated information be provided to ensure both inmates and staff do not continue to utilize www.tipsubmit.com as a means of reporting.

PA DOC does not house inmates solely for civil immigration purposes; therefore, there is no policy addressing this portion of the PREA standard.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.52 | Exhaustion of administrative remedies |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.52(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 2) DC-ADM 804, Inmate Grievance System Procedures Manual--Section 1 – Grievances & Initial Review; 3) Examples of Grievance Rejection Notice to Inmates.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment: Inmates shall not utilize the inmate grievance system to report sexual abuse or sexual harassment by a staff member or inmate-on-inmate sexual abuse, as defined in the Glossary of Terms for this 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)/designee for tracking and investigation. The inmate shall be notified of this action.</p> <p>DC-ADM 804, Inmate Grievance System Procedures Manual--Section 1 – Grievances & Initial Review: 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)." When faced with an incident of an urgent or emergency nature, the inmate shall contact the nearest staff member for immediate assistance.</p> <p>Observations: DC ADM 008 addresses sexual abuse and sexual harassment complaints filed through the inmate grievance system. Specifically, all complaints of sexual abuse and sexual harassment submitted through the inmate grievance system will be rejected and the complaint will be forwarded to the facility Security Office and PCM for tracking and investigation.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard as they were able to demonstrate that this standard is not applicable due to the fact that sexual abuse complaints are not addressed through the grievance process.</p> |

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| 115.53 | Inmate access to outside confidential support services |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.53(a)-1- 4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2)Sexual Assault Information Sheet which includes information on Victim Support Services through PCAR; 3) LOA with Centre County Women’s Resource Center (CCWRC) for victim services dated 4/10/16; 4) CCWRC PREA Brochure; 5) Inmate Access to Outside Supportive Services Letter; 6) DC-135A-Inmate Request example of request for outside supportive services; 7) Example of inmate being scheduled for outside supportive services documentation.</p> <p>115.53 (b)-1 - 2: Compliance evidence: The facility provided this auditor with; 1) Inmate Access to Outside Supportive Services Letter; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 3) CCWRC PREA Brochure.</p> <p>115.53 (c)-1 – 2: Compliance evidence: The facility provided this auditor with; 1) LOA with Centre County Women’s Resource Center (CCWRC) for victim services dated 4/10/16; 2) CCWRC PREA Brochure.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p>Inmate Access to Outside Supportive Services</p> <ol style="list-style-type: none"> 1. The Department works in collaboration with the Pennsylvania Coalition Against Rape (PCAR) and its member centers. The facility PCM, in conjunction with the statewide PREA Coordinator/designee has worked to establish mutual agreements with local rape crisis centers where all Department facilities are located. (28 C.F.R. §115.53[c]) 2. 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 non-working 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. (28 C.F.R. §115.53[a]) 3. 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. (28 C.F.R. §115.53[b]) 4. An inmate shall be offered the opportunity to talk with a victim advocate upon receipt of an allegation and receive continued care when they have been a victim of facility sexual abuse, no matter if they reported the facility sexual abuse immediately or made a delayed disclosure. |

a. If the inmate is taken to a local hospital for a forensic examination, they should be afforded the opportunity for support services provided by a victim advocate. If requested, the victim advocate shall meet the alleged victim at that hospital to accompany and support the alleged victim through the forensic medical examination process and investigatory interview. They shall also provide emotional support, crisis intervention, information, and referrals. (28 C.F.R. §115.21[d][e])

b. If the inmate discloses outside the 96 hour timeframe, the facility PCM shall make arrangements for the victim advocate to meet with the inmate at the facility or via telephone, if the alleged victim wishes to speak with an advocate. This meeting should occur in a private area with video surveillance and no audio to ensure confidentiality. The safety of the victim advocate should be paramount in determining where the interaction will occur. (28 C.F.R. §115.21[d])

Observations: SCI-Benner Township provides inmates with access to outside victim advocates for emotional support services related to sexual abuse through an agreement with the Centre County Women's Resource Center. This auditor was provided with a Letter of Agreement between SCI-Benner Township and Centre County Women's Resource Center that documents the victim support services that are available to inmates.

Inmates are provided with an informational brochure that contains the address they can write to. This information is also available on posters that are in common areas of the facility. Inmates will be offered the opportunity to speak with a victim advocate when they have been a victim of sexual abuse. A letter is provided to them by the PREA Compliance Manager that outlines the emotional support services available to them and the terms of these services such as the fact that they are un-monitored phone calls that will take place over a 6 to 8 week time frame.

Interviews with random inmates and those who reported sexual abuse indicate they are aware of the outside support services that are available and were able to speak with someone.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.54 | Third-party reporting |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.54(a)-1- 2: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 2) Screenshot of PA DOC public website that demonstrates how civilians can report sexual abuse and/or sexual harassment; 3) PREA posters in English and Spanish; 4) Sexual Assault Information Sheet.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment:</p> <p>Methods of Reporting for Staff, Contractors, and Volunteers</p> <p>1. Any staff member, contract service provider, and volunteer shall immediately report to the Shift Commander if he/she has knowledge, suspicion, or information regarding any of the following:</p> <ul style="list-style-type: none"> a. sexual abuse of an inmate; b. sexual harassment of an inmate that occurred in a facility; c. retaliation against inmates or staff who reported such an incident; and/or d. staff neglect or violation of responsibilities that may have contributed to an incident or retaliation <p>2. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse in accordance with Subsection C.1. above, to inform inmates of the practitioner’s duty to report, and the limitations of confidentiality, at the initiation of services. (28 C.F.R. §115.61[c])</p> <p>3. Verbal reports shall be immediately documented on the DC-121, Part 3, Employee Report of Incident. Written DC-135A regarding PREA allegations shall be retained in the appropriate investigative file in accordance with Section 1 of this procedures manual. Reports shall be held in strict confidence and shall precipitate the immediate commencement of an investigation. (28 C.F.R. §115.61[a])</p> <p>4. A DC-121, Part 2, Extraordinary Occurrence Report shall be filed in every sexual abuse allegation in accordance with Department policy 6.3.1, “Facility Security.” 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. (28 C.F.R. §115.61[b])</p> <p>5. The Sexual Abuse Reporting Address is an option for an employee, contract service</p> |

provider, or volunteer to privately report an allegation of sexual abuse, sexual harassment, or retaliation. (28 C.F.R. §115.51[d]) The reporting address is: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110, as outlined on the PREA Reporting Poster (Attachment 3-A).

A writer may choose to include his/her name and contact information, but it is not necessary in making a report, complaints can be made anonymously.

Reports can also be submitted online at www.tipsubmit.com.

Methods of Reporting for Friends, Family, and the General Public

1. 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.

2. A writer may choose to include his/her name and contact information, but it is not necessary in making a report; complaints can be made anonymously. Reports can also be submitted online at www.tipsubmit.com. (28 C.F.R. §115.54)

Observations: SCI-Benner Township posts information on their public website and also on the PREA posters and sexual assault informational brochures that allows for third-party reports of sexual assault or sexual harassment. This auditor was informed that as of January 2017 www.tipsubmit.com is no longer available for reports. It was recommended that updated information be provided to ensure both inmates and staff do not continue to utilize www.tipsubmit.com as a means of reporting.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.61 | Staff and agency reporting duties |
| | <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>115.61(a)-1 - 3: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment.</p> <p>115.61(b)-1: Compliance evidence: The facility provided this auditor with; 1) DC ADM 008—Section 3.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment:</p> <p>Staff shall accept and document reports made verbally, in writing, anonymously, and from third parties and promptly forward to the facility’s designated investigators. (28 C.F.R. §115.51[c]) (28 C.F.R. §115.61[e])</p> <p>All reports received by the Sexual Abuse Reporting Address, established for the anonymous reporting of sexual abuse or sexual harassment to the Pennsylvania State Police (PSP), shall be handled as follows: (28 C.F.R. §115.51[b])</p> <p>a. when the PSP receives Prison Rape Elimination Act (PREA)-related complaint correspondence at this address, the letter shall be scanned and emailed to the Department’s PREA Notification email address (CR, DOC PREA Notification) for tracking purposes and dissemination to the appropriate facility;</p> <p>b. the PREA Compliance Division (PCD) is responsible to check the email box daily (business days only) for follow-up and referral purposes; and</p> <p>c. this information shall be maintained within the investigative file, in accordance with Section 1 of this procedures manual.</p> <p>5. 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 as outlined in Department policy 1.1.16, “Mandatory Reporting Guidelines.” (28 C.F.R. §115.61[d])</p> <p>Methods of Reporting for Staff, Contractors, and Volunteers:</p> <p>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. (28 C.F.R. §115.61[b])</p> <p>Observations: DC ADM 008 requires all staff to report immediately any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that</p> |

occurred in a facility, whether or not it is part of the agency. Staff are also required to report any retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Interviews with random staff and medical/mental health staff indicate they are aware of their duty to report any knowledge, suspicion, or information related to sexual abuse or sexual harassment.

They also acknowledged the requirement to report retaliation against staff or inmates that reported and any situations where staff neglect may have contributed to an incident or retaliation. Most staff were aware of DC ADM 008 and that they are not to reveal any information related to a sexual abuse report to anyone other than to the extent necessary. The DC-121-Report of Extraordinary Occurrence Report is used for staff reporting. All reports of sexual abuse and sexual harassment are reported to the designated PREA Investigator.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.62 | Agency protection duties |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.62(a)-1 - 4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p>Shift Commander Responsibilities Involving Sexual Contact--</p> <p>Ensure that the alleged victim and alleged abuser are separated. (28 C.F.R. §115.64[a][1]). Determine the least traumatizing placement for the alleged victim, which may be the same or different general population unit</p> <p>Shift Commander Responsibilities Non-Contact Abuse Allegations--</p> <p>Ensure that the alleged victim and alleged abuser do not have further direct contact (28 C.F.R. §115.64[a][1]). Determine the least traumatizing placement for the alleged victim, which may be the same or different general population unit</p> <p>Emergency Medical and Mental Health Treatment Services--</p> <p>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, in accordance with Prison Rape Elimination Act (PREA) Standard 28 C.F.R. §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (28 C.F.R. §115.82[b])</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Ensure that when Department 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. (28 C.F.R. §115.62)</p> <p>Protective Custody--</p> <p>Inmates at a high risk for sexual victimization or inmates who have 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</p> |

inmate in involuntary AC for less than 24 hours while completing the assessment. (28 C.F.R. §115.43[a]) (28 C.F.R. §115.68)

a. The staff must consider other alternative placements for an alleged victim and make the appropriate placement. (28 C.F.R. §115.43[c])

b. Placement in AC is permissible when the alleged victim requests or agrees to it.

c. Alternative placements can include, but are not limited to, any one, or combination of, the following temporary options:

(1) moving to a different housing unit;

(2) placement in a cell closer to the Corrections Officer's desk within the unit;

(3) Z-Code; and/or

(4) placement in the Special Needs Unit (SNU).

Observations: In the past 12 months there have been seventeen inmate on inmate sexual abuse allegations at SCI-Benner Township. In each of the circumstances staff took immediate steps to protect the alleged victim by placing the alleged abuser in Administrative Custody pending investigation. Interview with the Superintendent indicates that when an inmate is at risk for imminent sexual abuse immediate steps are taken to protect the victim. Staff were able to describe the steps that would be taken to immediately protect an inmate from victimization.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.63 | Reporting to other confinement facilities |
| | <p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1474 443">115.63(a)-1 - 3: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment.</p> <p data-bbox="252 499 1474 616">115.63 (b)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment.</p> <p data-bbox="252 669 1474 741">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment:</p> <p data-bbox="252 795 544 828">Inter-Facility Reports--</p> <p data-bbox="252 882 791 916">Reporting to Other Confinement Facilities</p> <p data-bbox="252 969 1437 1041">An inmate may file a report of sexual abuse sustained while confined at another facility. (28 C.F.R. §115.63[a])</p> <p data-bbox="252 1095 1474 1346">It is the Facility Manager/designee’s responsibility to notify the head of the facility in which the reported abuse occurred. (28 C.F.R. §115.63[a]) Notification must be provided as soon as possible, but no later than 72 hours after receipt of information and documented on the Notification of Sexual Abuse Allegation to Another Facility (Attachment 3-B). This document shall be maintained by the PCM in an annual file for audit verification purposes in accordance with Section 1 of this procedures manual. (28 C.F.R. §115.63[b][c])</p> <p data-bbox="252 1400 1458 1433">A copy of the notification must also be sent to the facility PCM for audit verification purposes.</p> <p data-bbox="252 1487 1018 1520">Both PCMs shall coordinate the information flow to ensure:</p> <p data-bbox="252 1574 1075 1608">(1) a thorough and expedient investigative process follows; and</p> <p data-bbox="252 1662 1453 1733">(2) the inmate receives information regarding the investigative outcome in a confidential and timely manner as to comply with Section 8 of this procedures manual.</p> <p data-bbox="252 1787 932 1821">Reports Received from Other Confinement Facilities</p> <p data-bbox="252 1874 1474 2033">Upon receipt of an allegation from another facility that an inmate was sexually abused while confined at that location, the Facility Manager/designee at the receiving facility shall document the receipt of the allegation on the Notification of Sexual Abuse Allegation to Another Facility. (28 C.F.R. §115.63[a][d])</p> <p data-bbox="252 2042 1453 2114">The Facility Manager/designee shall immediately notify the Security Office to initiate a PREA investigation as outlined in Section 5 of this procedures manual. (28 C.F.R. §115.63[d])</p> |

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

Observations: DC ADM 008 requires that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. In the past 12 months SCI-Benner Township received thirteen allegations that an inmate was sexually abused while at another facility. In each case, SCI-Benner Township notified the other facility within 72 hours. These notifications are documented utilizing the Notification of Sexual Abuse/Harassment Allegation to Another Facility form. Examples of this documentation was provided to this auditor. The inmate is also seen by psychology staff, medical staff if necessary, and also his counselor for retaliation monitoring follow-up.

Any allegations received by SCI-Benner Township are investigated according to DC ADM 008. In the past 12 months there was one report made to SCI-Benner Township that an inmate alleged sexual misconduct while there. The report was immediately investigated.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.64 | Staff first responder duties |
| | <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>115.64 (a)-1 - 11: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2) Initial Response Checklist; 3) PREA First Responder Pocket Card; Initial Response-Abuser-Checklist examples.</p> <p>115.64 (b)-1 – 5: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2) PREA First Responder Pocket Card; Initial Response-Abuser-Checklist.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p>First Responder Duties</p> <p>Upon learning of an allegation that an inmate was sexually abused, the first staff member to respond shall follow the procedures below.</p> <p>Security staff shall:</p> <ol style="list-style-type: none"> a. notify the Shift Commander; b. immediately separate the alleged victim and alleged abuser; (28 C.F.R. §115.64[a][1]) c. secure any reported crime scene until appropriate steps can be taken to collect evidence; and (28 C.F.R. §115.64[a][2]) d. if the abuse occurred within the last 96 hours that still allows for the collection of physical evidence, request the alleged victim and ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. (28 C.F.R. §115.64[a][3][4]) <p>Non-Security staff shall:</p> <ol style="list-style-type: none"> a. immediately notify the Shift Commander; and (28 C.F.R. §115.64[b]) b. if the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence. <p>Shift Commander Responsibilities Involving Sexual Contact</p> <p>Upon notification of a report of sexual abuse involving sexual contact, the Shift Commander/designated security staff shall initiate the Shift Commander Checklist (Attachment</p> |

4-A) and:

Ensure that the alleged victim and alleged abuser are separated. (28 C.F.R. §115.64[a][1]). Determine the least traumatizing placement for the alleged victim, which may be the same or different general population unit;

Secure any video, audio, or photographic evidence of the incident;

Notify the Intelligence Gathering Captain, Deputy Superintendent for Internal Security (DSIS), or Security Lieutenant;

Ensure that the alleged victim is immediately escorted to the Medical Department, if abuse involved physical contact; and

Ensure completion of the Initial Response Checklist – Alleged Victim (Attachment 4-B), and Initial Response Checklist – Alleged Abuser (Attachment 4-C) as applicable.

Shift Commander Responsibilities Non-Contact Abuse Allegations:

Upon notification of a report of sexual abuse not involving sexual contact, the Shift Commander/designated security staff shall initiate the Shift Commander Checklist and:

Ensure that the alleged victim and alleged abuser do not have further direct contact (28 C.F.R. §115.64[a][1]). Determine the least traumatizing placement for the alleged victim, which may be the same or different general population unit;

Secure any video, audio, or photographic evidence of the incident;

Notify the Intelligence Gathering Captain, DSIS, or Security Lieutenant; and

Ensure completion of the Initial Response Checklist – Alleged Victim of Non-Contact Abuse (Attachment 4-D).

Observations: DC ADM 008; Section 4-Responding to Reports of Sexual Abuse clearly outlines the first responder duties for both security and non-security staff. In the past 12 months there were thirty four allegations of sexual abuse. In all thirty four instances the first security staff member to respond separated the alleged victim from the alleged abuser. Three of the thirty four allegations resulted in evidence collection due to being within the time period allowed for collection of physical evidence.

In the past 12 months there have been five allegations that an inmate was sexually abused where a non-security staff member was the first responder. Of the five allegations of sexual abuse reported to non-security staff only two involved alleged penetration which would warrant the need for evidence collection. Non-security staff first responders followed DC ADM 008 procedure for reporting in all five of the instances.

Interviews with inmates and staff indicate that staff have responded appropriately in all instances of alleged sexual abuse. All staff interviewed were aware of the need to separate

the alleged victim from the alleged abuser. They were able to articulate the steps to take for preservation of evidence.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

| 115.65 | Coordinated response |
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| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.65(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p>The facility shall develop a written facility plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. (28 C.F.R. §115.65)</p> <p>Observations: SCI-Benner Township has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse. This auditor was provided with a facility plan specific to SCI-Benner Township that outlines actions to be taken by staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.</p> |

| 115.66 | Preservation of ability to protect inmates from contact with abusers |
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| | Auditor Overall Determination: Audited at Agency Level |
| | Auditor Discussion |
| | <p>Union agreements were reviewed.</p> <p>An audit conducted at SCI-Benner Township on 1/25/17 indicates this standard was audited at the AGENCY level.</p> <p>There have been no new collective bargaining agreements entered into since the agency's last PREA audit.</p> |

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| 115.67 | Agency protection against retaliation |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.67 (a)-1 - 2: Compliance evidence: The facility provided this auditor with; 1) Retaliation Monitoring Form; 2) Policy Statement related to DC ADM 008 prohibiting retaliation for reporting; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 4) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training.</p> <p>115.67 (c)-1 – 5: Compliance evidence: The facility provided this auditor with; 1)Retaliation Monitoring Form; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 4) Examples of completed Retaliation Monitoring Forms.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 3 – Reporting Sexual Abuse and Sexual Harassment:</p> <p>Protection Against Retaliation</p> <p>The Department shall 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. (28 C.F.R. §115.67[a])</p> <p>Retaliatory action is prohibited against an inmate, staff member, or other individual who reports sexual abuse, sexual harassment, or provides information during an investigation. 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. (28 C.F.R. §115.67[a])</p> <p>The Deputy Superintendent for Centralized Services (DSCS) shall meet with any staff that require retaliation monitoring due to report 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 for at least 90 days and documented on the Department Retaliation Monitoring Form.</p> <p>The Department shall employ multiple protection measures, such as housing changes or transfer for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victim. The Department shall also make available emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment, or for cooperating with investigations. (28 C.F.R. §115.67[b])</p> <p>For at least 90 days following a report of sexual abuse, the Department shall monitor the 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</p> |

harassment to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy such retaliation. Items the Department shall monitor include:

- a. disciplinary reports;
- b. housing reports;
- c. program changes;
- d. negative performance reviews; and
- e. reassignments of staff.

Additionally, 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. (28 C.F.R. §115.67[e])

Retaliation monitoring shall be documented on the Department Retaliation Monitoring Form and maintained in accordance with Section 1 of this procedures manual. The Department shall continue to monitor for retaliation upon inter-facility transfer. The PCM/designee shall be responsible for forwarding the Department Retaliation Monitoring Form to the receiving facility's PCM/designee for continuation of the monitoring obligation.

The Department's obligation to monitor shall terminate if the inmate is released from custody or the investigation is determined to be unfounded. (28 C.F.R. §115.67[f])

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:

PREA Compliance Manager (PCM) Duties--

Ensure retaliation monitoring of the following inmates:

Those that have reported institutional sexual abuse or sexual harassment allegations;

Those that have suffered sexual abuse; and/or

Those that have expressed a fear of retaliation due to cooperation with an investigation of an incident of sexual abuse or sexual harassment related to this procedures manual.

The PCM shall ensure that such inmates are provided with the opportunity to meet with a corrections counselor, in accordance with the Department Retaliation Monitoring Form (Attachment 2-B), who shall then report to the PCM. If the PCM determines that the initial monitoring indicates a continuing need, the periodic status checks shall be extended beyond 90 days by the corrections counselor. (28 C.F.R. §115.67[c][d])

Notify the Deputy Superintendent of Centralized Services (DSCS) when staff require monitoring due to report 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.

Observations: DC ADM 008; Sections 2 & 3, requires protection for all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. The PREA Compliance Manager is responsible for retaliation monitoring for inmates and the Deputy for Centralized Services is responsible for retaliation monitoring for staff. Inmates will meet with Corrections Counselors for retaliation monitoring. The Department Retaliation Monitoring Form is used to document monitoring efforts for both inmates and staff. SCI-Benner Township employs multiple protection measures for those inmates who have reported sexual abuse or harassment or who have cooperated with investigations. Emotional support services are also made available to inmates and staff who fear retaliation due to reporting.

Retaliation monitoring continues for a minimum of 90 days and will extend beyond that if there is a continuing need. In the past 12 months there were no incidents of retaliation reported; thus, no retaliation monitoring took place.

Interviews with the Superintendent and staff that monitor retaliation indicate that multiple measures are taken to ensure protection from retaliation for both inmates and staff. Inmates interviewed who reported sexual abuse indicated they feel safe from retaliation after making a report.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.68 | Post-allegation protective custody |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.68 (a)-1 - 5: Compliance evidence: The facility provided this auditor with; 1)Initial Response Checklists; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Protective Custody</p> <p>Inmates at a high risk for sexual victimization or inmates who have 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. (28 C.F.R. §115.43[a]) (28 C.F.R. §115.68)</p> <p>The staff must consider other alternative placements for an alleged victim and make the appropriate placement. (28 C.F.R.§115.43[c])</p> <p>Placement in AC is permissible when the alleged victim requests or agrees to it.</p> <p>Alternative placements can include, but are not limited to, any one, or combination of, the following temporary options:</p> <ol style="list-style-type: none"> (1) moving to a different housing unit; (2) placement in a cell closer to the Corrections Officer’s desk within the unit; (3) Z-Code; and/or (4) placement in the Special Needs Unit (SNU). <p>If an involuntary AC housing assignment is made in accordance with Subsection A.6.a. above, the Shift Commander shall clearly document on the DC-141, Part 1, (Other) Report, the following information: (28 C.F.R. §115.43[d])</p> <ol style="list-style-type: none"> (1) the basis for the staff member’s concern for the inmate’s safety; (28 C.F.R. §115.43[d][1]) (2) the other alternative means of separation that were explored; and (3) the reason why no alternative means of separation can be arranged. (28 C.F.R. §115.43[d][2]) <p>If the Shift Commander assigns an inmate to involuntary AC for the purpose of protection from sexual victimization, 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</p> |

opportunities, the facility shall document in the Involuntary Administrative Custody Services Access Restriction Form (Attachment 2-C): (28 C.F.R. §115.43[b])

- (1) the opportunities that have been limited; (28 C.F.R. §115.43[b][1])
- (2) the duration of the limitation; and (28 C.F.R. §115.43[b][2])
- (3) the reasons for such limitations. (28 C.F.R. §115.43[b][3])

The facility may assign inmates to involuntary AC only until an alternative means of separation from likely abusers can be arranged and such assignment shall not ordinarily exceed 30 days. (28 C.F.R. §115.43[c])

In accordance with Department policy DC-ADM 802, "Administrative Custody Procedures," at least every 30 days, the Program Review Committee (PRC) shall ensure each inmate is reviewed to determine whether there is a continuing need for separation from the general population. This review shall be documented on the DC-141, Part 1, (Other) Report. (28 C.F.R. §115.43[e])

Observations: Inmates at SCI-Benner Township are not placed in involuntary segregated housing unless an assessment of all available alternatives have been made and there are no available alternative means of separation from likely abusers. In the past 12 months there were no inmates who alleged suffering from sexual abuse placed in involuntary segregated housing.

If involuntary segregated housing were to be utilized for a victim of sexual abuse, SCI-Benner Township would afford each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. Access to programs, privileges, education, or work opportunities would not be limited, and if they were to be restricted, this would be documented on the Involuntary Administrative Custody Services Access Restriction Form.

Interviews with staff confirm that inmate victims are not placed in involuntary segregated housing and that all attempts are made to find alternative placements. If an inmate were to be placed in involuntary segregated housing for protection he would be afforded the same access to programming as inmates in general population.

There were no inmates placed in Segregated Housing for risk of sexual victimization/who allege to have suffered sexual abuse in the past 12 months at SCI-Benner Township; therefore, no inmate interviews were utilized to determine compliance with this standard.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.71 | Criminal and administrative agency 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 1474 488">115.71 (a -l)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention.</p> <p data-bbox="252 539 1337 613">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment:</p> <p data-bbox="252 624 1458 698">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 data-bbox="252 752 568 786">General Responsibilities</p> <p data-bbox="252 840 1474 1084">If the case is being investigated for criminal charges, the Department investigators shall suspend the administrative investigation and allow the criminal investigation to take precedence. The Security Office 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.</p> <p data-bbox="252 1137 1426 1391">Where sexual abuse is alleged, the Department shall use investigators who have received specialized training in sexual abuse investigations pursuant to Prison Rape Elimination Act (PREA) Standards. Investigators shall gather and/or preserve direct and circumstantial evidence, including any available physical, DNA, and electronic monitoring data; interview alleged victims, suspected abusers, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected abusers. (28 C.F.R. §115.71[c])</p> <p data-bbox="252 1444 1474 1559">To the extent the Department is responsible for investigating allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence.</p> <p data-bbox="252 1612 1426 1686">The protocol established for evidentiary purposes shall be developmentally appropriate for youth, where applicable, in accordance with PREA Standard 28 C.F.R. §115.21[b].</p> <p data-bbox="252 1740 1458 1814">Interviews shall be conducted in a thorough, professional, non-abusive, and non-threatening manner consistent with acceptable practices for potentially traumatized victims of sex crimes.</p> <p data-bbox="252 1868 1458 1982">When the quality of evidence appears to support criminal prosecution, the Department shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. (28 C.F.R. §115.71[d])</p> <p data-bbox="252 2036 1426 2150">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. The Department shall NOT require an inmate who alleges unwanted or forced sexual abuse to</p> |

submit to a polygraph examination or other truth telling device as a condition of proceeding with the investigation of such an allegation. (28 C.F.R. §115.71[e])

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. (28 C.F.R. §115.72)

The departure of the alleged victim or abuser from the employment or control of the facility or Department shall not provide a basis for terminating an investigation. (28 C.F.R. §115.71[j])

Every report, complaint, or allegation of sexual abuse and/or sexual harassment shall be entered into the PREA Tracking System, a web-based application designed to track all incidences of sexual abuse and sexual harassment for U.S. Department of Justice reporting purposes. (28 C.F.R. §115.87)

Preliminary Procedures for Receipt of a Sexual Abuse and/or Sexual Harassment Allegation :

When a report, complaint, or allegation is received by the facility outside the 96 hours or does not clearly indicate sexual abuse/sexual harassment, it shall be immediately referred to the facility Security Office for tracking and preliminary inquiry.

Initial complaint information shall be entered into the PREA Tracking System, which will generate an incident number.

A preliminary investigation, limited inquiry into the allegation, shall be conducted by the facility, within 24 hours of the report.

For reports of sexual abuse, the Security Office shall:

- (1) briefly interview the complainant/inmate(s);
- (2) document interviews in the OSII report format;
- (3) ascertain the location of offense; and
- (4) compile a list of witness/subject(s).

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention:

Document Retention – Staff and Contractors

The below listed documents shall be maintained at the individual facility for audit verification purposes:

Department Retaliation Monitoring Form shall be maintained by the PCM, as appropriate. (28 C.F.R. §115.67) This form shall be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. (28 C.F.R. §115.71[i])

Investigations

The Department shall retain all criminal and administrative agency investigative reports for as

long as the alleged abuser is incarcerated or employed plus five additional years. (28 C.F.R. §115.71[i])

Observations: DC ADM 008 requires 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. Interview with PREA Lieutenant indicates that he begins the investigation as soon as he receives the report. All allegations of sexual abuse and sexual harassment are documented and investigated. The PREA Lieutenant reported that he received training specific to conducting sexual abuse investigations in a confinement setting to include such topics as victim behaviors, evidence collections and the criteria and evidence required to substantiate a PREA allegation. During investigations investigators gather and preserve evidence, interview alleged victims, perpetrators and any witnesses. Administrative investigations impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Criminal investigations are referred to the Pennsylvania State Police. SCI-Benner Township and PSP have open communication regarding the progress of an investigation. The credibility of the victim, alleged abuser, or any witnesses are based individually. Victims of sexual abuse are not subjected to a polygraph or other truth-telling device as a condition for proceeding with an investigation. Inmates interviewed who reported a sexual abuse confirmed that they were not required to submit to a polygraph or other-truth telling device during the investigation.

The PREA Lieutenant indicated that he reviews all evidence to determine whether staff actions or failures to act contributed to the abuse and makes this part of his recommendation in his final report documentation. At the conclusion of a criminal investigation, the Pennsylvania State Police sends SCI-Benner Township a copy of the investigation file and a close-out report is completed by the facility. Written reports are maintained by the facility for as long as the alleged abuser is incarcerated or employed plus five additional years. The departure of the alleged abuser or victim from employment or control of the facility or agency shall not provide a basis for terminating the investigation.

In the past 12 months there were four substantiated allegations of sexual abuse that were referred for prosecution.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.72 | Evidentiary standard for administrative investigations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.72 (a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment: 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. (28 C.F.R. §115.72)</p> <p>Observations: Interview with PREA Lieutenant indicates that he uses no more than a preponderance of evidence when determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.</p> |

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| 115.73 | Reporting to inmates |
| | <p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1481 528">115.73 (a)-1 - 3: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment; 3) Examples of Inmate Notifications of outcome of PREA Investigations.</p> <p data-bbox="252 584 1474 741">115.73 (b)-1 -3: Compliance evidence: The facility provided this auditor with; 1) Documentation of SCI-Benner Township and Pennsylvania State Police investigation; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates.</p> <p data-bbox="252 797 1469 909">115.73 (c)-1 -3: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates; 2) Examples of Inmate Notifications (Unsubstantiated).</p> <p data-bbox="252 965 1458 1077">115.73 (d)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates; 2) Example of Inmate Notification of PREA Investigation form.</p> <p data-bbox="252 1133 1469 1301">115.73 (e)-1 -3: Compliance evidence: The facility provided this auditor with; 1)) Examples of Inmate Notifications (Unsubstantiated); 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates; 3) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention</p> <p data-bbox="252 1357 1337 1424">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 8 – Notification of Inmates:</p> <p data-bbox="252 1480 544 1514">Notification to Inmates</p> <p data-bbox="252 1570 1469 1816">Following the investigation into an inmate’s allegation of sexual abuse in a facility within the Department, the Prison Rape Elimination Act (PREA) Compliance Manager (PCM) at the facility where the inmate is housed shall inform the inmate, in writing within five business days of the closure of the investigation on the PREA Investigation – Inmate Notification Form (Attachment 8-A) as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. (28 C.F.R. §115.73[a])</p> <p data-bbox="252 1872 1469 1984">If another agency conducts the investigation, the PCM shall request the relevant information from the investigative agency in order to inform the inmate within ten business days of receipt of this information. (28 C.F.R.§115.73[b])</p> <p data-bbox="252 2040 1469 2152">Following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, the PCM shall subsequently inform the inmate when any of the following occurs: (28 C.F.R. §115.73[c])</p> |

- a. the staff member is no longer posted within the inmate's unit; (28 C.F.R. §115.73[c][1])
- b. the staff member is no longer employed at the facility; (28 C.F.R. §115.73[c][2])
- c. the Department learns that the staff member has been criminally charged related to sexual abuse within the facility; or (28 C.F.R. §115.73[c][3])
- d. the Department learns that the staff member has been convicted on a charge related to sexual abuse within the facility. (28 C.F.R. §115.73[c][4])

Following an inmate's allegation that he/she has been sexually abused by another inmate, the PCM shall subsequently inform the alleged victim whenever: (28 C.F.R. §115.73[d])

- a. the Department learns that the alleged abuser has been criminally charged related to sexual abuse within the facility; or (28 C.F.R. §115.73[d][1])
- b. the Department learns that the abuser has been convicted on a charge related to sexual abuse within the facility. (§28 C.F.R. §115.73[d][2])

Documentation/Reporting

The PCM shall document all notifications on the PREA Investigation – Inmate Notification Form which shall be placed in the appropriate investigation file maintained in the facility Security Office in accordance with Section 1 of this procedures manual.

All notifications must occur even in instances where an inmate has been transferred to another facility within the Department. (28 C.F.R. §115.73[e])

In instances where the alleged victim has been transferred to another facility within the Department, the PCM at the investigating facility shall coordinate notification with the PCM at the facility where the inmate is currently housed to obtain the inmate's signature on the PREA Investigation – Inmate Notification Form.

The Department's obligation to report the results of the investigation under this policy shall terminate if the alleged inmate victim is released from the Department's custody. (28 C.F.R. §115.73[f])

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 5 – Investigating Allegations of Sexual Abuse and/or Sexual Harassment:

The PCM shall inform the alleged victim(s) as to whether the investigation is found to be substantiated, unsubstantiated, or unfounded. (28 C.F.R. §115.73[a]) All notifications shall be made and documented in accordance with Section 8 of this procedures manual.

DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 1 – Data Collection and Retention:

The following forms and reports shall be maintained by the Security Office

Inmate Notification Form (refer to Attachment 8-A) (28 C.F.R. §115.73[e]) in the appropriate investigation file.

Observations: DC ADM 008 requires that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The PREA Compliance Manager is responsible for making these notifications within 5 business days of the closure of the investigation or within 10 business days if another agency conducts the investigation. If an inmate alleges that a staff member committed sexual abuse against him he will be notified if any of the following occur: the staff member is no longer posted within the inmates unit; the staff member is no longer employed at SCI-Benner Township; the Department learns that the staff member has been criminally charged related to sexual abuse within the facility; or the Department learns that the staff member has been convicted on a charge related to sexual abuse within a facility.

In the past 12 months there were thirty-four administrative investigations of alleged inmate sexual abuse that were completed by SCI-Benner Township. Of those thirty-four, thirty-three of the inmates received notifications of the outcome of the investigation. The inmate who has not received notification is currently in the custody of the Federal authorities and will receive notification upon his return to SCI-Benner Township. Examples of the notifications demonstrate that the inmate is notified of the outcome of the investigation.

In the past 12 months there were six investigations of alleged inmate sexual abuse that were conducted by the Pennsylvania State Police. Of those six investigations referred to PSP, all six of the inmates received notification of the outcome of the investigation.

There were seven Unsubstantiated allegations of sexual abuse against a staff member in the past 12 months and no Substantiated allegations. Of those Unsubstantiated allegations none of them resulted in the removal, reassignment or termination of the employee.

The PREA Investigation Inmate Notification form is used to inform inmates of the outcome of the investigation and any staffing update or criminal action that has been taken against the alleged perpetrator. Examples of these forms provided demonstrate that inmates are receiving these written notifications.

Inmates interviewed who reported a sexual abuse were aware that they are to receive notification if their allegation was found to be substantiated, unsubstantiated or unfounded.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.76 | Disciplinary sanctions for staff |
| | <p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1453 488">115.76 (a -d)-1: Compliance evidence: The facility provided this auditor with; 1) Human Resources and Labor Relations--Policy Number: 4.1.1 – 1; 2) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation.</p> <p data-bbox="252 539 1102 573">Human Resources and Labor Relations--Policy Number: 4.1.1 – 1</p> <p data-bbox="252 624 539 658">Inmate Sexual Abuse:</p> <p data-bbox="252 710 1485 788">In accordance with the Prison Rape Elimination Act of 2003, Standard §115.76 (b), termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.</p> <p data-bbox="252 840 1485 1043">In accordance with the Prison Rape Elimination Act of 1993, Standard §115.76 (c), 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.</p> <p data-bbox="252 1095 1469 1173">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation:</p> <p data-bbox="252 1180 1461 1346">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, shall be reported to law enforcement agencies, unless the activity was not clearly criminal, and to any relevant licensing bodies. (28 C.F.R. §115.76[d])</p> <p data-bbox="252 1397 1469 1563">Observations: Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies as per Human Resources and Labor Relations--Policy Number: 4.1.1 – 1. In the past 12 months there have been no staff at SCI-Benner Township who have violated agency sexual abuse or sexual harassment policies.</p> <p data-bbox="252 1615 1469 1693">COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.</p> |

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| 115.77 | Corrective action for contractors and volunteers |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.77 (a)-1-4 & (b) Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation:</p> <p>Corrective Action for Contractors and Volunteers</p> <p>Contractors and volunteers are subject to the following:</p> <p>When an allegation is made involving a contractor or volunteer, this person shall be removed from contact with the alleged victim until the conclusion of this investigation;</p> <p>If a contractor or volunteer violates this procedures manual, other than by engaging in sexual abuse, the facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates (28 C.F.R. §115.77[b]); and</p> <p>Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates, and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. (28 C.F.R. §115.77[a])</p> <p>Observations: In addition to the above, DC ADM 008-Section 7 requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies. Interview with the Superintendent of SCI-Benner Township indicates there is a zero-tolerance for sexual abuse and sexual harassment by volunteers or contractors. Any volunteer or contractor would be banned from the facility if found to have committed a major policy violation.</p> <p>In the past 12 months there have been no contractors found to have engaged in sexual abuse at SCI-Benner Township.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.</p> |

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| 115.78 | Disciplinary sanctions for inmates |
| | <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>115.78 (a)-1 - 4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation; 2) DC-ADM 801, Inmate Discipline Procedures Manual--Section 1 – Misconducts/Rule Violations; 3) DC-ADM 801, Inmate Discipline Procedures Manual--Section 4 – Disposition of Charges and Misconduct Sanctions.</p> <p>115.78 (d)-1 -2: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation; 2) Examples of PREA related misconduct hearing documentation with psychological services input and referral to SOP.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 7 – Discipline Related to Sexual Abuse, Sexual Harassment, and Retaliation:</p> <p>Inmate Discipline</p> <p>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. (28 C.F.R. §115.78[a])</p> <p>Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. (28 C.F.R. §115.78[b])</p> <p>The disciplinary process shall consider whether an inmate’s mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed. (28 C.F.R. §115.78[c])</p> <p>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. (28 C.F.R. §115.78[d])</p> <p>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. (28 C.F.R. §115.78[e])</p> <p>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. (28 C.F.R. §115.78[f])</p> |

The Department prohibits all sexual activity between inmates and may discipline inmates for such activity. The Department shall not deem such activity to constitute sexual abuse if the Department, through the investigative process, determines that the activity is not coerced or forced. (28 C.F.R. §115.78[g])

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).

Observations: During the past 12 months there have been four administrative findings of inmate-on-inmate sexual abuse that have occurred at SCI-Benner Township. Of those four, there were no findings of guilt for inmate-on-inmate sexual abuse that occurred due to the victims declining to cooperate with the Pennsylvania State Police or pursue criminal charges against the alleged abuser.

Interviews with staff indicate inmates who have violated the agency's policy against sexual abuse and sexual harassment would receive a disciplinary hearing in addition to allegations that are criminal in nature being referred to the Pennsylvania State Police for criminal charges. Mental disability/mental illness is considered when determining sanctions. Inmates who are perpetrators of sexual abuse can also be referred for sexual offender programming. PA DOC prohibits all sexual activity between inmates.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.81 | Medical and mental health screenings; history of sexual abuse |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.81 (a - b)-1 - 4: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Example of Abuse Disclosed During Intake PRAT documentation.</p> <p>115.81 (d)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training.</p> <p>115.81 (e)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training; 2) Mental Health Informed Consent document.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 2 – Sexual Abuse/Sexual Harassment Prevention and Training:</p> <p>Medical and Mental Health Screenings</p> <p>Both medical and mental health practitioners shall ask inmates, during the intake screening, about any history of victimization or perpetration of sexual abuse, either in a correctional setting or in the community. (28 C.F.R. §115.41[a])</p> <p>If the screening pursuant to PREA Standard 28 C.F.R. §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. (28 C.F.R. §115.81[a][c])</p> <p>If the screening pursuant to PREA Standard 28 C.F.R. §115.41 indicates that a prison or jail inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening, or sooner, if clinically indicated. (28 C.F.R. §115.81[b]) 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. (28 C.F.R. §115.83[h])</p> <p>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. (28 C.F.R. §115.81[d])</p> |

Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18. (28 C.F.R. §115.81[e]). The DC-484, Mental Health Informed Consent Form shall be used for this purpose in accordance with Department policy 13.8.1, "Access to Mental Health Care. If the inmate refuses to sign, it shall be noted on the DC-484 and signed by the witness and maintained in the medical record.

Observations: DC ADM 008-Section 2, requires that all inmates at SCI-Benner Township who have disclosed any prior sexual victimization during a screening pursuant to §115.41 or who have previously perpetrated sexual abuse either in the community or in an institutional setting are offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. The Pre-Audit Questionnaire indicates that in the past 12 months, 100% of inmates who disclosed prior victimization or who previously perpetrated sexual abuse during screening were offered a follow-up meeting with a medical or mental health practitioner. Those who perpetrated sexual abuse also receive a mental health evaluation within 60 days. The follow up meetings with medical/mental health are documented in medical and mental health records; as well as the DC-121 and secondary materials.

Interviews with staff confirm that inmates who disclose sexual victimization or previous sexual abuse are offered a follow-up meeting within 14 days of the initial intake. Medical and mental health staff confirmed they obtain informed consent from inmates prior to disclosing prior sexual victimization that did not occur in an institutional setting. Information is strictly limited to medical and mental health practitioners and other staff, as necessary.

Interview with inmate who reported abuse at time of risk screening indicated he was referred to medical for follow-up.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.82 | Access to emergency medical and mental health services |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>115.82 (a)-1-3 & (b-d) Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2) Response to Abuse Claim – Victim documentation.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p>Emergency Medical and Mental Health Treatment Services</p> <p>General:</p> <p>Alleged inmate victims of sexual abuse shall 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. (28 C.F.R. §115.82[a])</p> <p>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, in accordance with Prison Rape Elimination Act (PREA) Standard 28 C.F.R. §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (28 C.F.R. §115.82[b])</p> <p>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. (28 C.F.R. §115.83[g]) (28 C.F.R. §115.21[c]) (28 C.F.R. §115.82[d])</p> <p>For all Sexual Abuse Cases:</p> <p>The alleged victim of sexual abuse shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. (28 C.F.R. §115.82[c])</p> <p>Observations: Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services which are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintains secondary materials documenting services provided.</p> <p>Inmate victims of sexual abuse while incarcerated are 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.</p> |

Treatment services are provided to the alleged victim without financial cost and regardless of whether the victim cooperates with the investigation.

Interviews with staff confirm that inmate victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services. This typically occurs within 24 hours. If no qualified medical or mental health practitioners are on duty at the time of a report of recent sexual abuse first responder staff take steps to protect the victim and notify the shift commander immediately.

Interviews with inmates who reported a sexual abuse indicated they were given access to medical/mental health services after making the report.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.83 | Ongoing medical and mental health care for sexual abuse victims and abusers |
| | <p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1461 528">115.83 (a-c; f -h)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse; 2) Examples of Follow-Up Care for Victims of sexual abuse; 3) Examples of STI testing offered; Example of Sex Offender Programming recommendation as a result of a finding of guilt for sexual misconduct.</p> <p data-bbox="252 584 1337 663">DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 4 – Responding to Reports of Sexual Abuse:</p> <p data-bbox="252 712 1018 745">Emergency Medical and Mental Health Treatment Services</p> <p data-bbox="252 797 1414 965">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. (28 C.F.R. §115.83[g]) (28 C.F.R. §115.21[c]) (28 C.F.R. §115.82[d])</p> <p data-bbox="252 1014 1437 1093">All facilities shall provide alleged victims with medical and mental health services consistent with the community level of care. (28 C.F.R. §115.83[c])</p> <p data-bbox="252 1099 488 1133">Continuity of Care</p> <p data-bbox="252 1182 1461 1305">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. (28 C.F.R. §115.83[a])</p> <p data-bbox="252 1355 1433 1523">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, other facilities, or their release from custody. (28 C.F.R. §115.83[b])</p> <p data-bbox="252 1572 1437 1650">All facilities shall provide alleged victims with medical and mental health services consistent with the community level of care. (28 C.F.R. §115.83[c])</p> <p data-bbox="252 1700 1409 1778">Alleged inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. (28 C.F.R. §115.83[d])</p> <p data-bbox="252 1827 1449 1951">If pregnancy results from the alleged sexual abuse, alleged victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related services. (28 C.F.R. §115.83[e])</p> <p data-bbox="252 2000 1437 2078">Alleged inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections, as medically appropriate. (28 C.F.R. §115.83[f])</p> |

Observations: DC ADM 008-Section 4 – Responding to Reports of Sexual Abuse requires the facility to 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. This treatment may include 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 and is consistent with the community level of care. All treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with the investigation. STI testing is offered to inmate victims of sexual abuse as demonstrated in the documentation provided in the Pre-Audit Questionnaire. Those who perpetrated sexual abuse also receive a mental health evaluation within 60 days and Sex Offender Programming may be recommended.

115.83 (d)-1 and 115.83 (e)-1 are not-applicable to SCI-Benner Township.

Interviews with staff and inmates indicate medical and mental health evaluation and treatment services are offered. These services are consistent with the community level of care and offered at no cost to the inmate.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.

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| 115.86 | Sexual abuse incident reviews |
| | <p>Auditor Overall Determination: Exceeds Standard</p> <p>Auditor Discussion</p> <p>115.86(a)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 6 – Sexual Abuse Incident Review; 2) PREA Sexual Abuse Incident Review Form.</p> <p>115.86 (b - e)-1: Compliance evidence: The facility provided this auditor with; 1) DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 6 – Sexual Abuse Incident Review; 2) 3 examples of inmate Sexual Abuse Incident Reviews (SAIR's) conducted.</p> <p>DC-ADM 008, Prison Rape Elimination Act (PREA) Procedures Manual--Section 6 – Sexual Abuse Incident Review:</p> <p>Section 6 – Sexual Abuse Incident Review</p> <p>General</p> <p>Each facility shall conduct a Sexual Abuse Incident Review (SAIR) at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated whether the investigation was conducted by the facility Security Office or by the Office of Special Investigations and Intelligence (OSII). No review will be conducted if the allegation has been determined to be unfounded. (28 C.F.R. §115.86[a]) The review shall occur within 15 working days of the receipt of the notification from OSII that the investigation was deemed satisfactory. (28 C.F.R. §115.86[b])</p> <p>Facility Sexual Abuse Incident Review Committee-</p> <p>The Prison Rape Elimination Act (PREA) Compliance Manager (PCM) shall chair the SAIR Committee. The PCM, in collaboration with the Facility Manager, shall determine the exact composition of the committee based on the nature of the incident. At a minimum, the SAIR Committee shall consist of the following: (28 C.F.R. §115.86[c])</p> <p>Deputy Superintendent for Centralized Services (DSCS); Deputy Superintendent for Facilities Management (DSFM); Licensed Psychology Manager (LPM)/designee; Corrections Health Care Administrator (CHCA)/designee; Security Office representative; and Major of Unit Management or Major of the Guard.</p> <p>The committee shall carefully review the documentation surrounding the incident. The review shall focus upon the events associated with the incident. At a minimum, the committee shall consider the items outlined in the PREA Sexual Abuse Incident Review (Attachment 6-A) as well as the following information:</p> <p>Consider whether the allegation or investigation indicates a need to change policy or practice</p> |

to better prevent, detect, or respond to sexual abuse; (28 C.F.R. §115.86[d][1])

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 was motivated or otherwise caused by other group dynamics at the facility; (28 C.F.R. §115.86[d][2])

Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; (28 C.F.R. §115.86[d][3])

Assess the adequacy of staffing levels in that area during different shifts; (28 C.F.R. §115.86[d][4])

Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; (28 C.F.R. §115.86[d][5])

The PCM shall submit the report to the Facility Manager for review. Upon approval, the report shall be returned to the PCM, who shall forward it to the CR, DOC PREA Reports email address, Executive Deputy Secretary, and Regional Deputy Secretary, along with recommendations concerning the incident. (28 C.F.R. §115.86[d][6])

The facility shall implement the recommendations for improvement or shall document its reasons for not doing so on the PREA Sexual Abuse Incident Review Plan of Action provided by the Central Office PREA ARC. The completed PREA Sexual Abuse Incident Review Plan of Action shall be forwarded from the PCM to the CR, DOC PREA Reports email address with copies provided to the Executive Deputy Secretary and Regional Deputy Secretary. (28 C.F.R. §115.86[e])

Observations: In the past 12 months there were twenty-one administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents. All twenty-one of those received a sexual abuse incident review (SAIR) within 30 days of the conclusion of the investigation. The SAIR's consist of upper level management officials and also line supervisors/ investigators and mental health staff as noted in DC ADM 008—Section 6 and confirmed through staff interviews.

The SAIR's take into consideration possible motives, staffing issues that may exist, physical barriers in the area, the need to add or augment additional monitoring technology, and a review of policy/practices if necessary. The PREA Sexual Abuse Incident Review Form is a very detailed document that captures all elements required in the standard. Upon conclusion of the SAIR, a thorough report of the findings is prepared. SCI-Benner Township takes steps to implement the changes that are recommended as an outcome of the sexual abuse incident reviews. If unable to do so, the reasons for this are documented.

COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Exceeds this standard.

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|---------------|---|
| 115.87 | Data collection |
| | Auditor Overall Determination: Audited at Agency Level |
| | Auditor Discussion |
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|---------------|---|
| 115.88 | Data review for corrective action |
| | Auditor Overall Determination: Audited at Agency Level |
| | Auditor Discussion |
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| 115.89 | Data storage, publication, and destruction |
| | Auditor Overall Determination: Audited at Agency Level |
| | Auditor Discussion |
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|----------------|--|
| 115.401 | Frequency and scope of audits |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>This auditor was allowed access to, and allowed the ability to observe, all areas of SCI-Benner Township during the on-site audit process.</p> <p>This auditor requested and received copies of relevant documents to ensure compliance with the PREA Standards.</p> <p>This auditor was permitted to conduct private interviews with inmates in a room separate from SCI-Benner Township staff.</p> <p>This auditor received written confidential correspondence from inmates housed at SCI-Benner Township at the address listed on the audit notice prior to the on-site audit process. During the audit tour, this auditor observed PREA audit notices on all housing units and all common areas of the facility where inmates would have access to this information.</p> <p>COMPLIANCE DETERMINATION: Based on the evidence and observations noted above, it is determined that SCI-Benner Township Meets this standard.</p> |

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|----------------|---|
| 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 |
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|--|---|-----|
| | 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? | yes |

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

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

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

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

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

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

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

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

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

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

| 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).) | na |

| 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. | yes |

| 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.) | na |
| | 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.) | na |

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

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

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

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

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

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

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

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

| | | |
|-------------------|--|-----|
| 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 |

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|-------------------|--|-----|
| 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? | |

| | | |
|-------------------|--|-----|
| 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 residents 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 |

| | | |
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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 a 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 posted within the inmate's unit? | yes |
| | Following a 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 a 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 a 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 |

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

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| 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 |

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

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| 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 |

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| 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 | |
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| | 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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|-------------------|--|-----|
| 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 |

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|-------------------|---|-----|
| 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 |

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|-------------------|---|-----|
| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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

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

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

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| 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 |