

PREA Facility Audit Report: Final

Name of Facility: McEver Probation Detention Center

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 03/27/2020

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: Mable P. Wheeler	Date of Signature: 03/27/2020

AUDITOR INFORMATION	
Auditor name:	Wheeler, Mable
Address:	
Email:	wheeler5p@hotmail.com
Telephone number:	
Start Date of On-Site Audit:	02/19/2020
End Date of On-Site Audit:	02/20/2020

FACILITY INFORMATION	
Facility name:	McEver Probation Detention Center
Facility physical address:	2100 Kings Chapel Road, Perry, Georgia - 31069
Facility Phone	
Facility mailing address:	P.O Box 1430, Perry, Georgia - 31069

Primary Contact	
Name:	Tracy McIntyre
Email Address:	tracy.mcintyre@gdc.ga.gov
Telephone Number:	(478)9887008

Warden/Jail Administrator/Sheriff/Director	
Name:	Tracy McIntyre
Email Address:	tracy.mcintyre@gdc.ga.gov
Telephone Number:	4789887008

Facility PREA Compliance Manager	
Name:	Dwight Horsey
Email Address:	dwight.horsey@gdc.ga.gov
Telephone Number:	O: (478) 988-7024
Name:	Tracy McIntyre
Email Address:	tracy.McIntyre@gdc.ga.gov
Telephone Number:	M: 4046956091

Facility Health Service Administrator On-site	
Name:	Johnny Williams
Email Address:	johnny.williams@gdc.ga.gov
Telephone Number:	4789887019

Facility Characteristics	
Designed facility capacity:	235
Current population of facility:	223
Average daily population for the past 12 months:	225
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	
Age range of population:	18 to 65
Facility security levels/inmate custody levels:	1, 2, 3, 4
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	64
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	18
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	5

AGENCY INFORMATION	
Name of agency:	Georgia Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	300 Patrol Rd., Forsyth, Georgia - 31029
Mailing Address:	
Telephone number:	(478) 992-5374

Agency Chief Executive Officer Information:	
Name:	Timothy C. Ward
Email Address:	Timothy.Ward@gdc.ga.gov
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Grace Atchison	Email Address:	grace.atchison@gdc.ga.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.

Introduction:

The Prison Rape Elimination Act (PREA) onsite audit of the McEver Probation Detention Center was conducted February 19 - 20, 2020. The audit was conducted by Mable Wheeler PREA Auditor, certified in adult and juvenile facilities. This audit was assigned to M P Wheeler and Associates, LLC by the Georgia Department of Corrections. The facility was last accredited on April 26, 2017. There are no known existing conflicts of interest or barriers to completing the audit.

Audit Methodology:

Pre-Onsite Audit Phase:

Prior to the onsite portion of the audit, the Auditor and PREA Compliance Manager discussed a tentative agenda and logistics for the on-site audit. McEver Probation Detention Center is located in Houston County. This facility is a level I, II, III and III security institution, housing male adults.

Notice of Audit Posting and Timeline:

The Notice of PREA Audit for McEver Probation Detention Center located in Perry, Georgia, was forwarded to the facility's PREA Compliance Manager on December 31, 2019, more than six weeks prior to the on-site audit, for posting in the facility. The PREA Compliance Manager posted the Notice in areas accessible to staff, inmates, contractors, volunteers and visitors. Confirmation of the posting was provided to the auditor on January 02, 2020. The purpose of the posting of the Notice is to allow anyone with a PREA issue or concern, allegation of sexual abuse or sexual harassment to correspond confidentially, with the Certified PREA Auditor. The audit notices included a statement regarding confidentially of inmates and staff correspondences with the auditor. No letters were received by auditor before the onsite visit. During the site-review the auditor observed the Notices of PREA Audit posted in common areas, living units and other places visible to staff, inmates, contractors, volunteers and visitors.

Online Pre-Audit Questionnaire/ Flash Drive Review:

The Facility's PREA Compliance Manager uploaded the Pre-Audit Questionnaire more than 30 days prior to the on-site audit. The Pre-Audit Questionnaire reviewed by the auditor contained, policies and procedures, certificates of training, training rosters and other documentation specific to facility operations. The information provided enabled the auditor to get a clear and comprehensive view of facility operations as it relates to PREA compliance. When clarification was needed, the auditor communicated with the PREA Compliance Manager, who was always responsive and provided information as requested. The PREA Compliance Manager is the Assistant Superintendent and has direct access to the Superintendent of the facility.

Requests of Facility Lists:

McEver Probation Detention Center provided the following information for interview selections and document sampling:

- Complete Inmate Roster - An up-to-date roster was provided upon arrival to the facility.
- LGBTI Inmates
- Inmates in segregated housing
- Inmates who reported sexual abuse
- Inmates who reported sexual victimization during risk screening
- Complete staff roster
- Specialized Staff
- All contractors who have contact with the inmates
- All Volunteers

External Contacts and Agency Review:

The Georgia Department of Corrections collects data from numerous sources. By requesting reports prior to the PREA Audit, the auditor can identify certain targeted groups of inmates. Prior to the on-site audit the auditor requested and received the following reports for the facility, provided by the Department's PREA Unit:

- Perception Report (Inmate's perception of vulnerability)
- Special Needs Report
- Hotline Calls Report (for last 12 months)

Outreach Prior to On-Site Audit: The auditor reached out to the following advocacy organization, to determine whether the organizations have had any communications or information regarding the McEver Probation Detention Center.

- Just Detention International

Just Detention International (JDI) reviewed their database for records and information and reported no adverse information for the preceding 12 months.

On-Site Audit Activities:

This audit was conducted by a one (1) Certified PREA Auditor, the certified in both adults and juvenile standards that was responsible for interviewing random, targeted offenders. The auditor also interviewed random and specialized staff. The auditor arrived at the facility early morning on February 19, 2020 and concluded the audit on February 20, 2020 at around 6:30 PM. The auditor, and agency's Assistant Statewide PREA Coordinator was met by the PREA Compliance Manager and escorted into the administrative area for the entrance briefing with the following staff:

- Tracy McIntyre, Superintendent
- Dwight Horsey, Assistant Superintendent (PREA Compliance Manager)
- Alma Hosley, Key & Tool Officers (Retaliation Monitor)
- Lt. Shawn Hilton, Chief of Security (Chief of Security)
- Chenelle Colon, Behavioral Health Specialist 2
- Johnny Howell, Lead Nurse
- Frances Howell (Victim Advocate)
- Keona West, Human Resources
- Bennett Knight, Department of Corrections Assistant PREA Coordinator
- Mable P. Wheeler, PREA Auditor

Following a meet and greet with staff, after explaining the on-site and post audit activities, the auditor and Department of Corrections Assistant PREA Coordinator, were escorted on a complete tour of the facility by the Superintendent, Tracy McIntyre, Assistant Superintendent Dwight Horsey, Chief of Security, Shawn Hilton and Behavioral Health Specialist, Chenelle Colon.

Selection of Staff and Inmates:

The Auditor selected the inmates to be interviewed from an alpha roster and facility list of targeted inmates. Inmates selected included inmates representing every living unit and program. Staff was selected from the facility staffing rosters. A cross section of staff were selected and included day shift security staff, overnight security staff, counselors, administrative support staff and contractors.

(11) Randomly Selected Staff:

- Correctional Officer
- Correctional Officer Overnight
- Correctional Officer II
- Lieutenants

- Sergeants
- Intake Officer
- SART

(19) Specialized Staff included the following:

- Previous Interview with the GDC Commissioner
- Previous Interview with the Agency PREA Coordinator
- Previous Interview with the Agency Assistant PREA Coordinator
- Superintendent of McEver Probation Detention Center
- Assistant Superintendent of McEver Probation Detention Center
- Chief of Security
- Intake and Orientation Staff
- Staff Conducting Victim/Aggressor PREA Assessments
- Lead Nurse RN (Health Services Administrator)
- General Counselors
- Human Resources Tech
- Previous Interview with Special Agent from Southwest Region
- Facility Based Investigator
- Incident Review Team Member
- First Responder
- Retaliation Monitor
- SART Leader
- Mental Health Counselors
- Sexual Assault Nurse Examiners (Prior Interview)
- Unannounced Rounds

There were no youthful offenders at the facility.

(48) Total Inmate Interviews

(28) Informally interviewed inmates during the site review

(17) Randomly Selected Inmates

(03) Targeted Inmates:

- Gay/Lesbian
- Inmates Reporting Prior Victimization
- Inmates who reported Sexual Abuse during Screening

The auditor informally interviewed/interacted with approximately forty-eight (48) inmates during the site review. The auditor was provided privacy while talking with the inmates. After explaining the auditor's role, offenders were randomly questioned about receiving PREA related information at intake and if they were advised of their rights during orientation and how they would choose to report sexual abuse or sexual harassment if it happened to them or someone else. One hundred percent of the interviewed offenders affirmed they were told about Zero Tolerance during intake. They indicated they have received PREA Information in all GDC Facilities. All inmates described the intake process and receipt of PREA

information. Most inmates were able to verbalize several reporting methods. Staff was introduced to the auditor as she walked throughout the facility. Closed and locked doors were opened; camera placement, PREA posters and PREA Audit Announcements were noted. All areas of the facility were viewed during the onsite tour. The auditor observed the living units, visitation, central control, segregation, intake area, laundry, dining hall and kitchen, and the outside perimeter, all areas of the facility were clean and orderly.

The auditor reviewed forty (40) inmate files, randomly selected from each letter of the alphabet, to assess whether inmates were given information about the zero-tolerance policy and how to report upon admission and to determine if PREA Education was provided within 14 days. (See 115.33 for discussion)

Documents and Files Reviewed:

- Facility Diagram
- Demographics Document
- Staffing Plan
- Facility Stratification Plan
- Training Rosters with Signatures documenting Day I Annual In-Service Training
- Staff PREA Acknowledgment Statements
- Offender PREA Acknowledgment Statements
- Orientation Checklists (Inmates)
- Victim/Aggressor Assessments
- Victim/Aggressor Reassessments
- Monthly PREA Reports
- Contractor/Volunteer PREA Acknowledgment Statements
- Contract with Language Line for Interpretive Services
- Plan for LEP and Disabled Inmates
- Inmates Files Reviewed
- NIC Certificates "Communicating Effectively with LGBTI Offenders"
- NIC Certificates "Investigating Sexual Abuse in a Confinement Setting"
- NIC Certificates "Medical Health Care for Sexual Abuse Victim in a Confinement Setting"
- NIC Certificates "Behavioral Health Care for Sexual Abuse Victim in a Confinement Setting"
- Newly Hired Employees Personnel Files
- Promoted Staff Personnel Files
- Volunteer Files
- Contractor Files
- Regular Employees Personnel Files

PREA Unit Reports from the GDC PREA Unit Analyst

- 1) LBGTI Report
- 2) Prior Victimization Report
- 3) Disabilities Report
- 4) Hot Line calls for the Past 12 months

The exit interview was conducted on Tuesday, February 20, 2020 with Tracy McIntyre, Superintendent, Grace Atchison, Agency State Wide PREA Coordinator and Mable P. Wheeler, PREA auditor.

Post Audit Activities: The auditor communicated with the facility requesting additional information for clarification of any pending issues. Any requested information was supplied in a timely manner

AUDIT FINDINGS

Facility Characteristics:

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

Facility Characteristics:

McEver Probation Detention Center (McEver PDC) is a Level I-IV custody secure adult male prison located in Houston County, Perry, Georgia. The facility is located on a 10 acre site, population on the first day of the onsite audit was 223 inmates with an operating capacity of 235. The facility was dedicated in memory of a long time Houston County physician, Mr. Virgil W. McEver. The prison's physical plan is comprised of five (5) buildings permanent block structures and one (1) Metal building surrounded by perimeter security fence. The entrance to the detention facility is secure and enters into a lobby and reception area. There are administrative offices, conference room/break area, intake/multi-purpose area, kitchen/dining area with storage, laundry area, and medical area.

The facility has four (4) open bay dormitories consisting of day rooms, correctional tables and chairs, telephone and posting area, fifty-seven bunk beds, supply closets and shower/bathroom areas. Also, there is a seven (7) bed isolation/segregation unit with toilet/sink within the facility, a canteen area, barber area and recreation area. McEver PDC has a maintenance building with a tool room and shop area, several storage buildings (chemical and supply), sally port area and a shakedown building with six (6) privacy stalls (inmate receiving area).

Demographics

Black 59%

White 40%

Other .05%

McEver PDC is staffed with sixty-eight (68) full-time and part-time employees including four (4) medical and a volunteer providing religious services to inmates. The staff consisted of: Superintendent; Assistant Superintendent; Lieutenant; (5) Correctional Sergeants; (44) Correctional Officers I & II; (2) Behavioral Health Counselors II; (12) other staff (accounting, administrative, human resources, food service, teacher, maintenance and technology) and (3) staff vacancies. Additionally, inmates are sent to Central State Prison for mental health services.

Of the 44 Correctional Officer positions, 19 officers are assigned to outside detail posts, which are gender specific (male) posts. Nineteen non-relieved Correctional Officers work Monday through Thursday from 6:45am until 5:00pm (excluding state holidays).

The medical staff (Augusta University/Georgia Correctional Health Care) providing services at the facility consisted of: Registered Nurse Supervisor, Registered Nurse and License Nurse Practitioner. The licensed nurses provide nursing services on-site eleven (11) hours a day, four (4) days a week and an on-call physician. All inmates are seen by a physician assistant two (2) days a week at the facility. Additionally, all nurses are supervised by the on-site Lead Registered Nurse supervisor who is responsible for the coordination of the medical services.

The medical staff provides medical care to include: completing the initial intake assessment, routine and additional lab work (Quest Diagnostic) as ordered, STD testing and treatment as indicated, updating immunization records, seasonal flu vaccinations, routine eye exams (optical lab), dietary services and referrals, administration of medications/treatments as prescribed, assessments of inmate injuries and treatment as required, medical assessments and monitoring with any restraint or segregation, assessments of somatic health complaints with treatment as indicated, develop treatment plans and provide medical discharge plans.

Dental and Optometry services are provided two (2) days a week at another facility consisting of dental care, cleaning, education, treatment fillings to extractions and eye exams. All inmates are transported to this facility to be seen by the dental staff and at least annually for a wellness check. Perry Hospital provides the emergency services and forensic medical examinations are provided by a SANE nurse at no financial cost to the victim. GDC has established a contract with an outside service providing SANE nurse examinations statewide. If the facility needs a forensic medical examination a SANE nurse would be contacted from the SANE call roster and the exam would be conducted at the facility.

McEver PDC provides general education to detainees including participation in HISET - GED preparatory classes for those individuals interesting in obtaining their GED. Other services provided at the facility include: Motivation for Change; religious services; food service prep, laundry and sanitation; inside and outside grounds maintenance detail; maintenance skilled workers and clerical aides. The facility provides inmates to a total of nineteen (19) outside contract details supervised by nineteen (19) certified officers including the Georgia State Patrol Post. Also, inmates are providing services at Dooly State Prison and Macon State Prison for their farm and warehouse details.

Mission:

The Georgia Department of Corrections protects the public by operating safe and secure facilities through the development of professional staff and effective offender management.

Inside Perimeter:

The facility consist of (4) four open dormitories housing units, each dorm houses (57) fifty-seven offenders. The facility has (3) double bunked cells with (1) one single cell that can house (7) seven offenders in the isolation/segregation unit.

Housing Units A-B: Are not gender specific Priority One post requiring 24/7 assignment. Each post is included in the duties of one male/female correctional officer assigned to U-2 post. The Officer is required to make frequent checks not to exceed 30 minute intervals. These unit houses 57 detainees each in a combination of double and triple bunks. There is no cameras coverage in the dorms.

Housing Units C-D: Are not gender specific Priority One post requiring 24/7 assignment. Each post is included in the duties of one male/female correctional officer assigned to U-1 post. The Officer is required to make frequent checks not to exceed 30 minute intervals. These unit houses 57 detainees each in a combination of double and triple bunks. There is no cameras coverage in the dorms.

Dining Hall: One Correctional Officer working in the area while detainee meals are being served; seven days a week detainees are served breakfast between 5:30am and 6:30am and dinner between 3:30pm and 5:30pm. Lunch is served Monday through Friday between 12:00pm and 1:00pm. The dining hall will seat 56 detainees and are under constant supervision. There is no camera coverage in this area.

Food Service: Two food service staff members work Monday through Friday 4:00am until 6:00pm, one food service staff member works Saturday, Sunday, and holidays. These are split days being in operation from 4:00am until 8:00am and reopening from 2:30pm until 6:30pm. The detainee details consist of six to eight detainees working during the hours of operation and are under constant supervision by assigned staff. There is no camera coverage in this area.

Inmate Store: One store clerk Monday through Thursday from 7:00am until 5:30pm. The ID/Laundry officer is located directly across the hallway and assists with monitoring offenders during store call. Detainee store is routinely conducted on Thursday between 7:00am and 5:30pm. The store schedule is subject to change due to adjustment for holidays. Detainees are not utilized to work inside the store. There is no camera inside the store with one camera covering the rear hallway monitored in rear control 24/7.

Mail Room: One Mail Room Clerk on during operation Monday through Thursday 7:00am until 5:30pm. This area is highly restricted with detainee presence prohibited. Any detainee with business at the mailroom is handled through an expanded metal door with the clerk is locked inside the mailroom and the detainee on the outside. There is no camera the mail room with one camera covering the rear hallway that is monitored in rear control 24/7.

ID/Laundry: One non-gender specified Correctional Officer works in the area during operation hours Monday through Friday 8:00am until 4:30pm. Detainee details are utilized in this area with no less than three and no more than five working at any given time under constant supervision. There is no camera coverage in this area.

Property Room: One Correctional Officer works Monday through Friday 8:00am until 4:30pm. This area is highly restricted with detainee presence prohibited. There is no camera coverage in this area.

Maintenance Building: One General Craftsman is assigned to this area Monday through Friday 7:30am until 3:30pm. The detainee detail assigned to the maintenance detail consists of three to four detainees working as needed. The maintenance detail works throughout the institution and is under constant supervision by the General Craftsman Staff member. There is no video camera in the maintenance building.

Chemical Building: One Correctional Officer works Monday through Friday 8:00am until 4:30pm. The detainees who work in this area are the sanitation detail and consist of three to five detainees working at any given time. There is no camera coverage in this area.

Warehouse: One Correctional Officer assigned as needed when detainees are needed in the area. The I.D./Laundry or the sanitation Officer, with their detail, performs the work required in this area. There is no camera coverage in this area.

Storage Building: One Correctional Officer assigned as needed when detainees are in the area. The Sanitation Officer, with their detail, performs the work required in this area. There is no camera coverage in this area.

Back Gate: One Correctional Officer utilized as needed. This security post can be covered by a male or female Correctional Officer depending on the requirements at the time. A male or female officer can process vehicles inside or receive packages. A male Correctional is utilized while processing detainees through the shakedown area. The back gate is in operation for receiving packages from 8:00am until 3:30pm with front control monitoring the arrival of deliveries and notifying appropriate staff to report to the gate for processing. New intakes arrive on Monday as needed to maintain full capacity with staff being assigned to process the new intakes. Outside details are processed out to various work locations Monday through Thursday from 7:15am until 8:00am. There are between four and eight detainees working on each outside detail at any given time. From 3:30pm until 4:30pm Monday through Thursday outside detail detainees are processed in through the shakedown area, which is a gender specific post. During the strip search process, the detainees are processed through the shakedown area by a male Correctional Officer. There is camera coverage inside with two cameras monitoring the exterior, these camera are monitored in rear control 24/7.

Armory/Hot Tool Room: Highly restricted area where detainee presence is prohibited, requiring daily checks by Officer in Command.

Recreational yard: One relieved Correctional Officer male or female during the times of operation. Additional staff is assigned during times of increased numbers of detainees and when additional staff is available. Recreational yard is offered to General Population detainees Monday through Friday for one hour each day. Isolation/Segregation detainees are offered recreational time Monday through Friday for one hour. On weekends, due to the location of the yard having visual access to visitors arriving at the institution, yard call is offered during daylight savings time from 6:30pm until 8:00pm as daylight allows. Detainees are under constant supervision by one or more Correctional Officers during yard time. There is no camera coverage in this area.

Facility Character Outside Perimeter:

Ground Maintenance: One Correctional Officer assigned as needed to retrieve equipment needed to maintain facility grounds. The Correctional Officer assigned to this post can be male or female, with any work being conducted between the hours of 8:00am until 4:00pm Monday through Friday. The detainee work detail consists of no less than three and no more than eight detainees at any given time under constant supervision of assigned officer.

Nineteen Correctional Officers are assigned to outside detail posts, which are gender specific (male) posts. Nineteen non-relieved Correctional Officers work Monday through Thursday from 6:45am until 5:00pm (excluding state holidays). Outside details consist of the following posts:

W-1 Houston County Water Department

W-2 Houston County Roads

W-3 Macon Landfill

W-4 Centerville
W-5 Macon Public Works
W-6 Houston County Roads
W-7 Department of Transportation
W-8 Macon Parks & Recreation
W-10 Macon Public Works
W-12 Houston County Landfill
W-14 Houston County Water Towers
W-15 City of Macon
W-16 Peach County Public Works
W-18 Houston County Roads
W-19 Macon Parks & Recreation
W-20 Macon Public Works
W-21 Macon State Prison
W-24 Houston County (Houston Lake Road)
W-25 Houston County (Moody Road)

The detainee detail consists of no less than four and no more than eight detainees working during hours of operation under constant supervision by an assigned Correctional Officer.

McEver Probation Detention Center Staff- 64 assigned (3 vacant)

Security Staff- 52

1 Superintendent
1 Assistant Superintendent
1 Lieutenant
5 Sergeants (1 vacant)
44 Correctional Officers (2 vacant)

Administrative Staff -3

1 Admin Support 2
1 HR Tech 2
1 Financial Ops 1

Food Service Staff- 4

1 Food Service Manager
3 Food Service Supervisors

Education Staff -1

1 Instructor 2 (Part Time)

Counseling Staff -2

2 Behavioral Health Counselors 2

Store Operation-1

1 Supply/Warehouse Clerk 2

Plant Operations-1

1 Craftsman/Correctional Officers

Contract Employees-Augusta University-4

1 Physicians Assistant-C

1 Lead Registered Nurse

1 Registered Nurse

1 Licensed Practical Nurse

McEver Probation Detention Center has had no allegations of sexual abuse or sexual harassment in the last 12 months prior to the audit. The Superintendent, Assistant Superintendent/PREA Compliance Manager and Staff take PREA seriously to ensure the safety of their inmates/detainees are free from sexual abuse and sexual harassment.

Inmates/detainees receive PREA education upon arrival and are provided the material on the multiple ways to report sexual abuse or sexual harassment at the facility and outside the facility.

The audit toured the entire facility during the audit process, interviewed staff, random and specialized; inmates targeted, randomly and informally in privacy. The auditor was provided documentation upon request while on site and afterward during the report writing phase, the PREA Compliance Manager expeditiously provided requested information and documentation.

AUDIT FINDINGS

Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy). Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

Number of standards exceeded:	2
Number of standards met:	43
Number of standards not met:	0

Standards Exceeded: 2

115.11, 115.88

Standards Met: 43

115.12, 115.13, 115.14, 115.15, 115.16, 115.17, 115.18, 115.21, 115.22, 115.31, 115.32, 115.33, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.89, 115.401, 115.403

Standards Not Met: 0

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Georgia Department of Corrections PREA Org Chart</p> <p>McEver PREA Org Chart</p> <p>Memo dated July 1, 2019 designating Assistant Superintendent Dwight Horsey as PREA Compliance Manager</p> <p>Site Review:</p> <p>Observed though out the facility: PREA related posters; phones with PREA Hotline dialing instructions; Kiosks;</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 1 - 9 states:</p> <p>A. The Georgia Department of Corrections (GDC) has a zero-tolerance policy toward all forms of sexual abuse, Sexual Harassment and sexual activity among offenders. The purpose of this policy is to strengthen the Department’s efforts to prevent occurrences of this nature by implementing key provisions from the U.S. Department of Justice’s standards on the prevention, detection, and response to sexual abuse in confinement facilities, in accordance with the Prison Rape Elimination Act of 2003 (PREA). This policy and provides guidelines to address the following prohibited sexually abusive and/or harassing behavior(s):</p> <ol style="list-style-type: none"> 1. Offender Perpetrator Against Offender Victim; and 2. Staff perpetrator against offender victim. <p>B. These guidelines are provided to assist staff in:</p> <ol style="list-style-type: none"> 1. Detecting incidents and identifying perpetrators and victims of sexual abuse and/or harassment; 2. Preventing sexually abusive and/or harassing behavior; 3. Protecting vulnerable offenders from abuse and harassment from sexually aggressive offenders; 4. Educating staff on how to intervene properly and in a timely manner; 5. Documenting, reporting, and investigating reported incidents; and 6. Disciplining and/or prosecuting perpetrators. <p>II. Authority:</p> <p>A. O.C.G.A.: § 16-6-5.1;</p> <p>B. Prison Rape Elimination Act National Standards: 28 CFR Part 115, et seq.;</p> <p>C. GDC Standard Operating Procedures (SOPs): 203.03 Incident Report, 209.01 Offender Discipline, 227.02 Statewide Grievance Procedure, 209.06 Administrative Segregation, 103.10 Evidence Handling and Crime Scene Preservation, 103.06 Investigation of allegations of sexual contact, Sexual Abuse, and Sexual Harassment of Offenders, 508.22 Mental Health Management of Suspected Sexual Abuse, Contact or Harassment, 508.18) MH/MR Discipline Procedures 508.19 Receiving Screening, 507.04.19 Health Assessment and Medical Diagnostics, 507.04.21 Health Screening Offender Transfers, 507.04.69 Women’s Health Services, 507.02.02 Confidentiality of Health Record and Release of Information,</p>

507.04.84 Medical Management of Suspected Sexual Abuse, 507.04.85 Informed Consent, 507.04.91 Medical Management of Suspected Sexual Assault, Abuse, Harassment, 101.04 Records Management, and 104.09 Filling A Vacancy; and

D. ACA Standards: 2-CO-3C-01, 2-CO-4B-06, 4-4177, 4-4281-1, 4-4281-2, 4-4281-3, 4-4281-4, 4-4281-5, 4-4281-6, 4-4281-7, 4-4281-8, 4-4282, 4-4291-3, 4-4307, 4-4311, 4-4312-1, 4-4403, and 4-4406.

III. Definitions:

A. Community Confinement Facility - A state operated facility, other than a State Prison, in which individuals reside as part of a term of imprisonment while participating in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility- approved programs during nonresidential hours. (e.g. Transitional Centers.)

B. Direct Staff Supervision - Security staff in the same room with, and within reasonable hearing distance of, the residents or offenders and disallows youthful offenders and adult offender communication of any kind.

C. Exigent Circumstance - Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

D. Gender Nonconforming - A person whose appearance or manner does not conform to traditional societal gender expectations.

E. Intersex - A person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

F. Juvenile - Any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.

G. PREA Compliance Manager (PCM) - An upper-level manager, designated by the Warden, and is responsible for compliance in all facility PREA-related operations.

H. Retaliation Monitor - A staff member, designated by the Warden, who is responsible for the prevention, detection, and reporting of any retaliatory actions taken against staff or offenders that report PREA allegations.

I. Sexual Abuse Incident Review Team (SAIRT) – A team that consists of upper- level management representatives. SART members may be part of the SAIRT, however the SAIRT shall not be solely comprised of SART members. Line supervisors and other staff members may be designated as SAIRT members at the discretion of the Warden/Superintendent of the facility.

J. Sexual Abuse/Harassment Response Team (SART) – A team that consists of a locally composed multi-disciplinary team, with both security and non-security staff, who work together to fulfill the guidelines defined in section I of this policy. This team includes but is not limited to:

1. SART Investigator;
2. SART Medical;
3. SART Mental Health;
4. Facility/ Internal Victim Advocate; and
5. Retaliation Monitor.

K. Sexual Abuse by Offender - Sexual abuse of an offender, detainee, or resident by another offender, detainee, or resident includes any of the following acts if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;

2. Contact between the mouth and the penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

L. Sexual Abuse by A Staff Member, Contractor, Or Volunteer - Sexual abuse of an offender, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the offender, detainee, or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) through (5) of this definition;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender, detainee, or resident;
8. Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an offender, detainee, or resident by staff for reasons unrelated to official duties.

M. Sexual Harassment includes:

1. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender, detainee, or resident directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an offender, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

N. Special Agent in Charge (SAC) - An investigator who works for the Office of Professional Standards (OPS) who is responsible for any criminal investigation into a PREA allegation, should such investigation be deemed appropriate.

O. Substantiated Allegation - An allegation that was investigated and determined to have occurred.

P. Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

Q. Unfounded Allegation - An allegation that was investigated and determined not to have occurred.

R. Unsubstantiated Allegation - An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

S. Youthful Offender - Any person under the age of 18 who is under adult court supervision

and incarcerated or detained in a prison or jail.

IV. Statement of Policy and Applicable Procedures:

The Department hereby adopts, implements, and follows the standards outlined in the Prison Rape Elimination Act (PREA) Standards found at 28 CFR Part 115. Through the adoption of the PREA Standards, the Department seeks to eliminate sexual abuse and Sexual Harassment of offenders in custody. The Department tolerates no form of sexual abuse or Sexual Harassment of any offender.

Offenders who sexually abuse another offender will be disciplined and referred for criminal prosecution. Offenders who engage in Sexual Harassment, consensual sexual contact with another offender, attempt to engage in or solicit such contact, or help another engage in sexual contact with an offender will be disciplined.

Staff members who engage in sexual abuse or Sexual Harassment of an offender will be subject to disciplinary action, up to and including termination and banishment from all Georgia correctional institutions, whichever action is applicable. Additionally, staff members who engage in sexual abuse of an offender will be subject to criminal prosecution. Pursuant to O.C.G.A. § 16-6-5.1, it is a felony for correctional staff to have sexual contact with an offender.

A. Prevention Planning:

1. The Department shall employ or designate an upper-level, Department PREA Coordinator with sufficient time and authority to develop, implement, and oversee Department efforts to comply with the PREA standards in all facilities.

The Warden/Superintendent at each institution must ensure that all aspects of this policy are implemented. Each facility shall have an assigned PREA Compliance Manager, who has sufficient time and authority to coordinate the facility's efforts to comply with PREA standards. The Warden/Superintendent shall maintain a current written PREA Local Procedure Directive and Coordinated Response Plan (see Attachment 7 for template) to provide instruction for responses to sexual allegations. This Local Procedure Directive shall reflect that institution's unique characteristics and specify how that institution will respond to sexual allegations and the notification procedures to be followed for reports of sexual allegations. At a minimum it will include:

- a. Specification of staff member(s) responsibilities from the first report of an allegation through the conclusion of an investigation.
- b. Responding to the victim and ensuring evidence retention.
- c. Monitoring the offender perpetrator to ensure safety of others and evidence retention.
- d. Ensuring safe housing, medical and mental health care, forensic exam, victim services for the victim, and commencing an investigation.

2. The Department shall ensure that contracts for the confinement of its offenders with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards and that any new contract or contract renewal shall provide for Department contract monitoring to ensure that the contractor is complying with the PREA standards.

3. The Warden/Superintendent at each facility shall develop a written Staffing Plan in accordance with this SOP using Attachment 11, Staffing Plan Template. To enhance the supervision and monitoring of offenders, each facility shall document and make its best efforts to comply on a regular basis with the established staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect offenders against sexual abuse. In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations on the daily Post Roster. Facility management staff will review these deviations on a regular basis, no less than annually, to identify the most common

reasons for deviations. This information shall be used to make adjustments, as necessary, to the facility staffing plan. Completed plans will be forwarded to the PREA Coordinator for review and approval.

4. No less than annually, each facility shall assess, determine, and document whether adjustments are needed to the established staffing plan. Revised plans shall be forwarded to the PREA Coordinator for review and approval.

5. All new or existing facility designs, modifications, and technology upgrades will include consideration of how they could enhance the Department's ability to protect offenders against sexual abuse.

6. Unannounced rounds by supervisory staff, with the intent of identifying and deterring sexual abuse and Sexual Harassment, are required to be conducted every week, including all shifts and all areas. These rounds will be documented in the area log books. In addition, the institutional Duty Officer is required to conduct and document unannounced rounds at least once per week in all areas. These rounds will be documented in the local Duty Officer Log book.

7. Youthful Offenders:

a. A Youthful Offender shall not be placed in a housing unit in which the Youthful Offender will have sight, sound, or physical contact with any adult offender through use of a shared day room or other common space, shower area, or sleeping quarters.

b. In areas outside of housing units, staff must either:

i. Maintain sight and sound separation between Youthful Offenders and adult offenders, or

ii. Provide direct staff member supervision when Youthful Offenders and adult offenders have sight, sound, or physical contact.

c. Efforts shall be made by the assigned institution to avoid placing Youthful Offenders in isolation to comply with this provision. Absent Exigent Circumstances, Youthful Offenders shall not be denied daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful Offenders shall also have access to other programs and work opportunities to the extent possible.

Comments:

This Standard is rated exceed. The Agency has been very proactive in instilling a zero-tolerance for all forms of sexual abuse, sexual harassment, and retaliation for reporting or for cooperating with an investigation. Specific to this facility, the Superintendent has designated the Assistant Superintendent as the PREA Compliance Manager. The PREA Compliance Manager's comprehensive approach to implementing a program for prevention, detection, responding and reporting sexual abuse and sexual harassment at this facility was impressive.

The agency has policies mandating a zero-tolerance policy and the comprehensive PREA policy (SOP 208.06, Prison Rape Elimination Act-PREA, Sexually Abusive Behavior Prevention and Intervention Program) addresses the agency's comprehensive approach to prevention of sexual abuse and sexual harassment as well as its approach to detection, responding and reporting sexual abuse and sexual harassment. The agency's policy begins with a statement of policy and applicable procedures, followed by extensive sections on Prevention Planning, Responsive Planning, and Reporting with multiple subsections addressing the GDC Procedures and the PREA Standards. The policy prohibits retaliation for reporting or participating in an investigation and mandates a zero tolerance for retaliation as well.

The GDC has developed the Office of Professional Standards Compliance Unit, with a full time

Director overseeing compliance with PREA, American Correctional Association (ACA) Standards, and Americans with Disabilities Act Compliance. In addition, the Director of the Compliance Unit supervises the Policy Administrator and the agency's Auditing Component. The Auditing Component audits GDC facilities for compliance with policies and procedures.

The PREA Unit consists of the Statewide PREA Coordinator. The Statewide PREA Coordinator oversees all PREA related functions and has an Assistant Statewide PREA Coordinator. Additionally, the PREA Unit has a PREA Analyst who collects and analyzes data that is input into the GDC Database, called SCRIBE. The PREA Unit oversees the implementation of the PREA Standards and helps maintain compliance by periodically monitoring facilities and programs, by providing technical assistance, and by providing training. The Statewide PREA Coordinator is a certified Peace Officer Standards Training instructor enabling her to provide certified training to staff. The PREA Unit also collects PREA related data, review Sexual Assault Response Team Investigations (The Sexual Assault Response Team, SART, conduct the initial facility-based investigations). The Statewide PREA Coordinator reports to the Deputy Director of Compliance however she has unimpeded access to the Commissioner of the Georgia Department of Corrections with issues related to PREA. A recent interview with the Commissioner of the Georgia Department of Corrections confirmed his support for PREA, the PREA Coordinator and Compliance Director. The Commissioner receives message notifications of all sexual assaults in his facilities.

McEver Probation Detention Center is required to comply with the Georgia Department of Corrections Policies, including PREA. The agency has also determined its facilities will comply with the Standards promulgated by the American Correctional Association and will undergo auditing by the American Correctional Association. The Georgia Department of Corrections PREA Policy addresses and integrates the elements of the PREA Program, and includes the agency's approach to prevention, detection, responding and reports. The agency has identified sanctions for staff, contractor, or inmates for violating any agency sexual abuse or sexual harassment policy and the presumptive sanction for employees is dismissal/termination and banning contractors and volunteers from further contact with inmates and the facility, until the conclusion of an investigation. The ban is statewide, preventing the contractor or volunteer from entering any GDC facility until an investigation is completed.

GDC Standard Operating Procedures; 208.06, Prison Rape Elimination Action (PREA) Sexually Abusive Behavior Prevention Program affirms that the agency/facility has a zero-tolerance policy towards all forms of sexual abuse, sexual harassment and retaliation for reporting or for cooperating with an investigation.

The agency has policies mandating a zero-tolerance policy and the comprehensive PREA policy (SOP 208.06, Prison Rape Elimination Act-PREA, Sexually Abusive Behavior Prevention and Intervention Program) addresses the agency's comprehensive approach to prevention of sexual abuse and sexual harassment as well as its approach to detection, responding and reporting sexual abuse and sexual harassment. The agency's policy begins with a statement of policy and applicable procedures, followed by extensive sections on Prevention Planning, Responsive Planning, and Reporting with multiple subsections addressing the GDC Procedures and the PREA Standards. The policy prohibits retaliation for reporting or participating in an investigation and mandates a zero tolerance for retaliation as well.

The agency has a Statewide Americans with Disabilities Act/Limited English Proficiency Coordinator who serves as a resource person for accessing interpretive services for disabled or limited English proficient detainees and inmates. The Statewide Coordinator has required each facility to designate an ADA Coordinator in each facility. This is relevant to PREA in that when any issue arises regarding the need for any kind of interpretive services, the facility ADA Coordinator and PREA Compliance Manager have access to the Statewide Coordinator who can expedite interpretive services beyond those offered by Language Line, and these services, provided through multiple statewide contracts, include telephone, video, and on-site interpretive services. For example, on a previous audit, the auditor needed to interview a deaf inmate to determine his awareness and knowledge of PREA including zero tolerance, his rights related to sexual assault, sexual harassment and retaliation. One call to the Statewide ADA Coordinator resulted in access to an interpreter, who used American Sign Language via video. The ADA Coordinator has provided access to multiple statewide contracts for interpretive services for hearing impaired, visually impaired, or limited English proficient.

PREA Compliance Manager is the Assistant Superintendent. The Facility's Organizational Chart identifies him as the PREA Compliance Manager. He has direct and unimpeded access to the Superintendent. This relationship was also confirmed in an interview with the Superintendent, the PREA Compliance Manager and through observations of interactions throughout the audit. The Superintendent confirmed his complete support of PREA and the PREA Compliance Manager.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo dated July 1, 2019, McEver Probation Detention Center does not contract for the confinement of offenders</p> <p>Interviews: Agency's Contract Administrator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 7 states: A. Prevention Planning: 2. The Department shall ensure that contracts for the confinement of its offenders with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards and that any new contract or contract renewal shall provide for Department contract monitoring to ensure that the contractor is complying with the PREA standards.</p> <p>Comments: McEver Probation Detention Center does not contract for the confinement of offenders. This was confirmed through interviews with the PREA Coordinator (previous interview), Superintendent, PREA Compliance Manager, reviewed Pre-Audit Questionnaire and memo dated July 1, 2019 states that the facility does not contract for the confinement of offenders. The auditor has reviewed contracts (known as intergovernmental agreements) for 5-6 county prisons. The agreements are between the Georgia Department of Corrections and the Governmental Entity responsible for operation of the county prison. Each of the reviewed contracts contained the same verbiage requiring the County to adopt the PREA Standards and comply with them. The contract also acknowledges that the Department of Corrections will monitor the facilities for compliance.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>McEver approved Staffing Plan dated January 15, 2020</p> <p>Memo dated 7/1/19 indicates 4 priority one post Ocl, A/B Dorm, Iso/Seg and rear control</p> <p>Memo dated January 1, 2020 camera coverage out due to lightning</p> <p>Unannounced Rounds memos both dated July 1, 2019</p> <p>Reviewed documented PREA rounds</p> <p>Reviewed Duty Officer Log</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 7 - 8 states:</p> <p>3. The Warden/Superintendent at each facility shall develop a written Staffing Plan in accordance with this SOP using Attachment 11, Staffing Plan Template. To enhance the supervision and monitoring of offenders, each facility shall document and make its best efforts to comply on a regular basis with the established staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect offenders against sexual abuse. In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations on the daily Post Roster. Facility management staff will review these deviations on a regular basis, no less than annually, to identify the most common reasons for deviations. This information shall be used to make adjustments, as necessary, to the facility staffing plan. Completed plans will be forwarded to the PREA Coordinator for review and approval.</p> <p>4. No less than annually, each facility shall assess, determine, and document whether adjustments are needed to the established staffing plan. Revised plans shall be forwarded to the PREA Coordinator for review and approval.</p> <p>5. All new or existing facility designs, modifications, and technology upgrades will include consideration of how they could enhance the Department's ability to protect offenders against sexual abuse.</p> <p>6. Unannounced rounds by supervisory staff, with the intent of identifying and deterring sexual abuse and Sexual Harassment, are required to be conducted every week, including all shifts and all areas. These rounds will be documented in the area log books. In addition, the institutional Duty Officer is required to conduct and document unannounced rounds at least once per week in all areas. These rounds will be documented in the local Duty Officer Log book.</p> <p>Comments:</p> <p>Staffing levels are essentially based on the mission of the facility, population served, security levels of offenders, special needs of offenders, programs, work details and the numbers of identified priority one posts. Priority one posts are those that are so critical they must be</p>

manned 24/7. The facility may also have other posts that need to be staffed for optimum operational conditions but are a lesser priority than the posts that must be manned 24/7. Priority two and three posts are needed for the optimal operation of the facility but lower priority posts and may be closed or “pulled” in order to staff higher priority level posts. Some posts may be closed because their function has ceased at a given time of day or night.

The population analysis just prior to the on-site audit consisted of the following:

Physical Capacity: 235

The staffing plan considers outside work details with (19) nineteen officers assigned to outside detail posts, which are gender specific (male) posts; Monday through Thursday. The detainee detail consists of no less than (4) four and no more than (8) eight working during hours of operation. Outside details consist of the following:

W-1 Houston County Water Dept.
W-2 Houston County Roads
W-3 Macon Landfill
W-4 Centerville
W-5 Macon Public Works
W-6 Houston County Roads
W-7 Department of Transportation
W-8 Macon Parks & Recreation
W-10 Macon Public Works
W-12 Houston County Landfill
W-14 Houston County Water Towers
W-15 City of Macon
W-16 Peach County Public Works
W-18 Houston County Roads
W-19 Macon Parks & Recreation
W-20 Macon Public Works
W-21 Macon State Prison
W-24 Houston County (Houston Lake Road)
W-25 Houston County (Moody Road)

Programing:

Visitation is in operation Saturday, Sunday and all state holidays from 9:00am until 3:00pm, one correctional officer is assigned to this area during operation.

Visitation is utilized for counseling programs, law library and general library Monday through Friday for 8:00am until 4:30pm and is staffed by general population counselors while detainees are present.

GED classes are held Monday and Tuesday in the visitation area and is staffed by a part time GED instructor.

Celebrate Recovery is conducted Wednesday and staff by one correctional officer.

True Measure of a Man is conducted on Friday and staff by one correctional officer.

Religious services are conducted on Saturday and Sunday and is staffed by one correctional officer.

Four (4) Priority one post has been designated by the Superintendent as the following:

OCI
A/B Dorm

Iso/Seg

Rear Control

Auditor was able to document that unannounced rounds are being conducted per standard req

115.14	Youthful inmates
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated July 1, 2019 (Youthful Offenders are not housed at McEver Probation Detention Center) PAQ McEver Probation Detention Center Burrus Training Center webpage</p> <p>Interviews: Superintendent Assistant Superintendent</p> <p>Site Review: The auditor did not observe any youthful offenders during the onsite audit.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 8 - 9 states: 7. Youthful Offenders:</p> <p>a. A Youthful Offender shall not be placed in a housing unit in which the Youthful Offender will have sight, sound, or physical contact with any adult offender through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>b. In areas outside of housing units, staff must either:</p> <p>i. Maintain sight and sound separation between Youthful Offenders and adult offenders, or</p> <p>ii. Provide direct staff member supervision when Youthful Offenders and adult offenders have sight, sound, or physical contact.</p> <p>c. Efforts shall be made by the assigned institution to avoid placing Youthful Offenders in isolation to comply with this provision. Absent Exigent Circumstances, Youthful Offenders shall not be denied daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful Offenders shall also have access to other programs and work opportunities to the extent possible.</p> <p>Comments: McEver Probation Detention Center does not house youthful offenders. Male youthful offenders are housed by the Georgia Department of Corrections at the Burrus Training Center in Forsyth, GA. This was confirmed by reviewing the Burrus facility's website (GDC), interviewing the Superintendent, and Assistant Superintendent/PREA Compliance Manage.</p> <p>The Georgia Department of Corrections PREA Policy requires that youthful offenders are sight</p>	

and sound separated from adults and that where youthful offenders are maintains they must be housed in a separate unit and have access to programs and exercise. When outside the unit, they must be sight and sound separate unless they are accompanied by and supervised by a correctional officer.

There are no youthful offenders assigned to this program. This was confirmed through the reviewed Pre-Audit Questionnaire, site review, reviewed inmate rosters, and interviews with staff. During the on-site audit the auditors did not observe any youthful offenders. Reviewed inmate files did not identify any youthful offenders.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Training Rosters</p> <p>Memo Dated January 1, 2020 Female announce themselves when entering living units</p> <p>Lesson Plans</p> <p>Training Roster</p> <p>PREA Acknowledgement Form</p> <p>"What you need to know" video reviewed</p> <p>Site Review:</p> <p>Observed female staff announcing themselves when entering living units.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 9 - 10 states:</p> <p>8. Limits to Cross-Gender Viewing and Searches:</p> <p>a. The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in Exigent Circumstances or when performed by medical practitioners.</p> <p>b. The facility shall not conduct cross-gender pat searches of female offenders, absent Exigent Circumstances. This requirement shall not restrict female offender's access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.</p> <p>c. The facility shall document all cross-gender strip searches and cross- gender visual body cavity searches, and shall document all cross-gender pat-down searches of female offenders via an incident report.</p> <p>d. The facility shall implement procedures that enable offenders to shower, perform bodily functions, and change clothing without nonmedical staff members of the opposite gender viewing their breasts, buttocks, or genitalia, except in Exigent Circumstances or when such viewing is incidental to routine cell checks. Offenders should only shower, perform bodily functions, and change clothing in designated areas (e.g. cells, shower rooms, and bathrooms).</p> <p>e. Staff members of the opposite gender shall announce their presence when entering an offender housing unit; this includes the officer assigned to the housing unit. It is understood that staff members might not make announcements when responding to circumstances that require immediate action in order to combat a threat to security.</p> <p>Offenders will be notified of the presence of opposite-gender staff members in several ways:</p>

- i. Offenders are advised of the requirement to remain clothed, and the presence of cross-gender staff members generally, during the intake screening process and the admission and orientation process;
- ii. The following notice will be posted “NOTICE TO OFFENDERS: Male and female staff members routinely work in and visit housing areas.”
- iii. For staff members with offices in the housing units, the most recent schedule is posted in the unit so offenders are aware of when opposite-gender staff may be present;
- iv. An announcement shall be made each time an opposite-gender staff member comes into a housing unit area and;
- v. Nothing in this section should preclude opposite-gender staff members from viewing live or recorded video, or participating in an offender suicide watch.
- f. The facility shall not search or physically examine a Transgender or Intersex offender for the sole purpose of determining the offender’s genital status. If the offender’s genital status is unknown, it may be determined during conversations with the offender, 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. The provision does not limit searches of offenders to ensure the safe and orderly running of the institution.
- g. The Department shall train security staff members on how to conduct cross-gender pat searches and searches of Transgender and Intersex offenders in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs and consistent with the population gender of their assigned institution.

Comments:

The Georgia Department of Corrections prohibits cross gender strip searches or cross-gender visual body cavity searches, and cross gender pat searches of females except in exigent circumstances that are approved and documented or when performed by medical practitioners. If this should occur, documentation is required via an Incident Report. This is confirmed through the reviewed policies, annual in-service training lesson plan, and interviews with both staff and inmates. In practice, interviews with staff and inmates confirmed that female staffs do not conduct cross gender strip searches however both male and female officers conduct pat searches.

Policy does allow female staffs, who have been trained in conducting cross-gender searches, to conduct pat searches of male inmates. The facility’s practices are consistent with Georgia Department of Corrections Standard Operating Procedure, 226.01, Searches, Security Inspections, and Use of Permanent Logs, I.2; however practice is that if a male staff is available to conduct the pat search, the male conducts it. The practice at this facility, as confirmed through interviews with staff and with inmates, that female staff can and do conduct pat searches however if a male staff is available, the male staff conducts the pat search. Reviewed investigations indicated there were no allegations regarding cross-gender pat searches and inmates and staff confirmed females do not conduct strip searches.

Search Policy requires that strip searches of females shall be conducted by female correctional officers while males shall be strip searched by male correctional officers, however in an emergency such as an escape, riot etc.; the provision may be waived.

This is an all-male facility Policy requires that the requirement for prohibiting cross gender pat searches of females will not restrict female offender's access to regularly available programming or other out-of-cell opportunities in order to comply with those provisions. This provision in this Standard is not applicable to this male facility.

Policy and practice requires that inmates can shower, perform bodily functions, and change clothing without non medical 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. One hundred percent of the interviewed inmates confirmed they have privacy while showering and that they are never naked in full view of staff while showering, using the restroom or changing clothing.

Policy requires staff of the opposite gender to announce their presence when entering the housing units. Female staff working on the unit will announce once after taking the shift over however other female's coming into the unit must announce. Signs are also posted in each dorm, explaining that female staffs typically work in the dorms. The sign does not negate the requirement to announce their presence and they indicated they do announce their presence. Interviewed offenders, random and informal stated female officers do announce their presence when entering the housing area.

Staff indicated, in their interviews, that staff of the opposite gender consistently announces their presence saying things like "female on deck". One hundred percent of the interviewed inmates affirmed female staff not working in the unit announces their presence when entering the dormitory.

Policy requires that the facility refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status and If an inmate's genital status is unknown, the facility may 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. The policy does not limit searches of offenders to ensure the safe and orderly running of the institution.

One hundred percent of the interviewed staff affirmed they would not be allowed to search a transgender or intersex inmate for the sole purpose of determining the resident's genital status. They indicated essentially that they would ask them or have medical make that determination. During the on-site audit, there were no transgender or intersex inmates housed at the facility.

The auditor reviewed the training module for in-service training. That training reaffirmed the verbiage in policy. Multiple pages of training rosters documenting Day 1 In-Service were provided for review. Staff also affirmed, in their interviews, that they have been trained in how to conduct a proper pat search of offenders, to include transgender and intersex offenders.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>PREA Brochures Spanish and English</p> <p>Language Line</p> <p>Tips for interacting w/ Person w/ Disabilities</p> <p>Tips for working with interpreters brochure</p> <p>Memo Dated July 1, 2019 (Staff member Diana Morales) Spanish Speaking</p> <p>Site Review:</p> <p>PREA posters in Spanish and English, reviewed Language Line brochure, Tips for interacting with person with disabilities, Tips for working with interpreters.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 11 states:</p> <p>9. Offenders with Disabilities, Who Are Limited English Proficient (LEP), or Have Limited Reading Skills:</p> <p>a. The local PREA Compliance Manager shall ensure the appropriate resources are available to offenders with disabilities and those who are LEP so they may understand the facility policies around reporting, preventing, detecting, and responding to sexual abuse and Sexual Harassment.</p> <p>b. The facility shall not rely on offender interpreters, offender readers, or other types of offender assistants except in Exigent Circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first response duties under 28 CFR § 115.64, or the investigation of the offender's allegations.</p> <p>Comments:</p> <p>The agency and McEver Probation Detention Center are committed to ensuring inmates with disabilities, have access to interpretive services that are provided expeditiously through professional interpretive services. They also appear to be committed to ensuring inmates with limited English proficiency have access to interpretive services. Interpreters with Language Line are Approved Bi-Lingual Staff, PREA Brochures in Spanish, Diana Morales a Spanish speaking officer, part time GED Instructor at the facility, and closed caption PREA Video are provided in an effort to ensure all inmates have access to and the ability to participate in the agency's efforts at prevention, detection, responding and reporting sexual abuse and sexual harassment.</p> <p>Counseling staff are available to ensure that inmates with limited educational skills receive and understand how to access all the aspects of PREA, including prevention, detection, responding and reporting. Staff would read the PREA information to the inmate upon</p>

admission and additionally, PREA Education is provided through the PREA Video and orally to clarify any issues.

The Georgia Department of Corrections has an Americans with Disabilities Coordinator who is responsible for overseeing and coordinating the agency's efforts to comply with the ADA requirements. The Coordinator works in direct collaboration with the State ADA Coordinator's Office and serves as an invaluable resource when a facility needs any type of interpretive service to ensure an inmate can fully participate in the agency and facility's prevention, detection, response and reporting program for sexual assault, sexual harassment and retaliation. Her position on the organizational chart is described as ADA/LEP (Limited English Proficiency) Coordinator. In addition to making staff aware of the statewide contracts for interpretive services, the ADA Coordinator is available to facilitate, for facilities, access to interpretive services.

GDC Standard Operating Procedure 103.63, American's with Disabilities Act, B.2, indicates that inmates entering a Diagnostic Facility (Georgia Diagnostic and Classification Prison), will have an initial medical screening to determine any needs for immediate intervention. Efforts are made at the diagnostic facility to identify offenders who may be qualified individuals under the ADA. Additionally, a mental health screening and evaluation is conducted at a GDC Diagnostic Facility to determine the level of care needs. Policy requires that during the intake and diagnostic process, staff, including security, education, medical, mental health, parole and classification will ask offenders with hearing/visual disabilities their preferred way of communication during the first interaction in the intake/diagnostic process. That determination will prompt the intake/diagnostic staff to secure a Qualified Interpreter or use the Video Remote Interpreting for those with hearing impairments, a reader or other assistive technology, for those with visual impairments, or other specified preferred ways of effective communication. The preferred way of communication will be use throughout the intake/diagnostic process and this information will be documented in the Department's Database.

During the on site visit McEver Probation Detention Center did not houses LEP offenders or offenders with disabilities. The auditor reviewed the PREA Brochures in both Spanish and English. The PREA Video is also available in Spanish and in closed caption. Random interviewed staff indicated they would not rely on an inmate to translate for another inmate in making a report of sexual abuse or sexual harassment. Interpretive services would be accessed through Language Line, or staff member Diana Morales who is proficient in speaking Spanish could translate for the offender. More than adequate services are available to accommodate inmates/offenders needing interpretative services.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Background Checks (1/7/2019 - 5/24/2019)</p> <p>Hiring Package (42 page)</p> <p>Memo Dated July 1, 2019 (Hiring and Promotions)</p> <p>Memo Dated January 1, 2020 (Hiring and Promotions)</p> <p>Interview:</p> <p>HR Tech I</p> <p>Policy 208.06 Hiring and Promotions: page 12 1) states:</p> <p>1) Ask all applicants and employees who may have contact with offenders directly about previous misconduct described in SOP 104.09, Filling a Vacancy, in written applications or interviews for hiring and promotions and any written interview or written self-evaluations conducted as part of reviews of current employees. "Every employee has a continuing affirmative duty to disclose any such misconduct".</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 11 - 13 states:</p> <p>10. Hiring and Promotion Decisions:</p> <p>a. Employees:</p> <p>i. The Department shall not hire or promote anyone who may have contact with offenders, who:</p> <p>1) 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); 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; or</p> <p>2) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph a.i.1., of this section.</p> <p>ii. The Department shall consider any incidents of Sexual Harassment in determining whether to hire or promote anyone who may have contact with offenders.</p> <p>iii. Before hiring new employees who may have contact with offenders, the Department shall:</p> <p>1) Ask all applicants and employees who may have contact with offenders directly about previous misconduct described in SOP 104.09, Filling a Vacancy, in written applications or interviews for hiring and promotions and any written interview or written self-evaluations</p>

conducted as part of reviews of current employees. Every employee has a continuing affirmative duty to disclose any such misconduct.

2) Perform a Criminal History Record checks on all employees and volunteers prior to start date and again within at least every five years. A tracking system shall be implemented at each local facility to ensure the criminal history checks are conducted within the appropriate time frames, according to policy, for each person with access to that facility.

iv. Unless prohibited by law, the Department shall 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. The Department complies with the Federal Privacy Act and Freedom of Information Act, and all other applicable laws, rules, and regulations.

v. Material omissions regarding misconduct or the provision of materially false information shall be grounds for termination.

b. Contractors:

i. The Department shall not enlist the services of any contractor, who may have contact with offenders, who:

1) 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); 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; or

2) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph b.i.1., of this section.

ii. The Department shall consider any incidents of Sexual Harassment in determining whether to enlist the services of any contractor, who may have contact with offenders.

iii. Before hiring new employees who may have contact with offenders, the Department shall:

1) Perform a Criminal History Record check before enlisting the services of any contractor who may have contact with offenders and at least every five years thereafter.

iv. Unless prohibited by law, the Department shall 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. The Department complies with the Federal Privacy Act and Freedom of Information Act, and all other applicable laws, rules, and regulations.

v. Material omissions regarding misconduct or the provision of materially false information shall be grounds for termination.

Comments:

The Georgia Department of Corrections, as required in policy, prohibits the hiring or promotion of anyone and enlisting the 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; who has 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; and the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the same activity. The Department considers any incidents of Sexual Harassment in determining whether to hire or promote anyone who may have contact with offenders. Policy requires every employee, as a continuing affirmative duty to disclose any such misconduct.

Georgia Department of Corrections requires the following regarding the hiring and promotion process: 1) Applicants responding to the PREA related questions asked of all applicants and documented on the Employment Verification Form; 2) Correctional applicants must pass a background check consisting of fingerprint checks, a check of the Georgia Crime Information Center and the National Crime Information Center; 3) Correctional Staff must pass an annual background check prior to going to the firing range annually to maintain their Peace Officers Standards Training Certification (POST); all other staff must pass a background check consisting of the GCIC and NCIC annually. Material omissions regarding misconduct or providing materially false information will be grounds for termination.

Policy also requires before hiring new employees, who may have contact with inmates, the agency performs a thorough criminal background records check. These checks include a check of the Georgia Crime Information Center and the National Crime Information Center, as well as an initial fingerprint check for all security positions.

Additionally, unless prohibited by law, the Department will 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. GDC Complies with the Federal Privacy Act and Freedom of Information Act, and all other applicable laws, rules and regulations.

115.18	<p>Upgrades to facilities and technologies</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Georgia Department of Corrections FY 2017- FY 2020 Strategic Plan</p> <p>Interviews: Georgia Department of Corrections Director of Compliance Superintendent</p> <p>Site Review: During the tour the auditor did not observe any new construction in progress at the facility.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 8 states: 5. All new or existing facility designs, modifications, and technology upgrades will include consideration of how they could enhance the Department’s ability to protect offenders against sexual abuse.</p> <p>Comments: The facility has had no new upgrades since 2012, this was confirmed through interviews and observation of the facility during the site tour. The Superintendent was well aware all new or existing facility designs and modifications and upgrades of technology will include consideration of how it could enhance the facility' s ability to protect inmates against sexual abuse and that the PREA Coordinator must be consulted in the planning process. Facility is very much in need o</p>
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115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program NIC Training Certificates: "Investigating Sexual Abuse in a Confinement Setting" "Communicating Effectively and Professionally with LGBT Offenders" "Medical Health Care for Victims of Sexual Assault in a Confinement Setting" "Behavioral Health Care for Victims of Sexual Assault in a Confinement Setting" "Security and Integrity" SANE Procedures PREA Investigation Protocol Memo Dated June 3, 2019 :No co-pay for expected sexual assault assessment/evaluations" Attempts to enter into MOU with Rape Crisis Center (fax)</p> <p>Interviews: Random Staff SANE Nurse (Prior interview) PREA Compliance Manager</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 13 - 16 states: B. Responsive Planning: 1. Evidence protocol and forensic medical examinations.</p> <p>a. Each facility shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. Reference SOP 103.10, Evidence Handling and Crime Scene Processing and SOP 103.06, Investigations of Allegations of Sexual Contact, Sexual Abuse, Sexual Harassment of Offenders.</p> <p>b. The Department's response to sexual assault follows the guidelines in the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," dated April 2013, or the most current version.</p> <p>c. When there is a report of an incident of sexual abuse that was alleged to have occurred within the previous 72 hours, or there is a strong suspicion that an assault may have been sexual in nature, a physical examination of the alleged victim shall be conducted to determine if immediate medical attention is necessary and if the SANE protocol should be initiated, (Attachment 5, Procedure for SANE Evaluation/Forensic Collection). The SANE examination shall be provided at no cost to the offender. Physical evidence from the suspected perpetrator(s) will be collected and may also include an examination. Offender consent must</p>

be obtained prior to initiating the SANE protocol, in accordance with 507.04.85 Informed Consent.

d. The Department stands in loco parentis for Youthful Offenders in its custody and can authorize a physical examination of such Youthful Offender without consulting his or her parent(s) so long as the Youthful Offender consents to the examination. For those offenders that are unable to consent or are incapacitated, the Department may authorize the collection of forensic evidence based on the Department's standing in loco parentis or as a guardian of the offender, whichever may be applicable. Physical evidence collection may also include an examination of and collection of physical evidence from the suspected perpetrator(s). Offender consent must be obtained prior to initiating the SANE protocol, in accordance with 507.04.85 Informed Consent.

NOTE: All PREA information is confidential in nature and shall only be released on a need-to-know basis. Staff members who fail to comply with the reporting provisions of this policy may be banned from correctional facilities, or will be subject to disciplinary action, up to and including termination, whichever is applicable.

e. The Institution PREA Compliance Manager, under the direction of the Warden/Superintendent, shall attempt to enter into agreement, or Memorandum of Understanding (MOU), with a rape crisis center to make available a victim advocate to offenders alleging sexual abuse/Sexual Harassment upon request. If the facility cannot do so, efforts must be documented and local staff shall be identified and specially trained to provide this service. Documentation of training must be maintained by the employee's manager and made available to the local PREA Compliance Manager upon request.

Note: Any agreement must be approved through the Legal Office prior to implementation.

f. Victim advocates from the community used by the facility shall be pre- approved through the appropriate screening process and subject to the same requirements as contractors and volunteers who have contact with offenders. The victim advocate serves as emotional and general support, navigating the offender through the treatment, evidence collection, and investigation process. The victim advocate has access to the offender similar to that of medical staff at the facility. Victim Advocates are not authorized to make decisions regarding offender care, or interfere with escort, security, or investigation procedures that are deemed necessary by the facility/investigator.

g. If an external agency is responsible for investigating the allegations of sexual abuse the Department shall request that the investigating agency follow the requirements of (a) through (e) of this section.

h. An administrative and/or criminal investigation shall be completed for all allegations of sexual abuse and Sexual Harassment. Allegations that involve potentially criminal behavior will be referred for investigation to OPS. This referral does not alleviate the facility from its responsibility of reaching a disposition on the administrative SART investigation.

i. In the event the investigation is referred to an outside entity that entity shall have in place a policy governing the conduct of such investigations.

Comments:

The Georgia Department of Corrections, Office of Professional Standards Investigators (Special Agents) conduct investigations of allegations that appear to be criminal in nature for the Department. These investigators undergo extensive training in conducting investigations and are empowered to arrest staff or inmates. Office of Professional Standards Investigators and Office of Professional Standards Special Agents attend a police academy in addition to any departmental training they receive. In addition to the eleven (11) weeks of police academy training, Special Agents attend another 13 weeks or more investigation training at the Georgia Bureau of Investigations Academy. An interview a Special Agent, confirmed that they attend 11 weeks of Basic Mandate Training at a Police Academy. Training includes basic law enforcement. They also attend 11-13 weeks at the Georgia Bureau of Investigations Academy where they are trained in the investigation process, crime scene preservation, interviewing victims of sexual abuse, intelligence technology, and other investigative courses. He also related Special Agents attend a three-day class related to PREA Investigations.

Special Agents are dispatched out of their Regional Office and cover a specific area with specific facilities however they may go elsewhere upon direction or assignment by the Special Agent in Charge. There are three regions: North, Southeast and Southwest. In the Southwest a special agent has been essentially designated as a PREA Investigator for that region, although he may be assigned elsewhere too. The PREA Coordinator indicated that a part of her strategic planning is to have a PREA investigator in each region.

Investigators are trained to follow a uniform process. Georgia Department of Corrections Standard Operating Procedures, 103.10, Evidence Handling and Crime Scene Processing (thirteen pages), provides extensive guidance in evaluating a crime scene, examining a crime scene, still/video photography, crime scene sketches, handling and collecting evidence (and storage of evidence), digital evidence, latent prints, collection of known samples, crime scene documentation, submission of evidence, equipment requirements and record retention.

An interview with the PREA Special Agent from the Southwest Region confirmed a specific and thorough process for conducting the investigation and in collecting evidence. He indicated that once notified, if the area has been secured, he will come to the facility and process the cell or crime scene while waiting on the Sexual Assault Nurse Examiner to arrive. Processing, he indicated, includes taking photos, using the alternative light source, review video, listen to phone calls, ask permission for swabs and secure search warrants if they don't consent, He related he will interview the victim but not right away, in an effort to not re-victimize them. Additional potential evidence may be clothing to be processed by the Georgia Bureau of Investigation Crime Lab.

The SANE conducts the forensic exam and turns the Rape Kit over to the Special Agent or to security in the absence of the Special Agent. The chain of custody begins, and the evidence may be secured in an evidence locker until it is turned over to the Special Agent who gets it to the crime lab for examination. He indicated as well that the GBI crime lab does not have a backlog of rape kits anymore so the turnaround time should be improved, enabling the investigation to proceed and conclude. (See 115.71 for more details about the investigation process)

Sexual Assault Response Team members are facility-based staff, composed generally of a

facility-based investigator who has completed the National Institute of Corrections on-line course, "PREA: "Investigating Sexual Abuse in a Confinement Setting", a medical staff, counseling or mental health staff (one of whom may serve as a staff advocate), and the retaliation monitor. Their role, in the event of an allegation that appeared to be criminal, is limited to ensuring the protection of the evidence and if an assault is alleged, getting the inmate medical attention immediately, all while protecting evidence insofar as possible. All inmate victims of sexual abuse are offered a forensic exam at no cost to the inmate/resident.

The Sexual Assault Nurse Examiners are contracted with the Georgia Department of Corrections to provide forensic examinations. Satilla Advocacy Center (headquarters for the SANEs) documented that they follow the National Protocol for Conducting Forensic Exams. Additionally, they provided a document entitled: "National Protocol for Sexual Assault Medical Forensic Examinations, 2nd Editions, Major Updates" summarizing the major categories of revisions made in the second edition of the National Protocol for Sexual Assault Medical Forensic Examinations. The revised protocol has the same emphasis and values as the original but are updated to reflect current technology and practice. The protocol offers recommendations to help standardize the quality of care for sexual assault victims and is based on the latest scientific evidence. The Agency's "Procedure for SANE Nurse Evaluation/Forensic Collection" provides a six-page document of instructions to follow in preparing for the forensic exam and for collecting evidence.

Upon learning of a sexual assault, the facility nurse is required to complete the Nursing Assessment Form for Alleged Sexual Assault. If the determination is that a possible sexual assault occurred, the Nurse completes the Plan portion of the form. This information documents notification of the Officer in Charge, SANE Nurse, and other notifications.

The facility has a SANE Call Roster providing contact information for Sexual Assault Nurse Examiners. Contact information is provided for three SANEs. There were no forensic exams required during the last twelve month.

The facility nurse documents the following information on the Medical PREA Log:

- Inmate Name and GDC Number
- Date of Incident
- Reported within 72 hours
- Transported to ER?
- Date of Transport
- Method of Transport
- Inmate Consent Form Signed
- SANE Nurse Notified
- Date/Time
- Date Exam Scheduled
- Date Exam Completed
- Time Nurse Arrived
- SANE Nurse Conducting Exam
- Company of SANE Nurse
- Inmate Refusal/Recant?
- GDC Chain of Command for Rape Kit
- Date Accepted by Security

If an inmate refuses an exam or recants, the nurse completes another log, entitled, "Refusal/Recantment Medical PREA Log" documenting the refusal, recanting, and notifications to the SANEs.

Additionally, the SANEs follow Georgia Department of Corrections, 208.06, Procedure for SANE Evaluation/Forensic Collection covering the following:

- Initial Report of Sexual Abuse/Assault
- Collection of evidence by SANE Nurse on-site
- SANE Assessment/Forensic Collection
- Referrals for Mental Health Evaluation and Counseling
- Medical PREA Log and SANE Invoice

There were no allegations or cases involving penetration requiring a forensic exam in the past 12 months. This was confirmed through reviewing the monthly PREA reports, consisting of no investigations, grievances and incident reports. In addition, interviews with the Superintendent, PREA Compliance Manager, and Lead RN confirmed the auditor's findings.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program GDOC Website</p> <p>Interviews: Agency Head Investigator</p> <p>Site Review: One investigation packet.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 15 - 16 states: g. If an external agency is responsible for investigating the allegations of sexual abuse the Department shall request that the investigating agency follow the requirements of (a) through (e) of this section.</p> <p>h. An administrative and/or criminal investigation shall be completed for all allegations of sexual abuse and Sexual Harassment. Allegations that involve potentially criminal behavior will be referred for investigation to OPS. This referral does not alleviate the facility from its responsibility of reaching a disposition on the administrative SART investigation.</p> <p>i. In the event the investigation is referred to an outside entity that entity shall have in place a policy governing the conduct of such investigations.</p> <p>The facility does not have a MOU with an outside advocacy agency even though attempts have been made,</p> <p>Comments: The Georgia Department of Corrections Policy (208.06) requires that all reports of sexual abuse and sexual harassment will be considered allegations and will be investigated. That includes any sexual behavior that was observed, that staff have knowledge of, or have a received a report about, or suspicions staff may have. Staff acknowledged that regardless of the source of the allegation, the allegation is reported and referred for investigation. If an allegation appears criminal in nature it is referred to the Department's Office of Professional Standards Investigator who is a Special Agent, trained extensively in conducting investigations and who has the power to affect an arrest of staff or inmates. Staff acknowledged that they understand that failing to report will result in disciplinary action up to and including dismissal.</p> <p>The Agency's PREA Investigation Protocol (Effective June 15, 2016) requires that every allegation (sexual abuse and sexual harassment) must be referred immediately to the local Sexual Assault Response Team with the local SART protocol initiated and investigations</p>

handled promptly, thoroughly, and objectively, incident notification made to the GDC PREA Coordinator within 24 hours of initiating the SART Investigation.

The Georgia Department of Corrections has established Sexual Assault Response Teams (SART) in each of the facilities; SART is responsible for the administrative investigation into all allegations of sexual abuse or sexual harassment. McEver Probation Detention Center has a Sexual Assault Response Team that is responsible for conducting the initial sexual abuse investigations and sexual harassment investigations. The SART Facility Based Investigator is required to complete the National Institute of Corrections Specialized Training (online) entitled: "PREA: Investigating Sexual Abuse Investigations in Confinement Settings." The SART team should be made up of a facility-based investigator, a nurse, a counselor, and a staff advocate. However, review of McEver Probation Detention Center PREA Local Procedure Directive does not identify the facility investigator or the staff advocate. The SART's role is to conduct an initial investigation into the allegation.

If an allegation appears to be criminal in nature, the SART will notify the OIC and Superintendent who will contact the applicable Regional Office. The Regional Office's Special Agent in Charge will then appoint or designate an Office of Professional Standards Investigator, a Special Agent, who has extensive investigative training through the Georgia Bureau of Investigation to conduct the criminal investigation. Special Agents have been empowered to affect an arrest if necessary. They also work with the local District Attorney and recommend criminal charges when the evidence warrants it.

Additionally, other Office of Professional Standards Investigators, who have completed mandate Law Enforcement Training and are empowered to arrest, are stationed in various facilities throughout the state. Their primary roles are related to gang activity and contraband; however, they too, may be called on to conduct an investigation.

If an allegation is criminal, the SART may conduct the administrative investigation, parallel with the Special Agent or Office of Professional Standards Investigator, including allegations of sexual harassment. Staff misconduct is investigated by the Office of Professional Standards Special Agent.

All investigations are documented and maintained. Investigations conducted by the Sexual Assault Response Team are entered into the GDC's data base and are reviewed by the PREA Unit and must be approved by them prior to the investigation being finalized and closed in the system.

The agency's website is replete with information related to PREA. A section entitled: "Department Response to Sexual Assault or Misconduct Allegations" asserts that employees have a duty to report all rumors and allegations of sexual assault and sexual misconduct through the chain of command. Another paragraph, "Investigations of Sexual Assault and Misconduct" states that the GDC is dedicated to producing quality investigations of alleged sexual assaults and sexual misconduct incidents. A separate section, "How do I Report Sexual Abuse or Sexual Harassment?" affirms the GDC investigates all allegations of sexual abuse and sexual harassment promptly, thoroughly, and objectively. Multiple ways to report are then identified and contact information is provided. There was one investigation conducted in the past 12 months prior to the audit.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program PREA Lesson Plans PREA Training Records with signatures</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 16 - 17 states: C. Training and Education: Participation in training must be documented through employee signature or electronic verification. Participation documentation will note that employees understood the training they have received by signing Attachment 1, Sexual Abuse/Sexual Harassment Prison Rape Elimination Act (PREA) Education Acknowledgement Statement. This form shall be retained in the employee’s local personnel file. At the conclusion of the training, employees are asked to seek additional supervisory direction, if necessary, to ensure understanding of the training.</p> <p>1. Employee Training:</p> <p>a. All Departmental employees shall be required to attend training annually on:</p> <ul style="list-style-type: none"> i. The Department’s zero-tolerance policy for Sexual Abuse and Sexual Harassment; ii. How to fulfill their responsibilities under the Department’s Sexual Abuse and Sexual Harassment prevention, detection, reporting, and response policies and procedures; iii. Offenders’ right to be free from Sexual Abuse and Sexual Harassment; iv. The right of offenders and employees to be free from retaliation for reporting Sexual Abuse and Sexual Harassment; v. The dynamics of Sexual Abuse and Sexual Harassment in confinement; vi. The common reactions of Sexual Abuse and Sexual Harassment victims; vii. How to detect and respond to signs of threatened and actual Sexual Abuse; viii. How to avoid inappropriate relationships with offenders; ix. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, Transgender, Intersex, or Gender Nonconforming offenders; and x. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

b. In-service training shall include gender specific reference and training to staff as it relates to the specific population supervised. Staff members transferring into a facility of different gender from prior institution shall receive gender-appropriate training.

c. New employees shall receive PREA training during Pre-Service Orientation.

d. Specialized training shall be required for members of the Sexual Abuse Response Team (SART) and any other staff members who are likely to be involved in the management and treatment of sexually abused victims and the perpetrators.

Comments:

Georgia Department of Corrections Policy 208.06 requires that staff is trained in the following:

- Department's Zero Tolerance Policy for Sexual Abuse and Sexual Harassment
- How to fulfill staff responsibilities under the Department's Sexual Abuse and Sexual Harassment
- Prevention, detection, reporting and response policies and procedures
- Offender's right to be free from Sexual Abuse and Sexual Harassment
- Right of offenders and employees to be free from retaliation for reporting Sexual Abuse and Sexual Harassment
- The dynamics of Sexual Abuse and Sexual Harassment victims
- How to detect and respond to signs of threatened and actual Sexual Abuse
- How to avoid inappropriate relationships with offenders
- How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, Transgender, Intersex; or Gender nonconforming
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside entities.

The reviewed lesson plan for annual in-service covers the required training topics.

Interviews with staff confirmed one hundred percent had completed PREA Training covering all the topics required by GDC Policy and the PREA Standards. During staff interviews, staff are asked to review the topics outlined on the questionnaire and to explain where and how they received that training. Staff confirmed having been trained in all those topics as both new employees and at annual in-service training.

Staff indicated they receive PREA Training as newly hired employees in pre-service orientation, at Basic Correctional Officers Training, at Annual In-Service Training and through on-line training including the required National Institute of Corrections course, "Communicating Effectively and Efficiently with LGBTI Offenders". Training was confirmed through interviews with randomly selected staff and specialized staff. Staff were specifically asked if annual training included the topics described and enumerated on the questionnaire for randomly selected staff and each employee confirmed that the training included all the topics. Training was also confirmed through reviewing Certificates confirming the NIC. "Communicating Professionally and Effectively with LGBTI Offenders."

Staff at the facility, in compliance with Georgia Department of Corrections Policies, receives their initial PREA Training as newly hired employees (Pre-Service Orientation). A block of training for the new employees is dedicated to PREA.

Newly hired Correctional Officers later attend Basic Correctional Officer Training (BCOT for Certification through the Georgia Peace Officers Training Council). A block of training includes PREA.

Following BCOT all staff and contractors are required to complete Annual In-Service Training

Following EOCT, all staff and contractors are required to complete Annual In-Service Training. Day 1 that includes PREA training. The reviewed agency's developed curriculum for Annual In-Service Training includes the following:

- Zero Tolerance
- Definitions
- Staff Prevention Responsibilities
- Offender Prevention Responsibilities
- Detection and Prevention Responsibilities
- Reporting Responsibilities
- Coordinated Response (Including First Responder Duties)
- Mandatory Reporting Laws (Official Code of Georgia)
- Inmate Education
- Retaliation
- Dynamics in Confinement
- Victimization Characteristics
- Warning Signs
- Avoiding Inappropriate Relationships with Inmates
- Communicating with Offenders
- Acknowledging LGBTI Offenders
- Search Procedures
- PREA Video
- PREA Training and Forms
- Enabling Objectives

The auditor reviewed training rosters documenting Day 1 annual in-service training. Rosters documented 1 day on which annual in-service training was provided. Staff signatures were observed on those training rosters.

The auditor also reviewed (25) twenty-five PREA Acknowledgments acknowledging new hires, medical contractors, employees, contractors, and volunteers are aware of the zero-tolerance policy and their mandate to report, as well as the consequences for becoming involved in sexual abuse or sexual harassment.

The agency provides training for PREA Compliance Managers once or twice a year. They also provide training for the Sexual Assault Response Teams at least twice a year.

The Agency's PREA Coordinator and the Assistant PREA Coordinator completed the Train the Trainer Advocacy Training provided by the Moss Group to enable them to train designated facility staff to serve as facility-based advocates.

PREA Compliance Managers attend training at least twice a year. The Sexual Assault Response Team receives training at least semi-annually on their roles in responding to allegations of sexual abuse. Specialized training is completed by SART members and medical staff.

PREA Related posters are prolific and posted in numerous locations throughout this facility and in this facility the posters and notices are posted strategically throughout the facility and in each living unit. Posters are also posted in administrative segregation and disciplinary isolation.

The investigator on the SART completed the specialized training for investigators through the National Institute of Corrections training, "Investigating Sexual Abuse in Confinement Settings". Additionally, the SART receives training in their roles in response to a sexual assault at least semi-annually. The auditor reviewed multiple certificates confirming the specialized training.

Interviewed staff was knowledgeable of the facility's zero tolerance for all forms of sexual abuse, sexual harassment and retaliation. Staff was specifically asked if they had received PREA training in each of the identified PREA Standards training topics; one hundred percent reviewed the topics and said they were trained in each of the topics and that training was provided during annual in-service training. Staff reported they are trained to take everything seriously and report everything and even a suspicion. They stated they would take a report made verbally, in writing, anonymously and through third parties and they would report these immediately to their shift supervisor and follow-up with a written statement or incident report before the end of their shift. Staff explained their roles as first responders. This included both uniform and non-uniform staff. Non-Uniform staff articulated the role and steps of the first responder just like the uniformed staff. If an inmate reported being at risk of imminent sexual abuse staff stated, they would act immediately and remove the inmate from the threat and report it to their immediate supervisor.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Contract Medical Staff Training Records</p> <p>List of Volunteers</p> <p>Volunteers PREA Acknowledgement Statements</p> <p>Interviews:</p> <p>Contract Medical Staff</p> <p>Volunteer</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 17 - 18 states:</p> <p>2. Volunteer and Contractor Training:</p> <p>a. The Department shall ensure that all volunteers and contractors who have contact with offenders are provided with a copy of this policy and have been trained on their responsibilities under the Department’s PREA policies and procedures.</p> <p>b. 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 offenders, but all volunteers and contractors who have contact with offenders shall be notified of the Department’s zero-tolerance policy regarding sexual abuse and Sexual Harassment and informed on how to report such incidents.</p> <p>c. Participation must be documented through volunteer and contractor signature or electronic verification, and will indicate that the volunteer and contractor understood the training they have received by signing Attachment 1, Sexual Abuse/Sexual Harassment Prison Rape Elimination Act (PREA) Education Acknowledgement Statement. At the conclusion of the training, volunteers and contractors are asked to seek additional direction from Department staff members, if necessary, to ensure understanding of the training.</p> <p>Comments:</p> <p>Volunteers often provide their services in one or more Georgia Department of Corrections (GDC) facilities, prisons or programs. Entrance into the facilities is granted with a valid and current Volunteer Identification Badge. Because of that issue and to achieve more consistency in training, rather than have each facility train them, training for volunteers is now provided by the state office Volunteer Coordinator’s Office to ensure consistency in training.</p> <p>Interviews with the State Director of Chaplaincy Services and the State Director of Volunteer Services indicated to the auditor, that if a volunteer shows up at the facility and possesses a valid and non-expired identification badge, the volunteer has completed the required PREA Training and has successfully completed a background check. If, a badge had expired, the</p>

Director informed the auditor that the volunteer would have to go back through 4 hours of orientation training once again; in addition, the contractor would be required to undergo another background check.

Statewide volunteer services are directed and coordinated by the statewide Director of Chaplaincy Services and Statewide Volunteer Coordinator, both full time positions in the state office. Volunteer Services are coordinated in the prisons by the Chaplain who is assigned to each prison. After a volunteer signs up for the volunteer training, the training will be conducted at the next training session that may be 3-4 weeks later. During the waiting period background checks are being processed. Training last about 3-4 hours and includes the following:

- Zero Tolerance
- Defining the Prison Rape Elimination Act
- Identifying Staff Awareness
- Discussion of the Dynamics of Sexual Abuse and Sexual Harassment
- Prevention and Reporting Procedures
- Sanctions

Volunteers complete an orientation that includes the following:

- NCIC Consent Form (for conducting the required background checks)
- Sexual Assault/Sexual Misconduct Acknowledgment Statement for Supervised Visitors/Contractors/Volunteers – acknowledging zero tolerance, duty to report, and an acknowledgment that entry into the facility is based on the volunteer's agreement not to engage in any sexual conduct of any nature with any offender and to report such conduct when learned. The Volunteer acknowledges that the consequences for failing to report or violating the agreement will result in being permanently banned for entering all GDC facilities and that GDC may pursue criminal prosecution.

On the other hand unlike volunteers, contract staff is required to attend the same Annual In-Service Training that all staff attends. Contract staff stated in interviews with the auditor that they attend Day 1 Annual In-Service Training.

Volunteer and Contractor Training, requires all volunteers and contractors who have contact with inmates to be trained on their responsibilities under the Department's PREA policies and procedures. This training is based on the services being provided and the level of contact with inmates, however all volunteers and contractors are required to be notified of the Department's zero-tolerance policy and informed how to report such incidents. Participation must be documented and indicate the understanding of the training received. Training for volunteers is provided GDC state office. Contractors receive training at the facility and attend departmental annual in-service training like all other employees.

The auditor reviewed PREA Acknowledgement Statements for contractors and volunteers. The GDC Acknowledgment Statements are for supervised visitors/contractors/volunteers. It acknowledges that they understand the agency has a zero-tolerance policy prohibiting visitors, contractors, and volunteers from having sexual contact of any nature with offenders.

Interviewed contractors confirmed they attend the same annual in-service training as Georgia Department of Corrections employees. They also confirmed receiving the NIC, LGBTI training. An interviewed volunteer stated he had been trained on the facility's zero tolerance policy, and had also been trained to report anything he became aware of. He stated he would report it to

had also been trained to report anything he became aware of. He stated he would report it to the first correctional officer he saw. The interviewed volunteer affirmed he had a background check and was informed about the zero-tolerance policy as well as how to report and to whom to report.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>PREA brochure Spanish and English</p> <p>Language Line ID Cards</p> <p>Tips for interacting with persons with disabilities</p> <p>Tips for working with interpreters</p> <p>Memo dated July 1, 2019 way to report</p> <p>Memo dated July 1, 2019 LEP inmates reporting</p> <p>Interviews:</p> <p>Intake Staff</p> <p>Random Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 18 - 19 states:</p> <p>3. Offender Education: Notification of the GDC's zero-tolerance policy for sexual abuse and harassment and information on how to report an allegation at the receiving facility shall be provided to every offender upon arrival to the facility. In addition to verbal notification, offenders will be provided a GDC PREA pamphlet. Within 15 days of arrival, formal PREA education will be conducted by assigned staff members to all offenders which will include a gender appropriate video on sexual abuse. Both the initial notification and the formal education will be documented in writing by signature of offender and placed in the offender's institutional file.</p> <p>In the case of Exigent Circumstances, such training may be delayed, but no more than 30 days. If the Exigent Circumstance extends beyond 30 days, justification and documentation must be placed in the offender's institutional file. Once the Exigent Circumstance no longer applies, such training must be provided immediately. This education is documented in the same manner as for offenders who participated during the regularly scheduled orientation.</p> <p>a. The PREA education will be provided by designated staff members and the presentation must include:</p> <p>i. The Department's zero tolerance of sexual abuse and Sexual Harassment;</p> <p>ii. Definitions of sexually abusive behavior and Sexual Harassment;</p> <p>iii. Prevention strategies the offender can take to minimize his/her risk of sexual victimization while in Department custody;</p> <p>iv. Methods of reporting an incident of sexual abuse/Sexual Harassment against oneself, and for reporting allegations of sexual abuse involving other offenders;</p>

v. Treatment options and programs available to offender victims of sexual abuse and Sexual Harassment;

vi. How an investigation begins and the general steps to an investigation;

vii. Monitoring, discipline, and prosecution of sexual perpetrators;

viii. The prohibition against retaliation for reporting, and;

ix. Notice that male and female staff routinely work and visit housing areas;

b. The facility shall maintain documentation of offender participation in these education sessions in the offender's institutional file.

c. A poster reflecting the Department's zero tolerance for sexual abuse and Sexual Harassment, contact information and methods of offender reporting shall be posted in each housing unit and common area throughout the facility.

Comments:

PREA information is presented to inmates in a manner that enables the inmate to understand and to participate fully in the Agency's prevention, detection, responding and reporting PREA efforts. If a limited English proficient resident was admitted, the facility has access to Language Line professional interpretive services. Coordination of these services may be expedited by the local ADA Coordinator contacting the Statewide ADA Coordinator or designee who can facilitate access to professional interpreters either on the phone, via video, or in person. If a resident is deaf, the staff may use Language Line to access an interpreter using American Sign or access one of the many statewide contracts for interpretive services, both via phone, in person, or through video conference. The facility has one bilingual staff who serves as an interpreter for Spanish speaking inmates, if needed.

If, on admission, an inmate has literacy issues or is cognitively disabled, the initial intake information may be read to them. If needed, the facility has part-time GED teacher. If a teacher is available during the admission, the teacher may ensure the resident understands. The facility may also use general population counselors or any staff to assist in communicating the information necessary to attempt to keep the inmate safe.

Georgia Department of Corrections Policy requires that incoming inmates, during intake, are provided notification of the GDC's zero-tolerance policy for sexual abuse and harassment and information on how to report an allegation is provided to the inmate upon arrival at the facility. In addition to the verbal notification, offenders will be given a PREA Pamphlet. When newly arriving inmates are processed, intake staff indicated that they inform the inmates of zero tolerance and how to report sexual misconduct.

A review PREA offenders signatures on sign in sheets indicated inmates received information within 24 hours of admission. Also, PREA is addressed in the Detainees Handbook page 12, that includes reporting sexual assault or sexual harassment.

Informal interviewed inmates during the on-site audit site review confirmed these inmates are receiving the required PRFA information and they are aware of the zero -tolerance policy how

receiving the required PREA information and they are aware of the zero-tolerance policy, how to report and they are not to be retaliated or punished for reporting sexual abuse.

The PREA Education must include: 1) The Department's zero-tolerance of sexual abuse and sexual harassment; 2) Definitions of sexually abusive behavior and sexual harassment; 3) Prevention strategies the offender can take to minimize his/her risk of sexual victimization while in Department Custody; 4) Methods of reporting; 5) Treatment options and programs available to offender victims of sexual abuse and sexual harassment; 6) Monitoring, discipline, and prosecution of sexual perpetrators; 7) and Notice that male and female routinely work and visit housing area.

The intake/orientation staff asserted that all inmates receive all the required PREA information during the admissions process. PREA education starts immediately upon the inmate's arrival at the facility. Staff explained the process for providing the information and explained that in addition to watching the PREA Video, inmates have the opportunity to ask questions if they have any. Interviewed inmates indicated they received PREA Information on admission. They also stated they watched the PREA Video during orientation that provided PREA education.

115.34	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Medical Training Records Instructions for PREA NIC Training "Communicating Effectively and Professionally with LGBTI Offenders" NIC Certificates: "Investigating Sexual Abuse in a Confinement Setting" "Medical Health Care for Sexual Assault Victims in a Confinement Setting" "Behavioral Health Care for Sexual Assault Victims in a Confinement Setting"</p> <p>Interview: Facility Based Investigator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 19 - 20 states: 4. Specialized Training (Investigations):</p> <p>a. All staff investigating sexual abuse/Sexual Harassment allegations must be specially trained in conducting sexual abuse/Sexual Harassment investigations in confinement settings.</p> <p>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.</p> <p>c. The Department shall maintain documentation that agents and investigators, whether internal or external, have completed the required specialized training in conducting sexual abuse investigations.</p> <p>Comments: All facility-based investigators received the National Institute of Corrections on-line specialized training for investigating sexual abuse in a confinement setting. Additionally, SART members attend training at least annually conducted by the Georgia Department of Corrections. The Office of Professional Standards Investigators, who conduct a criminal investigations, have attended the mandated law enforcement training and Special Agents, who conduct criminal investigations, have completed not only mandate law enforcement training but also, they attend 13 more weeks of investigative training at the Georgia Bureau of Investigations Academy at the Georgia Public Safety Training Center in Forsyth, Georgia.</p> <p>The agency (GDC) requires that investigators complete specialized training regarding conducting investigations of sexual abuse in confinement settings. The specialized training, in addition to the extensive training required for the Department's Office of Professional</p>

Standards and Special Agents, covers all the topics required by the PREA Standards: interviewing sexual abuse victims; Miranda and Garrity Warnings; Evidence Collection in Confinement Settings; and the Criteria for the evidence Required to Substantiate a Case for administrative action or criminal prosecution.

Special Agents assigned to the Regional Offices receive extensive training in conducting sexual abuse investigations. They attend mandate training for law enforcement officers at a regional police academy, followed by an additional 13 weeks of training at the Georgia Bureau of Investigation Academy. Special Agents are assigned to conduct criminal investigations.

The Office of Professional Standards Investigators attends mandate law enforcement training and complete the on-line training provided by the NIC. These investigators have arrest powers and are assigned facility by regions and work facilities which they are responsible. These investigators are primarily involved in intelligence gathering, gang activity, and contraband however they too may conduct the criminal investigation.

The facility conducts its own investigations of allegations of sexual assault, sexual harassment or retaliation. These are conducted by the Sexual Assault Response Team (SART). A primary investigator, referred to as the facility- based investigator, leads the investigation. Allegations that appear criminal are investigated by a Georgia Department of Corrections (GDC), Office of Professional Standards, Special Agent, assigned to the investigation by a GDC Regional Office. Special Agents receive extensive investigation training through attending the Police Academy and the Georgia Bureau of Investigations Training Academy (11-13 weeks); through the NIC online training, Conducting Sexual Abuse Investigations in Confinement Settings and through a two-day training provided by the GDC that trains staff in conducting investigations into sexual assaults in GDC facilities. Special Agents, according to the PREA Coordinator, complete mandated specialized Criminal Investigation Classes at the Georgia Public Safety Training Center and a two-day Specialized PREA Investigations Training.

If the allegation is not criminal, the facility's Sexual Abuse Response Team (SART) composed of the PREA Compliance Manager/SART Leader; a representative from medical and from mental health, the victim advocate and the Special Agent in Charge at the Regional Office is notified.

The new appointed facility-based investigator understood the investigative process. He indicated has completed the online training "PREA: Investigating Sexual Abuse in a Confinement Setting". He described the investigation process and indicated if an allegation appeared criminal the Superintendent would refer the case to the Regional Office for the Special Agent in Charge to assign a Special Agent assigned to conduct the investigation.

The agency has implemented a computer- based system in which the facility-based investigator inputs the components of the investigation for review by the Agency's PREA Coordinator and/or Assistant PREA Coordinator. If they believe additional information is needed, they inform the facility-based investigator and will not authorize the close-out of the investigation until the PREA Unit approves the investigation. Interviews with the Facility-Based Investigator, PREA Compliance Manager (also trained to conduct investigations in confinement settings), Agency PREA Coordinator and a Special Agent (previous interview) confirmed the investigative process and the fact that the investigators have all completed specialized training in conducting sexual abuse investigations in confinement settings.

The newly appointed facility-based investigator confirmed receiving the NIC training. He was also knowledgeable of the investigation process and correctly responded to the questions from the PRC Questionnaire for Investigators. He indicated the investigation would be initiated immediately and described evidence that would be reviewed and considered, that he would not require a victim to take a truth telling device as a condition for proceeding with an investigation, that the departure of an employee or an inmate would not stop the investigation and that he would judge the credibility of a witness based solely on the evidence.

115.35	Specialized training: Medical and mental health care
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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Documents Reviewed:

Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program

Contract Medical Training Records 2019

Interviews:

Medical Staff

Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 20 states:

5. Specialized Training (Medical and Mental Health Care): GDC medical and mental health staff members and Georgia Correctional HealthCare (GCHC) staff members who have contact with offenders will be trained using the National Institute of Corrections (NIC) Specialized Training PREA Medical and MH Standards curriculum. Certificate of completion will be printed and maintained in the employee training file. In addition to the specialized training, these same employees are required to attend GDC's annual PREA in-service training.

Comments:

The Lead Nurse related that all of staff has completed the PREA Training required and the specialized training provided by the National Institute of Corrections. They also attend the same PREA Training as all other employees during annual in-service training.

Mental Health Staff also are required to complete the on-line training, "Communicating Effectively with LGBTI Offenders". McEver Probation Detention Center does not have mental health service providers on site, Central State Prison in Macon, Ga., provides mental health service to their offenders as needed.

Georgia Department of Corrections (GDC) Policy, in 208.06, Paragraph 5, requires Georgia Department of Corrections medical and mental health staff and Georgia Correctional Healthcare staff who have contact with offenders to be trained using the National Institute of Corrections (NIC) Specialized training. Policy also requires that they also attend GDC's annual PREA in-service training. That specialized training is provided by the National Institute of Corrections in their on-line courses; Health Care for Victims of Sexual Abuse in Confinement Settings; and Behavioral Health Care for Victims of Sexual Abuse in Confinement Settings. The specialized training includes how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence, and how to respond effectively and professionally to victims of sexual abuse and sexual harassment.

The facility does not perform forensic exams. The agency has a contract with Satilla Rape Crisis Center/Advocacy Center to conduct forensic examinations. The SANE comes on site to the prison to conduct the exams. Previous interviews with SANEs confirmed their process for conducting the exams. The SANE would come to the facility to conduct the forensic exam or to another State Prison.

Medical staff also must complete the same training provided for all employees. Training Rosters documented their attendance at annual in-service training conducted most recently by the Georgia Department of Corrections in 2019. The Pre-Audit Questionnaire documented one hundred percent of the medical staff completing the required specialized training.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Eleven PREA Classification Assessments Referral Form</p> <p>Interviews: Intake Staff (Screening) PREA Coordinator PREA Compliance Manger Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 20 - 21 states: D. Screening for Risk of Sexual Victimization and Sexual Abusiveness:</p> <ol style="list-style-type: none"> 1. All offenders shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other offenders or sexually abusive toward other offenders. 2. Counseling staff members will conduct a screening for risk of victimization and abusiveness, in SCRIBE, through use of Attachment 2, PREA Sexual Victim/Sexual Aggressor Classification Screening Instrument. This screening will be conducted within 24 hours of arrival at the facility. Information from this assessment will be used to determine classification decisions with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. NOTE: The risk assessment should not hinder classification opportunities. 3. Offenders should be encouraged to disclose as much information as possible for the Department to provide the most protection possible under this policy. If an offender chooses not to respond to questions relating to his or her level of risk, he or she may not be disciplined. 4. Offenders whose risk screening indicates a risk for victimization or abusiveness shall be reassessed whenever warranted due to an incident, disclosure or allegation of sexual abuse or harassment and also for all offenders, within 30 days of arrival at the institution. A case note shall be entered in SCRIBE to indicate this review has been conducted. This case note is for the sole purpose of documenting the screening occurred and shall not include any confidential or clinical information. <p>NOTE: Any information related to sexual victimization or abusiveness, including the information entered into the comment section of the Intake Screening Form, is limited to a need-to-know basis for staff, only for the purpose of treatment, security, management, and classification decisions.</p>

Comments:

Policy requires counseling staff to conduct a screening for risk of victimization and abusiveness, in SCRIBE, the offender database using the instrument, PREA Sexual Victim/Aggressor Classification Screening Instrument. Policy requires that the assessment is done within 24 hours of arrival at the facility. At this facility, interviews with a Counselor conducting the Victim/Aggressor Assessment and reviewed Victim/Aggressor Assessments indicated that the assessments are done as part of the admissions process and are done well within 24 hours of admission.

All the reviewed assessments (11) eleven uploaded in the PAQ were completed within 24 hours of admission. Information from the screening will be used to inform housing, bed assignment, work, education and program assignments. Policy requires that outcome of the screening is documented in SCRIBE.

The Offender PREA Classification Details considers all the following sexual victim factors:

- Offender is a former victim of institutional rape or sexual assault
- Offender is 25 years old or younger or 60 years or older
- Offender is small in physical stature
- Offender has a developmental disability/mental illness/physical disability
- Offender's first incarceration
- Offender is perceived to be gay/lesbian/bisexual transgender/intersex or gender non-conforming
- Offender has a history of prior sexual victimization
- Offender's own perception is that of being vulnerable
- Offender has a criminal history that is exclusively non-violent
- Offender has a conviction(s) for sex offense against adult and/or child?

If question #1 is answered yes, the offender will be classified as a Victim regardless of the other questions. This generates the PREA Victim icon on the SCRIBE Offender Page. If three (3) or more of questions (2-10) are checked, the offender will be classified as a Potential Victim. This will generate the PREA Potential Victim icon on the SCRIBE offender page.

The Offender PREA Classification Detail considers the following Sexual Aggressor Factors:

- Offender has a history of institutional (prison or jail) sexually aggressive behavior
- Offender has a history of sexual abuse or sexual assault toward others (adult or child)
- Offender's current offense is sexual abuse/sexual assault toward others (adult or child)
- Offender has a prior conviction(s) for violent offenses

If question #1 is answered yes, the inmate will be classified as a Sexual Aggressor regardless of the other questions. This will generate the PREA Aggressor icon on the SCRIBE Offender page. If two (2) or more of questions (2-4) are checked, the offender will be classified as a Potential Aggressor. This will generate the PREA Potential Aggressor icon on the SCRIBE Offender page.

Policy also states in situations where the instrument classifies the offender as both Victim and Aggressor counselors are instructed to thoroughly review the offender's history to determine which rating will drive the offender's housing, programming, etc. This also is required to be documented in the offender SCRIBE case notes, with an alert note indicating which the controlling rating is.

To better protect the inmate, staff is required to encourage inmates to respond to the questions but, staff cannot discipline them for not answering any of the questions. The screening process considers minimally, the following criteria to assess inmate's risk of sexual victimization: Whether the inmate has a mental, physical, or developmental disability; the age of the inmate; the physical build of the inmate; whether the inmate has been previously incarcerated; whether the inmate's criminal history is exclusively nonviolent; whether the inmate has prior conviction for sex offenses against an adult or child; whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming; whether the inmate has previously experienced sexual victimization; the inmate's own perception of vulnerability and whether the inmate is detained solely for civil immigration purposes. It also considers prior acts of sexual abuse; prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known by the Department, Other

factors considered are physical appearance, demeanor, special situations or special needs, social inadequacy and developmental disabilities.

Auditor observed intake process while on site (PREA education/risk screening)

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Safe Dorms Memo Dated July 1, 2019</p> <p>30 Day Reassessments</p> <p>Classification Forms</p> <p>Interviews:</p> <p>PREA Compliance Manager</p> <p>Staff Responsible for Risk Screening</p> <p>PREA Coordinator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 21 states:</p> <p>5. The Warden/Superintendent shall designate a safe dorm(s) or safe beds for those offenders identified as highly vulnerable to sexual abuse. Location(s) shall be identified in Attachment 7, PREA Local Procedure Directive and Coordinated Response Plan and in the Staffing Plan.</p> <p>6. In deciding whether to assign a Transgender or Intersex offender to a male or female facility and in making other housing and programming assignments, the Department shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems.</p> <p>7. Placement and programming assignments for each Transgender or Intersex offender shall be reassessed no less than every six months to review any threats to sexual safety of the offender.</p> <p>Comments:</p> <p>A memo from the Superintendent dated July 1, 2019 designated dorm B as a safe dorm. Placement and programming assignments are based on the risk screening conducted within 24 hours of admission, as well as any other pertinent information contained in the inmate's file or in the offender database known as SCRIBE. The initial PREA Assessment may be used to determine housing initially however the classification committee of the facility considers the available information from a variety of sources, including the inmate's file, offender database, and any screening done at the facility prior to the classification committee meeting.</p> <p>The 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; bedding; education assignments and program assignments. This is required in GDC Policy 208.06, D. Screening for Risk of Victimization and Abusiveness, Use of Screening Information.</p>

In addition, inmates at high risk for sexual victimization will not be placed in involuntary segregated housing unless an assessment of all available alternatives have been made and there is no alternative means of separation from likely abusers. If an assessment cannot be made immediately the offender may be held in involuntary segregation for no more than 24 hours while completing the assessment. The placement and justifications for placement in involuntary segregation must be noted in SCRIBE. While in any involuntary segregation, the offender will have access to programs as described in GDC SOP 209.06, Administrative Segregation which also provides for reassessments as well and the offender will be kept in involuntary segregated housing for protection only until a suitable and safe alternative is identified.

Potential victims are assigned to general population dorms and are not housed in designated dorms. The staffing plan at McEver Probation Detention Center designates safe beds (B Dorm) meaning that aggressors are not to be placed in these dorms. With this arrangement it appears unlikely that an inmate will be assaulted.

The Classification Committee, according to the Counselor, would have a face to face meeting with each transgender coming into the facility and the offender would be asked if they felt vulnerable and if so, what the committee might do to make them feel safer. Staff indicated the offender's view for their own safety would be given serious consideration. They also stated if the inmate requested to shower separately because of safety and personal issues, the facility would strive to accommodate. Housing assignments for each transgender inmate would be made, according to staff, based on the PREA Assessment and the inmate's feelings regarding safety.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo dated January 2020 Statement of Fact Memo dated July 2019 SART Team Member</p> <p>Interviews: Assistant Superintendent Staff who Supervise Segregated Housing</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 21 - 22 states: 9. Offenders at high risk for sexual victimization or aggression shall not be placed in involuntary segregation based solely on that determination unless a determination has been made that there is no available alternative means of separation from likely abusers. This placement, including the concern for the offender's safety must be noted in SCRIBE case notes with documentation of why no alternative means of separation can be arranged.</p> <p>a. Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.</p> <p>b. The facility shall assign such offenders to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.</p> <p>c. If offenders placed in segregated housing for this purpose have restricted access to programs, privileges, education, or work opportunities, then the facility shall document: 1) the opportunities that have been limited; 2) the duration of the limitation; and 3) the reasons for such limitations.</p> <p>d. Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.</p> <p>Comments: The auditor reviewed a memo dated January 16 2020, stating "There have been no request for Protective Custody at McEver Probation Detention Center. However, if a request is made, facility staff will investigate the legitimacy of the request and provide the offender with a written decision concerning his request. A copy of this investigation will also be placed in the offender's institutional file."</p> <p>The Pre-Audit Questionnaire documented that there has been no inmate at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of an assessment. It also affirmed there have been no inmates</p>

who were held in involuntary or segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement. There have been no inmates placed in involuntary segregation as the result of having a high potential for victimization or for being at risk of imminent sexual abuse. This was confirmed through reviewing the Pre-Audit Questionnaire, sampled inmate files, and interviews with the Superintendent, PREA Compliance Manager, Staff Supervising Segregation the memo dated January 16, 2020, mentioned above.

Inmates at high risk for sexual victimization are housed in the general population. They are not placed in segregated housing and would not be placed there unless there were no other options for safely housing the inmate/resident. Inmates identified as having a risk for victimization would be housed in B Dorm; this dorm has designated safe beds for victims.

If there was no place to safely house a potential or actual victim, the victim will be temporarily housed in the administrative segregation area but would be expeditiously transferred to another facility.

If an inmate is assigned to involuntary segregated housing it is only until an alternative means of separation from likely abusers can be arranged and such an assignment does not ordinarily exceed a period of 30 days. If the facility uses involuntary segregation to keep an inmate safe, the facility documents the basis for their concerns for the inmate's safety and the reason why no alternative means of separation can be arranged. Reviews are conducted every 30 days to determine whether there is a continuing need for separation from the general population.

Inmates in involuntary protective custody, in compliance with policy, will have access to programs and services like those of the general population, including access to medical care, mental health, recreation/exercise, education, and the phone.

115.51	Inmate reporting
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Reviewed page 12 of the detainee handbook "PREA" Memo dated July 1, 2019 Reporting Memo dated July 1, 2019 To staff and offenders "Ways to Report"</p> <p>Site Review: Phones with dialing instructions printed on the walls by the phones; multiple PREA related posters in dorms and throughout the facility.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 22 - 23 states: E. Reporting:</p> <p>1. Offender Reporting:</p> <p>a. Offenders may make a report of sexual abuse, Sexual Harassment, or retaliation by any of the following methods: in writing, or verbally, through internal or external methods available. Offenders shall be encouraged to report allegations immediately and directly to a staff member. All reports will be promptly documented and investigated. Offenders may choose to report these allegations anonymously.</p> <p>b. The Department may choose to maintain a sexual abuse hotline, currently known as the "PREA" hotline. Hotline calls will not require the use of the offender's PIN number. Should a sexual abuse hotline be maintained, monitoring of this line will be the responsibility of the OPS, with immediate oversight by the Department's PREA Coordinator, or designee.</p> <p>Comments: The agency and McEver Probation Detention Center provide multiple ways for inmates to report both internally and externally. These include multiple ways to internally and privately report allegations of sexual abuse, sexual harassment, retaliation and staff neglect or violations that may have contributed to the incident.</p> <p>This facility houses levels 1, 2, 3, and 4 offenders who are on probation. The detention center does not house any inmates who are being detained solely for civil immigration purposes.</p> <p>Staff at this facility, in compliance with GDC Policy, and the PREA Standards, accepts reports from all sources, including those from third parties and reports made anonymously. Policy requires that they report these to their immediate supervisor immediately and/or Designated SART member and follow-up with a written witness statement or incident report prior to the end of their shift. Interviewed staff indicated they would be disciplined for failing to report and that would most likely be termination.</p>	

Staff may report allegations of sexual abuse and sexual harassment in the same ways the inmates may report. The PREA Brochure, Sexual Assault, Sexual Harassment, Prison Rape Elimination Act, How to Prevent It, How to Report It, advises inmates that reporting is the first step and includes the following: PREA Hotline, Statewide PREA Coordinator (contact information provided), Ombudsman (mailing address and phone number provided), and Director of Victim Services (mailing address provided). Inmates are told to report it, even if they don't have any evidence, they may report to any staff, drop a note or call the PREA hotline.

Inmates are educated on ways they can report through multiple sources. These include information provided to them at intake and during orientation, through streaming video informing inmates of ways to report, including to outside entities such as the Ombudsman, and to the Office of Victim Services. The facility also provides inmates the tools to make reports. Phones are available for making calls to the PREA Hotline Unit as well instructions are painted on the walls next to the phones.

Staff is trained to treat all allegations as confidential. Therefore, when allegations are reported up the chain of command, they are kept private and are only forwarded to the Superintendent, who then determines who else needs to be notified. Typically, only the Sexual Assault Response Team, Georgia Department of Corrections PREA Coordinator, and the Georgia Department of Corrections Internal Investigations (Office of Professional Standards).

Interviewed staff indicated they would take a report of sexual abuse or sexual harassment from any source seriously, report it to their immediate supervisor and follow-up with a written report, a witness statement or incident report, prior to the end of the shift.

Interviewed inmates named multiple ways to report. A review of the inmate interviews confirmed the following ways inmates named as ways they could report:

- Hotline
- Staff
- Note
- Family
- Grievance
- Superintendent

Inmates may file grievances however, the agency has determined and asserted in the revised Standard Operating Procedure that allegations of sexual abuse and sexual harassment are not grievable issues because of the potential for losing time in responding. If a grievance is received and determined to be PREA related, the grievance is immediately turned over to the SART Team, and an investigation begins.

Multiple PREA related posters were observed posted throughout the facility keeping PREA information continuously available to inmates. Zero Tolerance Posters, located throughout the facility, as well as other PREA related posters, explaining that inmates have the right to report and listing some ways inmates may choose to report.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Policy 227.02 Statewide Grievance Process</p> <p>Inmate handbook page 12 PREA</p> <p>Memo Dated July 1, 2019 Grievances PREA Related</p> <p>Interviews:</p> <p>No Inmates reported sexual abuse or sexual harassment via the grievance process within the last 12 months.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 23 states:</p> <p>3. Offender Grievances: Allegations of Sexual abuse and Sexual Harassment are not grievable issues. They should be reported in accordance with methods outlined in this policy.</p> <p>Comments:</p> <p>Offender Grievances, in an updated policy, states that all allegations of sexual abuse and sexual harassment are not grievable issues. These should be reported in accordance with methods outlined in the policy.</p> <p>Prior to the change in the policy, with an effective date of March 2, 2018, inmates did file grievances and those reviewed by the auditor were responded to by immediately turning them over to the Sexual Assault Response Team for investigation.</p> <p>If a grievance alleged sexual abuse, it would be turned over to the SART to begin an investigation, as the grievance process ceases. Although policy asserts that allegations of sexual abuse or sexual harassment are not grievable, inmates have often used that as a form of reporting. In those cases, the grievance would be turned over to the Sexual Assault Response Team to be investigated. None of the reviewed grievances contained allegations of sexual abuse or sexual harassment.</p>

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program PREA Brochures Spanish and English Memo "Ways to Report" Language Line ID Card Tips for Working with Interpreters Crisis Line & Safe House correspondents, Sample of MOU</p> <p>Interviews: Random Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 15 states: e. The Institution PREA Compliance Manager, under the direction of the Warden/Superintendent, shall attempt to enter into agreement, or Memorandum of Understanding (MOU), with a rape crisis center to make available a victim advocate to offenders alleging sexual abuse/Sexual Harassment upon request. If the facility cannot do so, efforts must be documented and local staff shall be identified and specially trained to provide this service. Documentation of training must be maintained by the employee's manager and made available to the local PREA Compliance Manager upon request.</p> <p>Note: Any agreement must be approved through DOC Legal Office prior to implementation.</p> <p>f. Victim advocates from the community used by the facility shall be pre- approved through the appropriate screening process and subject to the same requirements as contractors and volunteers who have contact with offenders. The victim advocate serves as emotional and general support, navigating the offender through the treatment, evidence collection, and investigation process. The victim advocate has access to the offender similar to that of medical staff at the facility. Victim Advocates are not authorized to make decisions regarding offender care, or interfere with escort, security, or investigation procedures that are deemed necessary by the facility/investigator.</p> <p>Comments: The facility has attempted to enter into a Memorandum of Understanding with the agency Crisis Line & Safe House in Macon, Georgia to provide a 24/7 hotline enabling inmates to contact the center via phone or by mail.</p> <p>The facility has a trained advocate who can provide emotional support for an inmate victim of sexual assault if requested. This was confirmed through interviewing the staff advocate and reviewing the Certificates documenting his online training as an advocate.</p> <p>GDC Procedures require the facility attempt to enter into an agreement with a rape crisis</p>

center to make available a victim advocate to inmates being evaluated for the collection of forensic evidence. Victim advocates from the community used by the facility will be per-approved through the appropriate screening process and subject to the same requirements of contractors and volunteer who have contact with inmates. Advocates serve as emotional and general support, navigating the inmate through the treatment and evidence collection process.

Although the facility does not have a MOU with an outside advocacy agency, inmates have access to the GDC Ombudsman, GDC Tip Line, and the State Board of Pardons and Parole, Victim Services. Contact information, including phone numbers and mailing addresses are provided, posted and accessible to inmates.

GDC Policy IIA23-0001, Consular Notification; affirms it is the policy of GDC that the Consulate General of an inmate's native country be kept informed as the inmate's custody status or occurrences to the Vienna Convention on Consular Relations. Inmates will be provided information on how to access Foreign Consular Offices in the United States. This information is available for download at <http://www.state.gov/s/cpr/ris/fco> This policy prescribes the GDC's responsibility for notification and that the inmate be informed of such notification. Foreign National inmates are allowed visitation with representatives from the Consulate General of his/her native country.

Inmates have access to their attorney's if they have one, they may correspond with them, call them and visit with them at the prison. Professional visits are available during normal duty hours and by other appointment to accommodate them. Inmates have access to their parents or relatives daily via phone, through the mail, and through visitation.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated July 1, 2020 "Ways to Report"</p> <p>Site Review: Review of the Agency's Website (Georgia Department of Corrections).</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 23 states: 2. Third Party Reporting:</p> <p>a. Third party reports may be made to:</p> <p>i. The Ombudsman's Office at P.O. Box 1329 Forsyth, Ga 21029 478- 992-5358</p> <p>ii. By email to the PREA Coordinator at: PREA.report@gdc.ga.gov; and</p> <p>iii. State Board of Pardons and Paroles, Office of Victim Services, 2 Martin Luther King, Jr. Drive, S.E., Balcony Level, East Tower, Atlanta, Georgia 30334.</p> <p>b. Staff members shall accept reports made verbally, in writing, and from third parties and shall promptly document any verbal reports.</p> <p>c. Staff members shall forward all reports or suspicions of sexual abuse or Sexual Harassment to their immediate supervisor or the designated SART member promptly.</p> <p>Comments: The Georgia Department of Corrections has established ways to receive third party reports. GDC Policy 208.06, Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention and Intervention Program, page 23, Paragraph 2. Third Party Reporting provides for Third Party Reports to be made to the following:</p> <ul style="list-style-type: none"> • Ombudsman's Office (address and phone number provided) • Email to the PREA Coordinator (email address provided) • State Board of Pardons and Paroles, Office of Victim Services (mailing address provided) <p>Policy also requires, in 208.06, b. that staff will accept reports made verbally, in writing and from third parties and will promptly document any verbal reports.</p> <p>The Georgia Department of Corrections Website provides information about PREA in addition to including the Policy on PREA; the website has a section entitled: "How do I Report Sexual Abuse or Sexual Harassment". The section advises the viewer that GDC investigates all allegations of sexual abuse and sexual harassment promptly, thoroughly, and objectively. Then it provides ways for third parties to report allegations of sexual abuse and sexual harassment. These include the following:</p>

- Call the PREA Confidential Reporting Line (toll free number provided and advises that these reports are recorded, and messages are checked Monday through Friday.
- Report via email to: PREA.report@gdc.ga.gov
- Send correspondence to Georgia Department of Corrections, ATTN: Office of Professional Standards PREA Unit, (Address provided)
- Contact the Ombudsman and Inmate Affairs Office (number provided)
- Contact the Pardons and Parole Victim Services office (number provided or via email-address provided)

The instructions tell the viewers they do not have to give their name, but they are encouraged to provide as many details as possible and the site lists the items requested to be reported to facilitate the investigation.

The inmate PREA Brochure provides contact information for the following third-party reporters:

- Georgia Department of Corrections PREA Hotline (dialing instructions provided)
- Statewide PREA Coordinator (mailing address provided)
- Ombudsman (mailing address and phone number)
- Director of Victim Services (mailing address provided)

The Georgia Department of Corrections and McEver Probation Detention Center provides multiple ways for inmates to access third parties who make reports on behalf of an inmate. GDC provides contact information enabling Third Party reports to be made to the GDC Ombudsman's Office, to the GDC TIP Line and to the agency's PREA Coordinator. Information is provided to inmates that allow them to call or write the Ombudsman's Office. They are also informed they may report in writing to the State Board of Pardons and Paroles, Office of Victim Services. This information is provided in the brochure given to inmates during admissions/orientation. The brochure entitled, "Sexual Assault, Sexual Harassment, Prison Rape Elimination Act – How to Prevent It and How to Report It" provides the phone number and mailing address for the Ombudsman and the mailing address for reporting to the Director of Victim Services. A PREA hotline is also available for third party reports and an inmate's pin is not required to place a call using the "hotline". The auditor tested a phone and found it operational. Dialing instructions are posted at the phone.

The Department's Website contains a section entitled: "How do I report sexual abuse or sexual harassment?" These are provided as ways to make third party reports: Call the PREA Confidential Reporting Line (1-888-992-7849); email PREA.report@gdc.gov; Send correspondence to the Georgia DOC, Office of Professional Standards/PREA Unit; contact the Ombudsman and Inmate Affairs Office (numbers and email provided and Contact the Office of Victim Services (phone number and email address provided). Anyone wishing to make a report can do so anonymously however, they request the caller to provide as much detail as possible.

The agency also has a TIP Line accessible to inmates and to third parties. The Georgia Department of Corrections Home page provides the phone numbers of multiple departments/offices third party could call if they needed to. PREA brochures are provided to inmates, in Spanish and English; "An Overview for Offenders", "Do You Know Your Rights and Responsibilities"? Provides contact information for the GDC Sexual Assault Hotline, PREA Coordinator, State Board of Pardons and Parole Office of Victim Services, and through the Ombudsman's Office. Family members, friends and other inmates, may make a report for a resident.

Staff were asked to name ways inmates could make reports of sexual abuse or sexual harassment. They consistently could name multiple ways and when asked if an inmate could report anonymously and through a third party, they said they could, and they would take those reports seriously like any other report. Staff related they would report the allegation verbally and complete a witness statement before the end of their shift. Inmates indicated they would report via the PREA Hotline, tell a family member, write a note and one inmate stated he would report to the Superintendent. Most of the inmates who have family indicated a family

member could report for them. One hundred percent of the staff said inmates could get a third party to report for them and that they would take that report seriously and act immediately.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Official Response Procedure</p> <p>Interviews: Assistant Superintendent PREA Compliance Manager</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 23 states: F. Official Response Following an Offender Report:</p> <p>1. Staff, First Responder, and Department reporting duties:</p> <p>a. Response protocols shall follow the guidelines outlined in Attachment 7, Local Procedure Directive and Coordinated Response Plan.</p> <p>b. The PREA Unit will be notified, via PREA.report@gdc.ga.gov, of all allegations via Attachment 10, PREA Initial Notification Form.</p> <p>Comments: The Georgia Department of Corrections Policy (SOP 208.06) mandates that all staff, contractors and volunteers report any knowledge, suspicion, or information they may receive concerning sexual assault or sexual harassment. They are required to report any retaliation they know about or have observed. Additionally, they are expected to report any knowledge or information related to staff negligence or misconduct that may have resulted in a sexual assault. Staff are required to keep confidential, any information, knowledge or reports of sexual abuse/sexual harassment they may receive, other than reporting to those who have a need to know, for management and security decisions. Medical staff is required to report all allegations of sexual abuse that comes to their attention. Staff is trained and policy requires that any information they obtain or become aware of is limited to a need-to-know basis and only for the purpose of treatment, security and management decisions, such as housing, work, education, and programming assignments.</p> <p>At the initiation of services, medical, counseling and mental health personnel understand that they are required to inform inmates of their duty to report and the limitations of confidentiality, any information medical or counseling staff receive will be reported in compliance with policy. This was confirmed through interviews with the Lead Nurse and Counselor.</p> <p>There are no youthful offenders at this facility under the age of 18. Youthful offenders are housed at the GDC's Buruss Training Center in Forsyth, GA. This is confirmed through reviewing the Buruss Training Center Website and interviews with the agency's PREA</p>

Coordinator, Assistant Superintendent, staff, observations of inmates being interviewed and throughout the site review.

Policies require all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports must be reported to the facility's designated investigator. All allegations are required to be reported to the staff's immediate supervisor who then notifies the Sexual Assault Response Team. The Superintendent/designee then will notify the GDC Statewide PREA Coordinator and the Regional Office Special Agent in Charge will assign a GDC Office of Professional Standards Investigation Unit Investigator/Special Agent with arrest powers and extensive training in conducting investigations to respond to the prison and begin the criminal investigation. The Superintendent is responsible for ensuring the notification is made as soon as possible.

The Staff Guide on Prevention and Reporting of Sexual Misconduct with Offenders discusses, in a section entitled, A Duty to Report, that staff must report any inappropriate staff/offender behavior immediately. Failure to report will result in staff being held accountable and sanctioned up through dismissal. Reporting includes not only verbal reporting but following up with a writing an incident report. Another section of the Guide requires that all employees have a duty to report immediately any findings in which inmates are having sexual relations with other inmates or staff.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Official Response Following Inmate Report PREA Investigation Protocol</p> <p>Interviews: Director of Compliance Assistant Superintendent Random Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 21 - 22 states: 9. Offenders at high risk for sexual victimization or aggression shall not be placed in involuntary segregation based solely on that determination unless a determination has been made that there is no available alternative means of separation from likely abusers. This placement, including the concern for the offender’s safety must be noted in SCRIBE case notes with documentation of why no alternative means of separation can be arranged.</p> <p>a. Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.</p> <p>b. The facility shall assign such offenders to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.</p> <p>c. If offenders placed in segregated housing for this purpose have restricted access to programs, privileges, education, or work opportunities, then the facility shall document: 1) the opportunities that have been limited; 2) the duration of the limitation; and 3) the reasons for such limitations.</p> <p>d. Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.</p> <p>Comments: The Pre-Audit Questionnaire; reviewed monthly PREA Reports, reviewed grievances, incident reports and interviews with staff confirmed there have been no inmates at risk of imminent sexual abuse during the past 12 months.</p> <p>Staff were consistent in stating that if an inmate was at risk of imminent sexual abuse, they would separate him from the threat immediately and would take the information seriously and report it after removing him from the threat. Staff were consistent in believing the supervisors would place the inmate in protective custody until the allegation could be investigated by the</p>

SART.

The staff supervising segregation indicated that an inmate placed in involuntary protective custody would have access to programs and services like those housed in general population. He indicated they could receive educational materials, possibly attend class depending on the threat, and attend other programs they are enrolled in. He also stated they have access to the phone, exercise, counseling, medical and mental health, if needed.

Facility Protection Duties: Requires that upon learning of a sexual abuse, staff are to separate the alleged victim from the alleged abuser and ensure the alleged victim has been placed in safe housing which may be protective custody in accordance with SOP 209.06, Administrative Segregation. If the inmate victim is placed in administrative segregation, a note is placed in SCRIBE indicating the reason for the placement. If the offender remains in Administrative Segregation for 72 hours, the inmate is evaluated by SART again within 72 hours. Again, a note is to be entered SCRIBE indicating the reason for continued placement. The care and treatment member of SART is responsible for documenting the reasons in SCRIBE. If the alleged perpetrator is an offender and if the alleged perpetrator has been placed in Administrative Segregation in accordance with SOP 209.06, a case note documenting the reason for placement is completed and documented in SCRIBE. If the offender remains in Administrative Segregation for 72 hours, the SART evaluates the offender again within 72 hours and if continued placement is required, the reasons are documented in SCRIBE. The care and treatment staff of the SART Team is responsible for documentation noted in SCRIBE.

If the alleged perpetrator is a staff member, the staff member and alleged victim are separated during the investigation period. The staff member may be reassigned to other duties, other work area, transferred to another institution, suspended with pay pending investigation or maybe temporarily banned from the institution, whichever option the appointing authority deems appropriate.

Staff are instructed, if applicable, they are to consult with the SART Team, Regional Director, the Department's PREA Coordinator or the Regional SAC within 72 hours of the reported incident, to determine how long the alleged victim or perpetrator should remain segregated housing. The final decision must be documented in the offender's file with specific reasons when returning the offenders to the general population or keeping the offenders segregated. The SART Team evaluates the victim within 24 hours of the report. Once a determination has been made that there is sufficient evidence of sexual assault, staff ensures closure of the matter by serving notice of adverse action or banning the staff member; making housing and classification changes if the perpetrator is an offender, and updates the victim's offender file with incident information.

The Pre-Audit Questionnaire documented there has been no incidents in which an inmate was at substantial risk of imminent sexual abuse during the past twelve months. This was also confirmed through reviewing Monthly PREA Reports, Grievances, Incident Reports and interviews with the Assistant Superintendent/PREA Compliance Manager and random staff.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interview: Director of Compliance</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>2. Reporting to Other Confinement Facilities:</p> <p>a. In cases where there is an allegation that sexual abuse occurred at another facility within Agency, the Warden/Superintendent (or his/her designee) of the victim's current facility will provide notification to the Warden/Superintendent of the institution where the allegation allegedly occurred and the Department's PREA Coordinator. In cases alleging sexual abuse by staff at another institution, the Warden/Superintendent of the offender's current facility refers the matter directly to the Regional SAC and the Department's PREA Coordinator. For non-Department facilities, the Warden/Superintendent will notify the appropriate office of the facility where the abuse allegedly occurred and the Department's PREA Coordinator.</p> <p>b. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>c. The facility shall document that it has provided such notification.</p> <p>d. The facility head or Department office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.</p> <p>Comments: Reporting to other Confinement Facilities, requires that in cases where there is an allegation that sexually abusive behavior occurred at another Department facility, the Superintendent/designee of the victim's current facility is required to provide notification to the Warden/Superintendent of the identified institution and the Department's PREA Coordinator. In cases alleging sexual abuse by staff at another institution, the Superintendent/Warden of the inmate's current facility refers the matter directly to the Office of Professional Standards Special Agent In-Charge. For the non-Department secure facilities, the Warden/Superintendent will notify the appropriate office of the facility where the abuse allegedly occurred. For non-Department facilities, the Warden/designee(s) contacts the appropriate office of that correctional Department. This notification must be provided as soon as possible and preferably by Warden/Supertendent but not later than 72 hours after receiving the allegation. Notification is documented. The facility head or Department office receiving the notification is required to ensure that the allegation is investigated in accordance with the PREA Standards.</p>

The facility's Pre-Audit Questionnaire (PAQ) documented and staff confirmed there has been no allegation during the past 12 months in which an inmate at this facility alleged sexual abuse at another facility. The PAQ documented that the facility did not receive any report from another facility in which an inmate at that facility alleged sexual abuse while at McEver Probation Detention Center.

The staff knew and described the steps they would take in reporting to the sending facility and ensuring that if an investigation had not been initiated, start an investigation. They also indicated if they received an allegation from another facility that an offender had been sexually abused while at this facility, they would cooperate with an investigation and conduct interviews or provide any additional information they might have. They indicated they would make the report immediately but were aware that the policy requires notification within 72 hours.

The PREA Compliance Manager confirmed he is aware of the policy requiring reporting to other facilities upon receiving an allegation of sexual abuse that occurred in another facility. He also indicated if he received an allegation from another facility that an inmate, while assigned to this facility, was sexually abused at this facility, he would initiate an investigation and cooperate with any investigation and treat it as any other investigation.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>McEver Sexual Assault Response Plan</p> <p>Official Response Following an Inmates Report</p> <p>Local Directive</p> <p>Interviews:</p> <p>Security Staff and Non-Security Staff First Responders</p> <p>Random Sample of Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 23 - 24 states:</p> <p>F. Official Response Following an Offender Report:</p> <p>1. Staff, First Responder, and Department reporting duties:</p> <p>a. Response protocols shall follow the guidelines outlined in Attachment 7, Local Procedure Directive and Coordinated Response Plan.</p> <p>b. The PREA Unit will be notified, via PREA.report@gdc.ga.gov, of all allegations via Attachment 10, PREA Initial Notification Form.</p> <p>2. Reporting to Other Confinement Facilities:</p> <p>a. In cases where there is an allegation that sexual abuse occurred at another Department facility, the Warden/Superintendent (or his/her designee) of the victim's current facility will provide notification to the Warden/Superintendent of the institution where the allegation allegedly occurred and the Department's PREA Coordinator. In cases alleging sexual abuse by staff at another institution, the Warden/Superintendent of the offender's current facility refers the matter directly to the Regional SAC and the Department's PREA Coordinator. For non-Department facilities, the Warden/Superintendent will notify the appropriate office of the facility where the abuse allegedly occurred and the Department's PREA Coordinator.</p> <p>b. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>c. The facility shall document that it has provided such notification.</p> <p>d. The facility head or Department office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.</p> <p>3. Coordinated Response: Each facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders,</p>

medical and mental health practitioners, investigators, and facility leadership. This plan will be kept current and include names and telephone numbers of coordinating parties and be a part of Attachment 7, PREA Local Procedure Directive and Coordinated Response Plan.

Comments:

Georgia Department of Corrections requires that all staff and contractors having contact with inmates attend, minimally, Day 1 of Annual In-Service Training. Staff at McEver Probation Detention Center, administrative, counselors, teachers, medical, contractors and security staff attends Annual In-Service Training and Day 1 of that training includes PREA. The training includes a refresher on first responding duties. The facility provided multiple training rosters documenting staff and contractors completing Day 1 Annual In-Service Training in 2019.

Georgia Department of Corrections Policy and the Local Policy Directive for McEver Probation Detention Center, PREA: Local Procedure Directive and Coordinated Response Plan identify the actions required of first responders. McEver Probation Detention Center Sexual Abuse Response Plan also identifies actions to take after the Shift Supervisor on duty who receives the report, immediately notifies the Superintendent and OIC contacts the local Sexual Abuse Response Team members. The agency's Sexual Assault Response Checklist is also used in responding to allegations of sexual abuse.

Interviewed staff, including non-uniformed staff, explained the steps required as a first responder. They were consistent in their responses and the responses were consistent with the GDC Policy (208.06) and the Local Procedure Directive and Coordinated response Plan.

Security staff consistently reported they would immediately separate the alleged victim from the alleged perpetrator, notify their supervisor, secure the crime scene, tell the victim and aggressor not to eat, shower, change clothes, use the restroom or brush their teeth.

Medical staff explained what their roles would be as non-security first responders. They would do the same if they were the first person to become aware of an allegation or incident of sexual abuse. They explained their role would be to separate the inmate from the alleged aggressor and report the allegation and to assess the inmate but attempt to protect evidence that may be on the person or his clothing. They would conduct a visual assessment of the inmate and would take all precautions possible to protect the evidence.

The Sexual Assault Nurse Examiner would be called to conduct the forensic exam, collecting potential forensic evidence. A chain of custody would be started, and the sexual assault kit turned over to the security staff at the facility, which would be given to the GDC Office of Professional Standards, Special Agent.

Policy and local operating procedures require that upon learning of an allegation that an inmate was sexually abused, the first security staff to respond to the report is to respond in the following manner: 1) Separate the alleged victim and abuser 2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, in compliance with SOP IK01-0005, Crime Scene Preservation; 3) If the abuse occurred within 72 hours 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; 4) If the abuse occurred within 72 hours ensure that the alleged abuser does not take any actions that could destroy physical evidence including washing brushing

does not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, smoking or eating; 5) If the first responder is not a security staff, the responder is required to request that the alleged victim not take any actions that could destroy physical evidence, and notify security staff immediately. The Sexual Assault Response Team will be notified and will implement the local protocol.

The local protocol, PREA Local Operating Directive and the McEver Probation Detention Center Sexual Assault Response Plan, describes in detail the responses to an allegation of sexual abuse. Staff is trained in first responding during annual in-service training, with refreshers in shift briefings and from the PREA Compliance Manager in meetings and briefings. This information was provided by staff during their interviews.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Local Procedure Directive and Coordinated Response Plan</p> <p>Interview: Superintendent</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 24 - 25 states:</p> <p>3. Coordinated Response: Each facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. This plan will be kept current and include names and telephone numbers of coordinating parties and be a part of Attachment 7, PREA Local Procedure Directive and Coordinated Response Plan.</p> <p>4. Protection Against Retaliation:</p> <p>a. Anyone who retaliates against a staff member or an offender who has reported an allegation of sexual abuse or Sexual Harassment or who has participated in a subsequent investigation shall be subject to disciplinary action.</p> <p>b. The Department shall protect offenders and staff members who report sexual abuse, or Sexual Harassment from retaliation. The Warden/Superintendent shall designate a staff member to serve as the facility Retaliation Monitor and identify them as such in the PREA Local Procedure Directive and Coordinated Response Plan (Attachment 7). Multiple protection measures include offender housing changes or transfers, removal of alleged staff members or offender abusers from contact with victims, and emotional support services for offenders or staff members who fear retaliation for reporting or for cooperating with investigations.</p> <p>c. The designated Retaliation Monitor shall, for at least 90 days following a report of abuse, monitor the conduct and treatment of offenders or staff members who reported the sexual abuse or who participated in an investigation, to see if there are any changes that may suggest possible retaliation, and will act promptly to remedy any such retaliation.</p> <p>i. This monitoring will include review of any offender disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff members. Periodic in-person status checks shall be made by the monitor as well. Attachment 8, Retaliation Monitoring Checklist, shall be completed for each offender monitored. The original shall be kept in a master file by the monitor and a copy placed with the SART incident report upon completion.</p> <p>ii. This monitoring will include negative performance reviews or reassignments of staff</p>

members. Attachment 8, Retaliation Monitoring Checklist, shall be completed for each employee monitored. The original shall be kept in a master file by the monitor.

iii. Such monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need. The obligation for monitoring will terminate if the allegation is unfounded.

Comments:

The facility's coordinated response plan is documented in the Prison's PREA Local Procedure Directive and Coordinated Response Plan and in the GDC Sexual Assault Response Plan (with notifications).

The Local Operating Procedure Directive and the McEver Probation Detention Center Sexual Assault Response Plan serve as the facility's Coordinated Response Plan. It identifies actions to be taken by various components of the facility in response to an allegation of sexual abuse. If there was a sexual assault allegation, the facility, complying with GDC Policy will initiate the Sexual Abuse Response Checklist that also identifies actions taken by staff in response to a report of sexual abuse or of sexual misconduct and sexual harassment.

The Local Operating Directive provides guidance in notifying all parties when there is an allegation of sexual abuse. After the OIC notifies the Superintendent, the Sexual Assault Response Team is notified. The directive provides ready reference names and phone numbers. The SART is composed of the Superintendent, PREA Compliance Manager, SART Leader, a representative from medical and from counseling; and the victim advocate.

All interviewed staff articulated their roles in responding to an allegation of sexual assault.

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Interviews: Superintendent Statewide PREA Coordinator Assistant Statewide PREA Coordinator PREA Compliance Manager</p> <p>The State of Georgia is a right to work state. The Georgia Department of Corrections employees are not members of a union. The Department is not involved in any form of collective bargaining.</p> <p>An interview with the Director of Compliance of the Georgia Department of Corrections confirmed that the Department is not involved in any form of collective bargaining and can remove any staff from contact during an investigation and can remove them from employment for violating an agency sexual abuse or sexual harassment policy.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated January 1, 2020, Designating Retaliation Monitor</p> <p>Interviews: Superintendent Agency Head (Designee) Designated Staff Member Charged with Monitoring Retaliation</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 24 - 25 states:</p> <p>4. Protection Against Retaliation:</p> <p>a. Anyone who retaliates against a staff member or an offender who has reported an allegation of sexual abuse or Sexual Harassment or who has participated in a subsequent investigation shall be subject to disciplinary action.</p> <p>b. The Department shall protect offenders and staff members who report sexual abuse, or Sexual Harassment from retaliation. The Warden/Superintendent shall designate a staff member to serve as the facility Retaliation Monitor and identify them as such in the PREA Local Procedure Directive and Coordinated Response Plan (Attachment 7). Multiple protection measures include offender housing changes or transfers, removal of alleged staff members or offender abusers from contact with victims, and emotional support services for offenders or staff members who fear retaliation for reporting or for cooperating with investigations.</p> <p>c. The designated Retaliation Monitor shall, for at least 90 days following a report of abuse, monitor the conduct and treatment of offenders or staff members who reported the sexual abuse or who participated in an investigation, to see if there are any changes that may suggest possible retaliation, and will act promptly to remedy any such retaliation.</p> <p>i. This monitoring will include review of any offender disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff members. Periodic in-person status checks shall be made by the monitor as well. Attachment 8, Retaliation Monitoring Checklist, shall be completed for each offender monitored. The original shall be kept in a master file by the monitor and a copy placed with the SART incident report upon completion.</p> <p>ii. This monitoring will include negative performance reviews or reassignments of staff members. Attachment 8, Retaliation Monitoring Checklist, shall be completed for each employee monitored. The original shall be kept in a master file by the monitor.</p> <p>iii. Such monitoring shall continue beyond 90 days if the initial monitoring indicates a</p>

continuing need. The obligation for monitoring will terminate if the allegation is unfounded.

Comments:

The Georgia Department of Corrections has a zero tolerance toward retaliation against any inmate/detainee or staff who reports an allegation of sexual abuse or sexual harassment. This is expressed and documented in GDC Policy 208.06, Prison Rape Elimination Act, Sexually Abusive Behavior Prevention and Intervention Program.

The Superintendent has designated Correctional Officer II to serve as the Retaliation Monitor. An interview with the retaliation monitor indicated she understands and is knowledgeable of the prevention measures the facility might take in a given situation to prevent retaliation in the first place. Prevention measures include separating the alleged victim and abuser by placing them in separate dorms when possible or in protective custody and the alleged perpetrator in segregation. If a staff is involved that staff may be placed on some form of "no contact" until the investigation is over. Similarly, for staff, monitoring would include changes in shifts, posts, details, and performance reports and write ups. The facility has had no PREA allegations in the past twelve months; no investigation packages were available for reviewed while on site.

Retaliation Monitoring includes the following: review of inmate disciplinary reports, housing or program changes, negative performance reviews or reassignments of staff etc. Monitoring may continue beyond 90 days if the initial monitoring indicates the need for it. Periodic status checks of inmates will be conducted. The obligation for monitoring terminates if the allegation is unfounded. Policy requires that monitoring is documented on the GDC Form 90 Day Offender Sexual Abuse Review Checklist. The checklist is completed for each inmate being monitored.

The Georgia Department of Corrections 90 Day Offender Sexual Abuse Review Checklist includes documenting the reviews of the following at 30, 60 and 90 days:

- Offender Disciplinary Report(s) History
- Offender Housing Unit Placement Reviewed
- Offender Transfer(s) Placement Review
- Offender Program(s) History Review
- Offender Work Performance Review
- Offender Schedule History Review
- Offender Case Note(s) Review

Upon learning of an allegation whether, staff on inmate or inmate on inmate, the alleged victim and alleged aggressor are separated. For the inmate, that may mean placing either the alleged victim or alleged aggressor or both, temporarily in administrative segregation. If a staff is involved the staff will be separated from the alleged victim by placing the staff either on a post away from the inmate or placing the staff on administrative paid leave while an investigation is going on and placing a staff on administrative leave with pay is the most likely scenario according to the Superintendent.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Policy 209.06 Administrative Segregation</p> <p>Interviews: Superintendent Staff who Supervise Inmates in Segregated Housing</p> <p>Site Review: No inmates were housed in Segregation during the on site visit.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 21 - 22 states: 9. Offenders at high risk for sexual victimization or aggression shall not be placed in involuntary segregation based solely on that determination unless a determination has been made that there is no available alternative means of separation from likely abusers. This placement, including the concern for the offender’s safety must be noted in SCRIBE case notes with documentation of why no alternative means of separation can be arranged.</p> <p>a. Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.</p> <p>b. The facility shall assign such offenders to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.</p> <p>c. If offenders placed in segregated housing for this purpose have restricted access to programs, privileges, education, or work opportunities, then the facility shall document: 1) the opportunities that have been limited; 2) the duration of the limitation; and 3) the reasons for such limitations.</p> <p>d. Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.</p> <p>Comments: The reviewed Pre-Audit Questionnaire documented that there were no inmates who alleged to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment; none for longer than 30 days while awaiting alternative placement. If an involuntary segregated housing assignment is made, the facility provides a review at least every 30 days to determine whether there is a continuing need for separation from the general population. This was also confirmed through interviews with staff.</p>

The Georgia GDC Policy, 209.06 Administrative Segregation, requires that offenders at high risk for sexual victimization are not placed 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. If an assessment cannot be conducted immediately, the offender may be held in involuntary segregation no more than 24 hours while completing the assessment. This placement, including the concern for the inmate's safety is noted in SCRIBE case notes documenting the concern for the offender's safety and the reason why no alternative means of separation can be arranged. The inmate will be assigned to involuntary segregated housing only until an alternative means of separation can be arranged. Assignment does not ordinarily exceed a period of 30 days.

Inmates at high risk for sexual victimization are housed in the general population. Generally, inmates at high risk for victimization will be placed in one of the dorms identified as providing a safer environment with no aggressors assigned to the dorm. They are not placed in segregated housing and would not be placed there unless there were no other options for safely housing the detainee/resident.

If there was no place to safely house a potential or actual victim, the victim will be temporarily housed in the administrative segregation area but would be expeditiously transferred to another facility where she could feel safe.

If an inmate is assigned to involuntary segregated housing it is only until an alternative means of separation from likely abusers can be arranged and such an assignment does not ordinarily exceed a period of 30 days. If the facility uses involuntary segregation to keep an inmate safe, the facility documents the basis for their concerns for the inmate's safety and the reason why no alternative means of separation can be arranged. Reviews are conducted every 30 days to determine whether there is a continuing need for separation from the general population.

Inmates in involuntary protective custody, in compliance with policy, will have access to programs and services like those of the general population, including access to medical care, mental health, recreation/exercise, education, and the phone. The staff member supervising segregation stated, in an interview, that any inmate placed on involuntary protective custody will have access to programs, including education.

Individual Records are required and will document, among other required things, all activity such as bathing, exercise, medical visits, program participation and religious visits. It should also include documentation of unusual occurrences.

The PREA Compliance Manager and Staff Supervising Segregation indicated, in their interviews, that there have not been any inmates involuntarily placed in segregation or protective custody during the past 12 months.

The PREA Compliance Manager and Staff Supervising Segregation confirmed, there have not been any inmates involuntarily placed in segregation or protective custody during the past 12 months. Staff supervising segregation related if an inmate was placed in involuntary segregation, they would be placed there with the reasons documented on GDC Form 1. He also stated the inmate would have access to programs possibly attend class if in GFD and

also stated the inmate would have access to programs, possibly attend class in GED and other programs, and have access to visitation, recreation, to phones, medical and mental health services.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Superintendent PREA Compliance Manager Investigative Staff (SART/OPS)</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 25 - 28 states: G. Investigations:</p> <ol style="list-style-type: none"> 1. All reports of sexual abuse or Sexual Harassment will be considered allegations and will be investigated. 2. The local SART is responsible for the administrative investigation of all allegations of sexual abuse or Sexual Harassment. Attachment 4, Sexual Allegation Response Checklist will be completed for all PREA allegations. In cases where allegations are made against staff members and the SART inquiry deems the allegation is unfounded or unsubstantiated by evidence, the case can be closed at the facility level. If the allegation is criminal in nature, an interview shall not be conducted, nor will a statement be collected from the accused perpetrator without first consulting the Regional SAC. 3. Appointing authorities or their designees shall report all allegations of sexual assault with penetration and those with immediate and clear evidence of physical contact, to their Regional Director, Regional SAC and the Department's PREA Coordinator immediately upon receipt of the allegation. <ol style="list-style-type: none"> a. Where sexual abuse is alleged and cannot be cleared at the local level (as indicated in G.2. of this section), the Regional SAC shall determine the appropriate response upon notification. If this appropriate response is to open a criminal investigation, the Regional SAC shall assign an agent or investigator who has received special training in sexual abuse investigations. b. Agents and investigators shall gather and preserve direct and circumstantial evidence including any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. c. The credibility of the victim, suspect, or witness shall be assessed on an individual basis and will not be determined by the person's status as offender or staff member. An offender who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. d. Upon conclusion of the criminal investigation, OPS must notify the Warden/Superintendent of the disposition of the case. The Warden must ensure that Attachment 3, PREA Disposition

Offender Notification Form is completed and a copy is both given to the offender and placed in the case file. On completion of this procedure, the PREA Coordinator's Office will be notified via PREA.report@gdc.ga.gov of the disposition and the date in which the offender was notified.

4. At the conclusion of each SART investigation, Attachment 6, PREA Investigative Summary shall be submitted to the PREA Unit for administrative review.

5. For investigations of 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 prosecution in accordance with SOP 103.06, Investigations of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Offenders.

6. All sexual abuse and Sexual Harassment investigations shall be prompt, thorough, and objective.

7. Administrative and criminal investigations shall include an effort to determine whether staff member actions or failures to act contributed to the abuse. This shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind the credibility assessments, and investigative facts and findings.

8. Substantiated Allegations of conduct that is deemed criminal shall be referred for prosecution.

9. OPS shall maintain all such written reports for as long as the alleged abuser is incarcerated or employed by the Department, plus five years.

10. The departure of the alleged abuser or victim from the employment or control of the Department shall not provide a basis for terminating the investigation.

11. Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.

12. When outside agencies investigate sexual abuse, the Department shall cooperate with the outside investigators and shall endeavor to remain informed about the progress of the investigations.

13. There shall be no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or Sexual Harassment are substantiated.

14. Following the close of an investigation into an offender's allegation that he or she suffered sexual abuse in a Department facility, the facility shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, unfounded, unsubstantiated-forwarded to OPS or substantiated-forwarded to OPS. This will be completed by a member of the local SART unless appointing authority delegates to another designee. In the event an allegation is forwarded to OPS for investigation, the facility shall notify the offender of the outcome of the OPS investigation upon completion. Such notifications or

attempted notifications shall be documented on Attachment 3, PREA Disposition Offender Notification Form. The Department's obligation to report under this standard shall terminate if the offender is released from the Department's custody.

Comments:

A review of incident report and grievances confirmed their have been no reports of sexual abuse or sexual harassment reported at McEver Probation Detention Center in the last 12 months. Lt. SH is the investigator for the facility who has recently received the NIC "Investigating Sexual Abuse in a Confinement Stetting" training, this was confirmed through an interview and review of training certificates.

Georgia Department of Corrections Policy (208.06) requires that all reports of sexual abuse or sexual harassment will be considered allegations and will be investigated. Policy requires investigations are conducted promptly, thoroughly and objectively. It also requires, and staff confirmed, that allegations or reports, including any knowledge, information or suspicions are taken seriously and are investigated. These include reports made verbally, in writing, from third parties and from anonymous sources.

Investigation of Allegations of Sexual Contract, Sexual Abuse, and Sexual Harassment of Offenders requires that allegations of sexual contact, sexual abuse, and sexual harassment filed by sentenced offenders, against departmental employees, contractors, vendors or volunteers are fully investigated, and treated in a confidential and serious manner. It requires staff attitudes and conduct towards such allegations will be professional and unbiased, and staff member are required to cooperate with investigations into those matters. Policy also requires that investigations are conducted in such a manner as to avoid threats, intimidation, or future misconduct.

The investigations policies and procedures require that as soon as an incident of sexual contact, sexual abuse, or sexual harassment, comes to the attention of staff, the staff receiving the information is required to immediately inform the Superintendent/or the Officer in Charge, and/or Internal Investigations, now known as the Office of Professional Standards Investigators, verbally and followed up with a written report to the Superintendent. Incidents, according to the procedures, via, include rumors, "inmate talk", kissing, sexual abuse and sexual harassment. This policy, along with GDC Policy 208.06, requires that failure to report may result in disciplinary action, up to and including dismissal.

The Office of Professional Standards Investigators has a responsibility, power, and authority to investigate allegations of sexual abuse and the power to arrest. The Superintendent of the facility where the incident allegedly happens contacts the Regional Office's Special Agent-in-Charge to have a special agent assigned to investigate the criminal allegation.

The Georgia Department of Corrections has several layers of investigators. An Office of Professional Standards investigator may be assigned to a specific facility and may conduct investigations related to contraband, use of force, gang related activity, and if needed, sexual abuse. The Office of Professional Standards Investigator has completed mandated training required by the state for any law enforcement officer and this training is 11 weeks. OPS investigators have that authority to arrest.

Special Agents are also Office of Professional Standards assigned to one of the three Regional Offices in the state and are assigned by the Special Agent in Charge. Special Agents have completed mandated law enforcement training and an additional 13 weeks of training provided by the Georgia Bureau of Investigations at the GBI Academy. The Special Agent has had extensive training in conducting investigations, including investigations of sexual abuse in a confinement setting, has arrest powers, and conducts investigations into allegations that appear to be criminal in nature.

At the facility level, investigations are initiated by the local Sexual Assault Response Team. This includes a primary facility-based investigator, a member from medical and member from counseling. The facility-based investigator has completed the on-line training entitled: "PREA: "Conducting Sexual Abuse Investigations in a Confinement Setting". All the SART Members at McEver Probation Detention Center have completed the National Institute of Corrections Specialized Training. The local SART conducts the initial investigation. If the allegation appears criminal and in all cases of penetration, the allegation is referred by the Superintendent, to the Special Agent in Charge, who will assign a criminal investigator (Special Agent). Investigations into allegations of sexual abuse may be documented locally as unsubstantiated but may be referred on to the Special Agent for investigation for investigation into the alleged criminal conduct.

Department staff, the Sexual Assault Response Team and those receiving the initial allegations, is required by policy to take appropriate steps to ensure the preservation and protection of all evidence, including crime scene in accordance with another SOP (SOP 1K01-005).

Policy (1K01-0006) discusses general guidelines for conducting the investigation and these included:

- OPS will keep the Warden apprised of the status of the case.
- All interviews may be recorded by video or audio
- All documents, videos, polygraph results, and all other evidence will be treated as confidential
- Names of complainant and/or alleged victim will be confidential as required by the statutes
- A trained counselor will be made available to counsel the alleged victim before he is first interviewed by the investigator

These may be included in the investigation:

- Conducting video or audio recorded interviews
- Taking witness statements from all witnesses and all other parties
- All known documents
- All known photos
- All known physical evidence

According to policy (1K01-0005) the investigation continues even if the following occur:

- Alleged victim or complainant refuses to cooperate with the investigator
- Whether local, state, or federal agency conducts its own investigation, subject to binding

limitations or restrictions imposed by the courts or the agency

- If the accused employee resigns during the investigation

Investigations must be completed within 45 calendar days from the date of the assignment.

The facility-based investigator confirmed they would not put an alleged victim on a polygraph or other truth telling device as a condition for proceeding with the investigation and that under these circumstances the investigation would continue:

- When the victim recants
- When an employee involved in an investigation terminates his/her employment prior to the conclusion of an investigation
- When an alleged victim or alleged abusing inmate departs the facility prior to a completed investigation

The Department follows a uniform protocol for obtaining usable physical evidence for administrative proceedings and criminal prosecution. Investigations are required to be prompt and thorough, including those reported by third parties or anonymously. Administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse. Reports are documented and include descriptions of physical and testimonial evidence, reasoning behind the credibility of assessments and investigative facts and findings. Criminal investigations are documented in written reports that contain thorough descriptions of physical, testimonial, and documentary evidence and copies of all documentary evidence when feasible. Substantiated allegations of conduct that appears to be criminal are referred for prosecution. The departure of the alleged abuser or victim from the employment or control of the Department does not provide a basis for termination of the investigation.

At the conclusion of each sexual abuse investigation, the PREA Team meets and discusses the allegations and findings of the investigator and essentially reviews the incident in compliance with the GDC Policy related to Incident Reviews.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 545 360">Documents Reviewed:</p> <p data-bbox="252 371 1465 450">Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p data-bbox="252 499 379 533">Interview:</p> <p data-bbox="252 544 485 577">Investigative Staff</p> <p data-bbox="252 627 1465 705">Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 28 states:</p> <p data-bbox="252 712 1449 790">13. There shall be no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or Sexual Harassment are substantiated.</p> <p data-bbox="252 840 405 873">Comments:</p> <p data-bbox="252 884 1465 1041">The Georgia Department of Corrections Policy 208.06, Prison Rape Elimination Act-PREA, Sexually Abusive Behavior Prevention and Intervention Program, Section G. 14, requires that there shall be no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="252 1097 1401 1176">The Facility-Based Investigator affirmed in an interview, that the standard of evidence to substantiate an allegation of sexual abuse is “the preponderance of the evidence”.</p>

115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Reviewed: Policy 208.060 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program PREA Disposition Offender Notification Form</p> <p>Interviews: Superintendent Investigative Staff</p> <p>Policy 208.060 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 28 states: 14. Following the close of an investigation into an offender’s allegation that he or she suffered sexual abuse in a Department facility, the facility shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, unfounded, unsubstantiated-forwarded to OPS or substantiated-forwarded to OPS. This will be completed by a member of the local SART unless appointing authority delegates to another designee. In the event an allegation is forwarded to OPS for investigation, the facility shall notify the offender of the outcome of the OPS investigation upon completion. Such notifications or attempted notifications shall be documented on Attachment 3, PREA Disposition Offender Notification Form. The Department’s obligation to report under this standard shall terminate if the offender is released from the Department’s custody.</p> <p>Reporting to Inmates, requires that inmates who are in custody of the Georgia Department of Corrections are entitled to know the outcome of the investigation. The inmate must be notified whether the allegation was determined to be substantiated, unsubstantiated, or unfounded. All notifications or attempted notifications are documented.</p> <p>If the allegations involved a staff member, the staff making the notification will, using the GDC Inmate Notification Form, inform the inmate whenever:</p> <ul style="list-style-type: none"> • The staff is no longer posted in the institution • The staff is no longer employed at the institution • The staff has been indicted on a charge related to sexual abuse with the institution or the staff has been convicted on a charge related to sexual abuse within the institution <p>If the allegation involved another inmate, staff are required to inform the alleged victim when the alleged abuser has been”</p> <ul style="list-style-type: none"> • Indicated on a charge related to sexual abuse within the institution or; • The alleged abuser has been convicted on a charge related to sexual abuse within the institution <p>Comments: Notifications are documented on the GDOC PREA Disposition Offender Notification Form that</p>

documents all the above. The investigator is knowledgeable of the investigative process and the requirements that inmates are notified at the conclusion of the investigation of the results of the investigation.

Policy requires the notification be completed by a member of the local SART unless the appointing authority delegates to another designee under certain circumstances. Notifications are required to be documented. If an inmate is released from the Department's custody the Department's obligation to "notify" the inmate of the outcome of the investigation is terminated. Notifications are required to comply with the PREA Standards and GDC Policies.

If an outside entity conducts the investigation the agency/facility will request the relevant information from the agency conducting the investigation to inform the resident of the outcome of the investigation.

In an interview with the Facility-Based Investigator he indicated he would be responsible for notifying the inmates of the outcome of the investigation. All staff interviewed were knowledgeable of the items listed on the notification. The Facility-Based Investigator will use the required GDC PREA Disposition Offender Notification Form, Attachment 5, Policy 208.06.

115.76	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews: Superintendent</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 28 - 29 states: H. Discipline:</p> <p>1. Disciplinary Sanctions for Staff Members:</p> <p>a. Staff members who engage in sexual abuse with an offender shall be banned from correctional institutions and subject to disciplinary action, with termination being the presumptive discipline, and may also be referred for criminal prosecution when appropriate.</p> <p>b. Disciplinary sanctions for violations of Department policy related to Sexual Harassment will 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 members with similar histories.</p> <p>c. All terminations for violations of the Department sexual abuse or Sexual Harassment policies, or resignations by staff members that would have been terminated if not for their resignation shall be reported to law enforcement agencies, unless the activity was clearly not criminal. These shall also be reported, as required, to the Georgia Peace Officers Standards and Training Council (POST).</p> <p>d. OPS shall refer all substantiated cases of Offender to Offender Sexual Abuse and Staff on Offender Sexual Abuse for criminal prosecution.</p> <p>2. Contractors and Volunteers: Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with offenders, in the case of any other violation of Department sexual abuse or Sexual Harassment policies by a contractor or volunteer.</p> <p>Comments: There have been no substantiated allegations against any staff or contractor at McEver Probation Detention Center in the last 12 months, this was confirmed through review of the Pre-Audit Questionnaire and personnel file audit.</p>

The GDC Policy requires that staff that engage in sexual abuse with offenders, violates the agency's sexual abuse and sexual harassment policy are banned from all Georgia Correctional Institutions and subject to disciplinary sanctions up to and including termination. If the allegation was criminal in nature, recommendations may be made for referral for prosecution. Special Agents work with the District Attorneys to determine if, and when, they have enough evidence to refer for prosecution. Administrative investigations, in which staff violates policy may result in a staff member being disciplined, including dismissal.

If an offense was less than sexual abuse the appropriate sanction would 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. This was confirmed through interviews with the Superintendent and PREA Compliance Manager. Staff interviews confirmed the likely sanction for violating the sexual abuse or sexual harassment policy would be termination. Failure to report is cause for disciplinary action up to and including termination

Contractors and volunteers found to have engaged in sexual misconduct/abuse will be banned from correctional institutions, banned from any contact with inmates and reported to law enforcement agencies, unless the activity was not criminal. Appropriate licensing agencies be notified.

Terminations for violations of the Department sexual abuse or sexual harassment policies or resignations by staff that would have been terminated if not for their resignation are reported to law enforcement agencies (Special Agent) unless the activity was clearly not criminal. These cases are also reported to the Georgia Peace Officers Standards and Training Council (POST) for uniformed staff.

Substantiated cases of non-consensual sexual contact between offenders or sexual contact between a staff member and an offender will be referred for criminal prosecution. This was confirmed through interviews with Special Agents and Office of Professional Standards Investigators.

Staff; as a part of their PREA training sign a GDC Sexual Assault/Sexual Misconduct Prison Rape Elimination Act (PREA) Education Acknowledgment Statement for Employees and Unsupervised Contractors and Unsupervised Volunteers contains a warning that any violation of the policy will result in disciplinary action, including termination, or that they will be banned from entering any correctional institution. Furthermore, it asserts that staff understands that in accordance with Georgia Law, O.C.G.A. 16-6-5.1, certain correctional staff members who engage in sexual contact with an offender commit sexual assault, a felony punishable by imprisonment of not less than one nor more than 25 years, a fine of \$100,000.00 or both. Staff acknowledges that an offender cannot consent to sexual activity. The auditor reviewed PREA Acknowledgment Statements signed by employees and contractors.

To deter staff from violating the agency's sexual abuse policies and for other reasons, the facility, as in all other Department of Corrections Facilities, has a "Wall of Shame" that has the photos of staff who have violated their oath of office and/have had personal dealings with offenders, including bringing contraband.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Contractors and Volunteers PREA Acknowledgement Statement Training Rosters with Signatures</p> <p>Interview: Superintendent Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 29 states: 2. Contractors and Volunteers: Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with offenders, in the case of any other violation of Department sexual abuse or Sexual Harassment policies by a contractor or volunteer.</p> <p>Comments: The Pre-Audit Questionnaire documented that there were no allegations of sexual abuse or sexual harassment against any contractor or volunteer during the past 12 months, this was also confirmed through an interview with the Superintendent.</p> <p>Georgia Department of Corrections has a zero tolerance for any form of sexual abuse or sexual harassment. Contractors and Volunteers are advised of that policy and explained the consequences for violations. Any contractor or volunteer who violates any agency sexual abuse or sexual harassment will be immediately barred from the facility and placed on a ban for entering any Georgia Department of Corrections facility. Pending investigation, the contractor or volunteer will not be allowed entry into this facility or any other Georgia Department of Corrections facility. The local law enforcement will be notified, and a recommendation will be made to refer the contractor or volunteer for prosecution. If the contractor or volunteer is a licensed person, the licensing agency will also be notified.</p> <p>The facility is required to take appropriate remedial measures and to consider whether to prohibit further contact with inmates in the case of any other violation of Department sexual abuse or sexual harassment policies by a contractor or volunteer.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Disciplinary Charge Codes</p> <p>Interviews: Superintendent Medial</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, 29 - 31 states: 3. Disciplinary Sanctions for Offenders:</p> <p>a. The Department prohibits all consensual sexual activity between offenders, and offenders may be subject to disciplinary action for such activity. Consensual (non-coerced) sexual activity between offenders does not constitute sexual abuse, but is considered a disciplinary issue. Note: All instances of sexual contact between offenders will be treated as non-consensual unless proven otherwise during the course of an investigation.</p> <p>b. Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or a criminal finding of guilt for offender-on-offender sexual abuse. These sanctions shall be imposed in accordance with SOP 209.01, Offender Discipline.</p> <p>c. Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender Sexual Harassment. These sanctions shall be imposed in accordance with SOP 209.01, Offender Discipline.</p> <p>d. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories.</p> <p>e. The disciplinary process shall consider whether the offender's mental disabilities or mental illness contributed to behavior when determining what type of sanction, if any, will be imposed. See SOP 508.18 MH/MR Discipline Procedures.</p> <p>f. If the facility offers therapy, counseling or other interventions to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to offer or require the perpetrator to participate in such interactions as a condition of access to programming or other benefits.</p> <p>g. An offender may be disciplined for sexual contact with a staff member only upon a finding</p>

that the staff member did not consent to such contact.

NOTE: Offender to Staff Sexual Abuse is not covered under PREA.

h. For the purposes of a disciplinary action, a report of sexual abuse made in good faith 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 sufficient evidence to substantiate the allegation.

i. Following an administrative finding of malicious intent on behalf of the offender making a false report, regardless of method used, the offender shall be subject to disciplinary sanctions pursuant to a formal disciplinary process in accordance with SOP 209.01 Offender Discipline.

i. Any person who willfully and knowingly gives or causes a false report of a crime to be given to any law enforcement officer or agency of this state is prosecutable under O.C.G.A. § 16-10-26 False report of a crime. Any individual proven to make a false allegation (defined in 3.i. of this section) will receive a disciplinary report and may be subject to prosecution under this statute.

ii. Any person who willfully and knowingly gives or causes a false report of Sexual Harassment will be subject to disciplinary action in accordance with SOP 209.01 Offender Discipline.

Comments:

Policy prohibits all consensual sexual activity between offenders and offenders may be subject to disciplinary action for such activity. Consensual sexual activity between offenders does not constitute sexual abuse, but it is considered a disciplinary issue. Paragraph b. requires that offenders are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or a criminal finding of guilt for offender-on-offender sexual abuse. The sanctions that may be imposed are prescribed in Standard Operating Procedures 209.01, Offender Discipline.

Policy requires that the disciplinary process consider whether an offender's mental disabilities or mental illness contributed to behavior when determining what type of sanction, if any, will be imposed. And if the facility offers therapy, counseling or other interventions to address and correct underlying reasons or motivations for the abuse, the facility is required to consider whether to offer the offending offender to participate in such interactions as a condition of access to programming or other benefits. Policy affirms that an offender may be disciplined for sexual contact with a staff member only upon a finding that the staff member did not consent to such contact.

Reports made in good faith upon a reasonable belief that the alleged conduct occurred shall not constitute false reporting or lying, even if the investigation does not establish sufficient evidence to substantiate the allegation. However, following an administrative finding of malicious intent on behalf of the offender making the report, then the offender will be subject to disciplinary sanctions pursuant to a formal disciplinary process in accordance with SOP 209.01, Offender Discipline.

The GDC Disciplinary Process and Policies follow the standards of the American Correctional

The CDC Disciplinary Process and Policies follow the standards of the American Correctional Association and inmates are afforded a forma due process hearing in accordance with those standards. This was documented by the Agency's most recent quality assurance audit. Inmates may also have an advocate present if they request it.

The facility due process officer uses an Offender Disciplinary Code Sheet documenting that offenses designated as either "great" or "high" severity offenses, that include sexual assault or soliciting sexual activity, may be sanctioned by 1) Isolation one to fourteen days; 2) Referral to Classification Committee for review; 3) Disciplinary transfer; 4) Removal from specified programs; 5) Affect issuance of a warrant for violation of law; 6) Prisons restriction on privileges for up to 90 days; 7) Impound personal property for days; 8) Change in work or quarters assignment; 9) Extra duty for two hours/day up to 90 days and 13 other sanctions. If the allegation of sexual assault is substantiated, the Special Agent may consult with the district attorney and refer the inmate for prosecution.

The Code Sheet addresses violations of statutes and asserts that inmates under the jurisdiction of the State Board of Corrections are subject to all laws of the United States and of the State of Georgia and any inmate violating these laws may be charged and tried for that violation in the same manner as any other citizen in the appropriate state or federal court. The filing of charges in a judicial court of record for a violation of state or federal laws does not in any way prevent or preclude the administrative handling of the same act as a prisons disciplinary manner or of the taking of disciplinary action against the inmate.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Policy 508.22 Mental Health Management of Suspected Sexual Abuse or Harassment Mental Health Referral Form</p> <p>Interviews: Inmates who Disclose Sexual Victimization at Risk Screening Staff Responsible for Risk Screening</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 31 states: I. Medical and Mental Health Care: The Department shall provide prompt and appropriate medical and mental health services in compliance with 28 CFR § 115 and in accordance with the Department SOPs regarding medical and mental health care.</p> <p>Documentation of inmates alleging any form of sexual abuse being seen by medical, referrals are made for follow-up with mental health and interviews with medical and counseling staff confirmed this facility complies with offering and providing follow-up with a medical or mental health professional (Central State Prison). Mental health staff at Central State Prison is licensed professionals. Additionally, although it is evident that referrals are made to mental health, it appeared that the two units, medical and mental health communicated frequently and in tandem to meet the needs of offenders who alleged previous sexual abuse or sexual abuse while in the facility.</p> <p>Policy asserts that if an inmate's intake assessment indicated the inmate has experienced any prior victimization or has perpetrated any sexual abuse, whether in an institutional setting or in the community, the inmate will be offered a follow-up meeting within 14 days of the intake screening. This will be documented on the inmate's intake screening instrument. Any information related to sexual victimization or abusiveness that occurred in an institutional setting is required to be strictly limited to necessary staff maintaining strict confidentiality.</p> <p>During the initial PREA Assessment (Victim/Aggressor) if the inmate endorses the question about having been a previous victim of sexual abuse, the counselor offers the inmate a referral to mental health. The inmate may choose to refuse. If the inmate wants to have a follow-up with mental health, the counselor makes the referral.</p> <ul style="list-style-type: none"> • Referral Forms • Consent for Evaluation • Consent for Treatment • Mental Health Evaluation <p>Forensic exams, if needed, are conducted at the facility. The facility did not receive any</p>

allegations involving penetration in the past 12 months. When there is an allegation of penetration, the GDC contracts with a team of Sexual Assault Nurse Examiners from Waycross, GA. The SANE would be contacted, and respond to the facility to conduct the forensic exam. Previous interviews with the SANEs confirmed that they respond to the calls from the prisons and one or two of the team members respond to conduct the exam. If the inmate is injured to the point of requiring medical services at the hospital, the inmate would be transported to the hospital for treatment. The reviewed Medical PREA Logs and Monthly PREA reports documented there no allegations of sexual assault requiring a forensic examination by the SANE. The forensic exam is provided by a SANE nurse without financial cost to the inmate. This was confirmed through an interview with the Lead Nurse.

Comments:

If an inmate discloses prior victimization during the initial intake victim/aggressor assessment, the offender will be offered a follow-up with either medical or a mental health practitioner. This follow-up is offered and will be completed within 14 days of the intake screening. The inmate may choose to refuse the offer and if so, the refusal will be documented.

If the screening process indicates an offender has previously perpetrated sexual abuse whether it occurred in an institutional setting or in the community, staff ensure that the offender is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. The interviewed staff stated if an inmate disclosed a previous history of sexual abuse during the initial PREA Assessment, the inmate will be offered a follow-up with mental health.

Care is taken to protect reported information. Information reported by offenders related to prior victimization or abusiveness that occurred in an institutional setting is limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education and program assignments or as otherwise required by Federal, State or local law. Inmates sign consent for evaluation and consent for treatment.

Interviewed inmates who reported having been victims of previous sexual abuse indicated they were offered mental health services and follow-up or were already on the mental health caseload. The counselor indicated if an inmate was sexually assaulted, mental health would see them within 24 hours. As soon as mental health knows of the incident, the SART calls mental health or emails, and they are seen within a few hours, at most, according to the counselor, mental health services are provided at Central State Prison in Macon, Georgia.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Policy 508.22 Mental Health Management of Suspected Sexual Abuse or Sexual Harassment Medical PREA Log SANE Procedures Memo Dated June 3, 2019, Offenders Not Charged Co-Pays for Evaluation and Treatment after sexual assault.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 31 states: I. Medical and Mental Health Care: The Department shall provide prompt and appropriate medical and mental health services in compliance with 28 CFR § 115 and in accordance with the Department SOPs regarding medical and mental health care.</p> <p>Comments: McEver Probation Detention Center has had no reports or allegations of sexual abuse or sexual harassment in the last twelve months. This was confirmed through review of SANE logs and interviews with the Lead Nurse. Policy and Practice ensures that inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the services are within the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. This was confirmed through reviewed policies and procedures, reviewed monthly PREA reports, Interviews with the PREA Compliance Manager and Lead Nurse.</p> <p>Policy requires that when an inmate makes an allegation of sexual abuse, the inmate will be interviewed in private to determine the nature and timing of the assault and extent of physical injuries. First Aid and emergency treatment will be provided in accordance with good clinical judgment. If the assault occurred within the previous 72 hours, the inmate will be counseled regarding need for a medical evaluation to determine the extent of injuries and testing and treatment for sexually transmitted infections. If the inmate needs emergency care beyond the capability of the facility, he will be transported to the local hospital.</p> <p>Interviewed health care staff indicated that if there was a sexual assault, their role would be to assess and stabilize the offender and when stabilized, preserve the site and evidence. If emergency care is required, the offender would be taken to the local hospital.</p> <p>The SANE and health care staff will be utilized to provide the victim with information about access to emergency prophylactic treatment of sexually transmitted infections. Inmates are not charged for PREA related issues and treatment. If the assault occurred more than 72 hours prior to being reported, the decision as to where the medical evaluation will occur is made on a case by case basis.</p>

Sexual Assault Nurse Examiners are provided through a contract with Satilla. Previous interviews with two Sexual Assault Nurse Examiners confirmed their role in responding to a sexual assault and conducting the forensic exam. Interviews with SANEs indicated the inmate would be offered testing for HIV and other Sexually Transmitted Infection and offered STI Prophylaxis. The SANE indicated that following the forensic exam, she would recommend the STI Prophylaxis and any other medication required.

Security and non-security staff are trained as first responders and their roles are to separate the alleged victims from alleged perpetrators, try to protect any evidence, suggesting the victim not eat, drink, use the restroom or change clothes, and require the alleged perpetrator not do those things as well that could destroy evidence. Interviewed staff articulated their roles as first responders and non-uniform staff responded with all the elements of first responding just as the uniformed staff did.

Counseling staff indicated that victims of sexual abuse would receive an Initial Sexual Abuse Evaluation and possibly a complete evaluation; and if needed, a referral for specialized upper level provider for counseling. Counseling would include specifics such as guilt; boundaries etc. and could include a comprehensive treatment plan. McEver Probation Detention Center does not provide mental health services to inmates, these services are provided at Center State Prison in Macon, GA.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Policy 508.22 Mental Health Management of Suspected Sexual Abuse or Sexual Mental Health Consent Form</p> <p>Statement of Fact Memo Dated June 3, 2019, Lead Nurse</p> <p>Memo Dated July 1, 2019 SAIRT</p> <p>Memo Dated January 2, 2020 Sexual Assault Incident Review Check List</p> <p>Interviews:</p> <p>Medical Staff</p> <p>Site Review:</p> <p>PREA posters were observed through the facility and hotline instructions were painted on walls next to phones.</p> <p>Comments:</p> <p>The facility offers medical and counseling, mental health services are provided at Central State Prison in Macon Georgia, if needed. Treatment to all inmates victimized by sexual abuse in a prison, jail, lockup or juvenile facility, as appropriate, the facility offers follow-up services and mental health evaluations, including referrals for continued care following transfer or placement in other facility or their release from custody.</p> <p>Victims of sexual assault are assessed following an allegation to determine the presence and extent of any injuries. Nursing staff, responding to a sexual assault do a visual exam to assess injuries and if there are no injuries requiring care at the hospital, the Sexual Assault Nurse Examiner is called and comes to the prison to conduct the forensic exam. At the conclusion of the exam, the SANE (in a previous interview) stated she recommends the STI Prophylaxis and testing for STIs. The recommendations must be approved by the physician. Because the facility offers a variety of health care services, ongoing treatment, testing and follow-ups are provided at the facility. Interviews with the Lead Nurse/Health Care Administrator indicated he has access to the prophylactics and can administer them on the orders of the facility physician.</p> <p>Mental Health assessments are conducted on victims of sexual abuse and they are either offered services or are continued in care on the caseload, if already on the mental health caseload.</p> <p>The Lead Nurse/Health Services Administrator and Counselor confirmed the process for providing ongoing physical and mental healthcare services. Inmate victims of sexual abuse, identified as potential victims as well as any inmate who becomes a victim, is offered a follow-up with mental health services provided at Central State Prison.</p>

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated July 1, 2019 SAIRT Sexual Abuse Checklist</p> <p>Interviews: Superintendent PREA Compliance Manager Incident Review Team Member</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 31 states: J. Data Collection and Review:</p> <p>1. Monthly Sexual Abuse Program Review. The facility SAIRT shall conduct a sexual abuse incident review at the conclusion of every substantiated and unsubstantiated sexual abuse investigation to review and assess the facility’s PREA prevention, detection, and response efforts as stipulated in Attachment 9, Sexual Abuse Incident Review Checklist. Reviews are not necessary for incidents with a disposition of unfounded.</p> <p>Comments: The facility had no allegations of sexual abuse or sexual harassment in the past 12 months. This was confirmed through reviewed monthly PREA Reports to the GDC PREA Unit, Reviewed Grievances, Calls to the GDC Hotline Report, and interviews with staff. Interviews indicated staff understands the Incident Review Process and that they would conduct incident reviews within 30 days of the conclusion of the investigation. In conducting the incident review the members described the process and indicated they would use the GDC Incident Review Form. The team consists of upper-level management with input from supervisors, investigators, and medical staff. Members include the PREA Compliance Manager, Facility Based Investigator, Counselor, and Sexual Assault Response Team Members.</p> <p>Using the GDC Incident Review Form, the following are a part of the review process:</p> <ul style="list-style-type: none"> • Consider whether the allegations or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse whether the incident or allegation was motivated by race, ethnicity, gender identity, gay, lesbian, bisexual, transgender or intersex identification status or perceive status, gang affiliation or was motivated or otherwise caused by other group dynamics at the institution. • Examine the area where the incident allegedly occurred to assess any physical barriers in the area that may enable abuse • Assess the adequacy of staffing levels in that area during various shifts

The review team, in compliance with policy and confirmed in interviews, then will prepare a report of its findings to the Superintendent and the PREA Compliance Manager who are authorized to implement the recommendations for improvement and document the reasons for not doing so.

Team members consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse; whether the allegation was motivated by the perpetrator's or victim's race, ethnicity, gender identity, gay, lesbian, bisexual, transgender or intersex identification, status or perceived status, or gang affiliation, or was motivated by other group dynamics at the facility; to examine the area where the incident allegedly occurred to assess whether physical barriers in the area enabled the abuse; to assess the adequacy of staffing levels in the area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and prepare a report of findings, including, but not limited to , determinations regarding all of the above and any recommendations for improvements, and submit the report to the Superintendent or PREA Compliance Manager. Documentation indicated the facility conducts incident reviews and considers all the elements required in the standards.

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated July 1, 2019 PREA Data Incident Demographic Form Blank Facility Monthly Report PREA 2018 GDOC Annual PREA Report</p> <p>Interviews: None</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, page 31 states: J. Data Collection and Review:</p> <ol style="list-style-type: none"> 1. Monthly Sexual Abuse Program Review. The facility SAIRT shall conduct a sexual abuse incident review at the conclusion of every substantiated and unsubstantiated sexual abuse investigation to review and assess the facility’s PREA prevention, detection, and response efforts as stipulated in Attachment 9, Sexual Abuse Incident Review Checklist. Reviews are not necessary for incidents with a disposition of unfounded. 2. The review team shall: <ol style="list-style-type: none"> a. Each facility shall submit a report to the Department’s PREA Analyst each month using the electronic spreadsheet provided from the PREA Coordinator’s office. This form shall be submitted by e-mail no later than the fifth calendar day of the month following the reporting month. All allegations investigated within the month shall be included on this report along with the appropriate disposition. The monthly report shall be completed in accordance with the Facility PREA Log User Guide. b. The Department shall review data collected and aggregated of all sexual abuse allegations in order to improve staff performance, identify problem areas, and improve facility operations and offender sexual safety. The Department shall publish the data in an annual report, comparing each years’ data, and provide an assessment of progress in addressing offender sexual abuse. It shall make this publicly available on its website. <p>Comments: The auditor reviewed the most recent Georgia Department of Corrections Annual Report. The Report is posted on the GDC Website. The auditor reviewed the 2017 GDC PREA Report The report was detailed and comprehensive. The report indicated the GDC has 34 prisons, 13 Transitional Centers, 9 probation detention centers, 5 substance abuse and integrated</p>

treatment facilities and 4 private prisons. Data is collected from each of the facilities and aggregated. Georgia DOC compiles and investigates PREA allegations in 4 major categories including 1) staff on inmate abuse, 2) staff on inmate harassment, 3) inmate on inmate abuse and 4) inmate on inmate harassment.

Data, if any, is collected, reviewed annually and maintained from all available incident-based documents, including reports, investigation files and sexual abuse reviews. Upon request all data from previous calendar years will be provided to the Department of Justice. The report provided data regarding the total number of allegations from all facilities and then it breaks the allegations down into those that were substantiated, unsubstantiated and unfounded. A chart then breaks down the data by facility.

The aggregated sexual abuse data will be readily available to the public at least annually through the Georgia Department of Corrections Website. Before making the data available, the Department will remove all personal identifiers. Some information may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the institution, but it will but, the nature of the material redacted will be indicated.

Interviews with the PREA Compliance Manager and Superintendent confirmed the facility provides the required data, if any, to the GDC PREA Unit by reporting immediately any allegations or incidents of sexual abuse at the facility as well as monthly in the monthly PREA Report sent to the GDC PREA Coordinator. McEver Probation Detention Center reported no incidents of sexual abuse or sexual harassment in 2018; this was confirmed through review of the 2018 Georgia Department of Corrections PREA Report.

115.88	Data review for corrective action
	<p data-bbox="252 170 927 203">Auditor Overall Determination: Exceeds Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 544 360">Documents Reviewed:</p> <p data-bbox="252 371 1461 450">Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p data-bbox="252 461 743 495">Memo Date July 1, 2019 Data Review</p> <p data-bbox="252 506 930 539">GDC PREA Annual Reports 2016, 2017, 2018, 2019</p> <p data-bbox="252 584 392 618">Interviews:</p> <p data-bbox="252 629 443 663">Agency Head \</p> <p data-bbox="252 674 491 707">PREA Coordinator</p> <p data-bbox="252 719 616 752">PREA Compliance Manager</p> <p data-bbox="252 797 1461 875">Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 31 states:</p> <p data-bbox="252 887 647 920">J. Data Collection and Review:</p> <ol data-bbox="252 976 1485 1816" style="list-style-type: none"> <li data-bbox="252 976 1485 1178">1. Monthly Sexual Abuse Program Review. The facility SART shall conduct a sexual abuse incident review at the conclusion of every substantiated and unsubstantiated sexual abuse investigation to review and assess the facility’s PREA prevention, detection, and response efforts as stipulated in Attachment 9, Sexual Abuse Incident Review Checklist. Reviews are not necessary for incidents with a disposition of unfounded. <li data-bbox="252 1234 1485 1816">2. The review team shall: <ol style="list-style-type: none"> <li data-bbox="252 1312 1485 1559">a. Each facility shall submit a report to the Department’s PREA Analyst each month using the electronic spreadsheet provided from the PREA Coordinator’s office. This form shall be submitted by e-mail no later than the fifth calendar day of the month following the reporting month. All allegations investigated within the month shall be included on this report along with the appropriate disposition. The monthly report shall be completed in accordance with the Facility PREA Log User Guide. <li data-bbox="252 1615 1485 1816">b. The Department shall review data collected and aggregated of all sexual abuse allegations in order to improve staff performance, identify problem areas, and improve facility operations and offender sexual safety. The Department shall publish the data in an annual report, comparing each years’ data, and provide an assessment of progress in addressing offender sexual abuse. It shall make this publicly available on its website. <p data-bbox="252 1872 400 1906">Comments:</p> <p data-bbox="252 1917 1485 2119">This Standard is rated exceed. The agency and facility reviews data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas and taking corrective action as necessary on an ongoing basis. An assigned analyst puts forth significant effort to ensure</p>

The GDC requires each facility to maintain PREA related data and to report to the GDC PREA Unit, monthly the number of allegations of sexual abuse and sexual harassment, including inmate on inmate and staff, contractor, volunteer on inmate. The auditor reviewed the Facility PREA Reports 12 months prior to the on-site audit. The agency collects the data for each facility and aggregates it at least annually and provides comparisons from previous years as well as actions the Department has taken as a result of analysis of the data. The annual reports are comprehensive and informative.

The Georgia Department of Corrections requires each facility to conduct incident reviews after each sexual abuse allegation investigation if the allegations are founded or unsubstantiated. The purpose of this is to determine what the motivation for the incident was and to assess whether there is a need for corrective actions including additional staff training, staffing changes or requests for additional video monitoring technology or other actions to help prevent similar incidents in the future.

Likewise, the agency collects data from each facility and reviews the aggregated data collected to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training, including identifying problem areas; taking corrective action on an ongoing basis and preparing an annual report of its findings and corrective actions for each facility and the GDC. The department has a dedicated staff person whose job it is to collect and analyze the data.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Memo Dated July 1, 2019 Data Collection and Review</p> <p>GDC Annual PREA Report CYC 2012</p> <p>GDC Annual PREA Report CYC 2013</p> <p>GDC Annual PREA Report CYC 2014</p> <p>GDC Annual PREA Report CYC 2015</p> <p>GDC Annual PREA Report CYC 2016</p> <p>GDC Annual PREA Report CYC 2017</p> <p>GDC Annual PREA Report CYC 2018</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 32 - 33 states:</p> <p>VI. Record Retention of Forms Relevant to this Policy:</p> <p>Retention of PREA related documents and investigations shall be securely retained and made in accordance with the following schedule:</p> <p>A. Sexual abuse data, files, and related documentation - at least 10 years from the date of the initial report.</p> <p>B. Criminal investigation data, files, and related documentation - for as long as the alleged abuser is incarcerated or employed by the agency, plus five (5) years; or 10 years from the date of the initial report, whichever is greater.</p> <p>C. Administrative investigation data, files, and related documentation - for as long as the alleged abuser is incarcerated or employed by the agency, plus five (5) years; or 10 years from the date of the initial report, whichever is greater.</p> <p>Comments:</p> <p>Georgia Department of Corrections makes all aggregated sexual abuse data from all facilities under its direct control and private facilities with whom it contracts, readily available to the public through the Georgia GDC Website. GDC Policy requires all reports are securely retained and maintained for at least 10 years after the date of the initial collection unless the Federal, State or local laws require otherwise.</p> <p>GDC Policy 208.06, Prison Rape Elimination Act -PREA, Sexually Abusive Behavior Prevention and Intervention Program, VI Record Retention of Forms Relevant to this Policy, requires that the retention of PREA related documents and investigations will be securely retained and made in accordance with this policy and policy in VI.1, Sexual abuse data, files and related documentation requires they are retained at least 10 years from the date of the initial report.</p>

Criminal investigation data, files and related documentation is required to be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years or 10 years from the date of the initial report, whichever is greater. Administrative investigation data files and related documentation is to be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or 10 years from the date of the initial report, whichever is greater.

The facility has had no allegations of sexual abuse or sexual harassment in the past 12 months. All sexual abuse data will be available to the public on the prison's website and in annual reports. All personal identifiers will be removed as it pertains to confidentiality. All data collected will be maintained no less than 10 years from the initial date of collection.

115.401	Frequency and scope of audits
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews: Correctional Staff Specialized Staff Contractors Random Inmates Targeted Inmates Informal Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, pages 31 - 32 states: Audits: The Department shall conduct audits pursuant to 28 C.F.R.§115.401-405.</p> <p>Each facility operated by the Department shall be audited every three (3) years on a schedule determined by the Department’s PREA Coordinator. Federal Auditors determine compliance with federal standards and shall not dictate facility management, or procedural decisions. All auditor suggestions and findings shall be referred to the agency PREA Coordinator for review.</p> <p>County facilities and Private facilities operated on behalf of the Department (housing state offenders) must meet the same audit requirements. These entities are responsible for scheduling and funding their audits. All auditors shall be certified by the Department of Justice. Each facility shall bear the burden of demonstrating compliance with the federal standards. A copy of the final report shall be submitted to the Department’s PREA Coordinator upon completion of the audit and must be conducted every three years.</p> <p>Comments: The Georgia Department of Corrections ensures that 1/3 of their prisons are audited each year for compliance with the PREA Standards each year so that at the end of the 3-year cycle, all prisons have been audited. McEver Probation Detention Center was previously audited for compliance with the PREA Standards April 26, 2017.</p> <p>The medical care at this facility is accredited by the Medical Association of Georgia for meeting the Medical Association of Georgia’s Standards which are essentially the standards of the National Commission on Correctional Health Care. McEver Probation Detention Center contracts with Augusta University to provide medical care for offenders.</p> <p>The Georgia Department of Corrections also contracts with county and private facilities. Policy requires that county facilities and privately operated on behalf of the Department (housing state offenders) must meet the same audit requirements. These entities are responsible for scheduling and funding their audits. All audits are required to be certified by the Department of</p>

Justice and each facility will bear the burden of demonstrating compliance with the federal standards. A copy of the final report will be submitted to the Department's PREA Coordinator upon completion of the audit and must be conducted every three years.

The facility posted the Notices of PREA Audit in areas of the facility accessible to inmates, staff, contractors, volunteers and visitors six weeks prior to the on-site audit. These were observed in living units and other areas accessible to staff, inmates, contractors, volunteers and visitors. Thirty (30) days prior to the onsite audit the auditor and PREA Compliance Manager communicated via email to discuss the audit process. Communications with the PREA Compliance Manager were often and productive.

The auditor received the flash drive more than 30 days prior to the onsite audit. The information contained on the flash drive contained the GDC policies applicable to the standards as well as documentation to help the auditor understand the mission of the facility, the layout of the facility, and facility operations, including the staffing required for the population of male inmates. The auditor provided the facility an extensive list of documents the auditor would be asking for on-site. The facility was always responsive and helpful and complied with any request. During the on-site audit the facility was requested to provide documentation and the documentation was readily available and provided.

The on-site audit of the McEver Probation Detention Center was conducted by one Auditor, certified in both Juvenile and Adult Standards. During the on-site audit, the auditor was provided complete and unfettered access to all areas of the facility and to all the inmates. Adequate space was provided for auditor to conduct interviews in complete privacy. During the on-site review, the auditor freely walked around the facility, interviewing informally, staff, inmates, and contractors without impediment.

The Notice of PREA Audit was observed posted throughout the facility and in the living units. The notice contained contact information for the auditor. During the site review of the facility the auditor informally talked with inmates and staff. None of the inmates requested to talk with the auditor in private.

Interviews were conducted in complete privacy with every resident chosen for interviews. The Certified Auditor conducting inmate interviews interviewed a total of fifty-eight (58) inmates, seventeen (17) offenders randomly selected and three (3) targeted and thirty-eight (38) informally were interviewed.

The auditor reviewed inmate files, made observations throughout the on-site audit, thoroughly reviewed samples of documentation, tested processes (including checking victim/aggressor assessment time periods) and interviewed staff, contractors and inmates. Multiple personnel files were reviewed to assess the hiring process and background checks.

An exit briefing was conducted, preliminary findings were discussed, and corrective actions were identified. The auditor and the PREA Compliance Manager continued to work together following the on-site audit when additional information was needed it was provided in a timely manner.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency PREA Compliance Coordinator ensures that all PREA Reports are published on the agency's website within 90 days of the completion of the report. Reports for all facilities for all reporting periods are posted on the agency's website and easily accessible to the public.</p> <p>The auditor reviewed the Agency's website and reviewed the previous PREA reports as well as annual reports that were posted on the website.</p> <p>Interviewed administrators indicated the PREA Report as well as annual reports are posted for public viewing, this audit report will be posted within 90 days of issuing the final report to the facility.</p>

Appendix: Provision Findings

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

115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes

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

115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	no

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.)	no

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes

	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

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

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

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

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

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

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

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

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	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 if the facility does not have female inmates.)	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?	no
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies 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 have procedures 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	
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	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	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 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 who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes

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

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

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

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

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

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

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

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

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)?	no
	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? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	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 agency 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 always makes a victim advocate from a rape crisis center available to victims.)	yes

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 the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes

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

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

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

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

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

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

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

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

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

115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	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 receive 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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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 or the agency does not employ medical staff.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	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, as 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, as 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, as 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 an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to 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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	na
	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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	na
	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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	na

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 any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na

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? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na

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.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes

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

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

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

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

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

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	no
	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? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	no

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na

115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na

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

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

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

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

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

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

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

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

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes

115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes

115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes

115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes

115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes

115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes

115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes

115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes

115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes

115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes

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

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes

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

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

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

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

115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes