

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS

Interim     Final Report

### Auditor Information

**Auditor name:** Katherine Brown

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**Telephone number:** 727-470-4123

**Date of facility visit:** November 2-3, 2015

**Date report submitted:** November 4, 2015

### Facility Information

**Name of facility:** Ware State Prison

**Physical address:** 3620 Harris Road Waycross, GA

**Facility mailing address:** N/A

**Telephone number:**

<b>Ware State Prison is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		

<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison
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<b>Name of facility's Chief Executive Officer:</b> Tom Gramiak	<b>Title:</b>	Warden
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**Number of staff assigned to Ware State Prison in the last 12 months:** 324

**Designed facility capacity:** 1546

**Current population of facility:** 1293

**Facility security levels/inmate custody levels:** I,II,III,IV,V

**Age range of the population:** 18-91

<b>Name of PREA Compliance Manager:</b> Patricia Hayes	<b>Title:</b>	Personnel Technician
<b>Email address:</b> <a href="mailto:Patricia.Hayes@gdc.ga.gov">Patricia.Hayes@gdc.ga.gov</a>	<b>Telephone #</b>	812-285-6451

### Agency Information

**Name of agency:** Georgia Department of Corrections

**Governing authority or parent agency:** Georgia Department of Corrections

**Physical address:** 300 Patrol Road, Forsyth, GA 31029

**Mailing address:** N/A

**Telephone number:** 478-992-5211

### Agency Chief Executive Officer

<b>Name:</b> Brian Owens	<b>Title:</b>	Commissioner
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<b>Email address:</b> <a href="mailto:Owensb00@dcor.state.ga.us">Owensb00@dcor.state.ga.us</a>	<b>Telephone</b>	
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### Agency-Wide PREA Coordinator

<b>Name:</b> Sharon Shaver	<b>Title:</b>	Agency PREA Coordinator
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<b>Email address:</b> <a href="mailto:Sharon.Shaver@gdc.ga.gov">Sharon.Shaver@gdc.ga.gov</a>	<b>Telephone #</b>	678-628-3128
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# AUDIT FINDINGS

## **NARRATIVE:**

The audit of Ware State Prison was conducted on November 2-3, 2015 by Katherine Brown, Certified PREA auditor. The areas toured were a total of 28 housing units. There are 24 general population units and 4 Tier units or segregation unit, plus the kitchen, laundry, programs area, and work areas.

An entrance meeting was held with facility staff. The following people were in attendance: Melvin Butts, Assistant Statewide PREA Coordinator; Warden Tom Gramiak; John Boyett, Deputy Warden of Security; Juanita Crawford, Deputy Warden of Administration; Tommie Boggs, Food Service Director; Greg Kersey, Maintenance Engineer; Donald Reffie, Counselor; Calandra Watson, Business Manager; James K. Cox Chief of Security; Donnie Bussey, Lieutenant; Chris Tucker, Director of Nursing; Edwira Johnson, DWC; Patricia Hayes, PREA Compliance Manager; Dawn Marie Crane, Wardens' secretary.

Following the entrance meeting I toured Ware State Prison from 8:20 – 10:45. On the tour with me was Melvin Butts, Assistant Statewide PREA Coordinator and Warden Tom Gramiak .

I asked for an alpha listing of all inmates housed at Ware State Prison and randomly selected inmates from each housing unit as well as any inmates who were limited English speaking or had hearing/vision impairment to be interviewed. There were no hearing/vision impairment inmates there, I did interview three limited English speaking inmate using a staff interpreter. I interviewed a total of 28 inmates. I also asked for any inmate who was transgender/intersex, there were no transgender/intersex inmates. I asked for a shift roster and randomly selected 18 staff to interview. I also interviewed two inmates who filed alleged PREA reports. One was a tier inmate who has filed several PREA incidents. All have been basically the same allegations against staff members and all have been unfounded. After interviewing him he confirmed to me that all his allegations have been false and he did it as retaliation against staff for him being locked down. There were two other inmates that had filed a lot of the complaints but they had been transferred and was not available for interviews.

There were 117 sexual assault/harassment allegation cases, all relatively recent (within the past year) 104 had been unfounded; 1 substantiated; 11 unsubstantiated and 1 referred to OCI. Most of the complaints come from the Tier Unit. These inmates are in lockdown and are using PREA as a retaliatory strategy against the officers. All these are on camera and most have been unfounded based on camera evidence. The facility believes the Tier inmates use this as a way to get out of segregation if only for a short time.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

Ware State Prison is located at 3620 Harris Road, Waycross GA. It is a close custody facility that houses inmates who have behavioral/management issues. The goal of this facility is to take an inmate who is disruptive and modify their behavior so that they may eventually return to the general population of a lower security institution. Ware state Prison also acts as a release site for sex offenders. Currently the facility can hold 1,546 adult males. Inmate are

housed in either an open dormitory or in double cells. If the inmate is difficult to manage or had safety and security concerns they may be housed in segregation. It consists of twelve housing units with 50 double cells each. Infirmary has 12 beds. Segregations has 150 beds. A Fast Track Unit contains four dormitories with 54 beds each. Old Ware as it is called was built in the 1940's and consists of 112 beds then there is the newest addition which was added in 1989 and consists of four dorms for total of 256 beds. This facility also houses a C.E.R.T. Team, Tactical Squad, Canine Unit and a Fire Station.

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 3

Number of standards met: 39

Number of standards not met:

Number of standards not applicable: 1

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

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A.1; Georgia Organizational Chart and Organizational Chart. Based on interviews with PREA Coordinator and PREA compliance manager.

Georgia Department of Corrections has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Georgia Department of Corrections' approach to preventing, detecting, and responding to such conduct.

Georgia Department of Corrections employs or designates an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

Georgia Department of Corrections operates more than one facility; each facility has designated a PREA compliance manager with sufficient time and authority to coordinate Ware State Prison's efforts to comply with the PREA standards

**§115.12 Contracting with other agencies for confinement of inmates**

- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A.2

Ware does not contract for the confinement of their inmates.

**§115.13 Supervision and monitoring**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 3; SOP II. A. 07-0012; Staffing Plan; Post Assignments and annual review. Based on interview with Warden; PREA Compliance Manager and PREA Coordinator.

Georgia Department of Corrections has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse.

In circumstances where the staffing plan was not complied with, Ware State Prison documented and justified all deviations from the plan.

Georgia Department of Corrections completes an annual review, in consultation with the PREA coordinator required by § 115.11, to assess, determine, and document whether adjustments are needed.

**§115.14 Youthful inmates**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 4. (a-c).

There is currently 1 youthful inmate housed at Ware State Prison in the Tier Unit. The youthful inmate is housed alone and only comes out when staff are present and goes to programs and recreation by himself.

**§115.15 Limits to cross gender viewing and searches**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 5. (a-g) and SOP II. B. 01-0013 and lesson plan.

Ware State Prison does 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. In the event a cross gender search is done Ware State Prison documents all cross-gender strip searches and cross-gender visual body cavity searches.

Ware State Prison has policies and procedures that enable 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. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. The opposite gender announcement is being done sporadically. The auditor discussed with the Warden the need for further training on when this announcement needs to be done. I was not announced in every unit I went in. When staff and inmates were interviewed all confirmed announcements were being made, however the auditor was not announced. It was explained this announcement needs to be done for everyone entering the housing units.

Transgender/intersex inmates are housed at Augusta State Prison based on GDC classification plan.

Georgia Department of Corrections trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

**§115.16 Inmates with disabilities and limited English speaking**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 6 (a & b); Language Line contract; PREA Pamphlet English/Spanish; Institutional Protocol; Institutional Response Plan and Staff Guide pamphlet. Based on random inmate and staff interviews and interviewing limited English speaking inmates with the use of an interpreter.

Georgia Department of Corrections takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Georgia Department of Corrections' efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

Georgia Department of Corrections does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. None have been used or required.

<b>§115.17</b> <b>Hiring and promotion decisions</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 7 (a-d); SOP IV. O. 03-0012 and SOP IV. O. 05-0001. Based on interview with Human Resource Director Review of personnel files.

Georgia Department of Corrections does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, 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 has been civilly or administratively adjudicated to have engaged in the activity described above.

Georgia Department of Corrections considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Georgia Department of Corrections performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates performs a records check annually on all current employees and contractors who may have contact with inmates. Ware State Prison even runs a criminal history on all vendors who come into the facility to work, even those under constant staff observation. No one is allowed entry to Ware State Prison without a criminal history run. Based on this I find they exceed in this standard.

<b>§115.18</b> <b>Upgrades to facilities and technology</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV A. 8. Based on interview of agency head and warden.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Georgia Department of Corrections considers how such technology may enhance Georgia Department of Corrections' ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities.

<b>§115.21</b>	<b>Evidence protocol and forensic medical exams</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV B. 1 (a-f); SOP IK01-0006; SANE Callout; NIC Certificate for PREA-Behavioral Healthcare for Sexual Assault Victims in Confinement; Sexual Abuse Response Checklist; Procedure for SANE nurse Evaluation/Forensic Collection and Institutional Response Plan. Based on interview with SANE/SAFE staff and PREA compliance manager.

To the extent Georgia Department of Corrections is responsible for investigating allegations of sexual abuse; Georgia Department of Corrections follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions

Georgia Department of Corrections offers all victims of sexual abuse access to forensic medical examinations, on site, without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Nurse Examiners (SANEs) from Satila SANE Nurse Group.

Georgia Department of Corrections makes available to the victim a victim advocate utilizing a qualified staff member.

As requested by the victim, a qualified agency staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals.

<b>§115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV B. 1 and SOP IK01-0005. Based on interview with agency head and investigative staff.

Georgia Department of Corrections ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. All criminal and administrative investigations are handled by Office of Professional Standards.

Georgia Department of Corrections has a policy that ensures 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. Georgia Department of Corrections publishes such policy on its website [www.dcor.state.ga.us](http://www.dcor.state.ga.us). Georgia Department of Corrections documents all such referrals.

<b>§115.31</b>	<b>Employee training</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV C. 2; In Service Training Records; Sexual Assault/Sexual Misconduct Acknowledgement Statement; Staff Guide on PREA; In Service Lesson Plan; Training Roster – Sign in Sheet. Based on interview with random staff.

Georgia Department of Corrections trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates' right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.



The training is tailored to the gender of the inmates at Ware State Prison. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa.

Georgia Department of Corrections documents, through employee signature, those employees understand the training they have received.

**§115.32 Volunteer and contractors training**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV C. 3 (a-c) and reviewed Sexual Assault/Sexual Misconduct Acknowledgement Statement for Supervised Visitors. Based on interview with volunteer and contractors.

Georgia Department of Corrections ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Georgia Department of Corrections' sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Georgia Department of Corrections' zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Ware State Prison has documentation confirming that volunteers and contractors understand the training they have received.

**§115.33 Inmate education**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV C.4; SOP II B18-0001; Sexual Abuse Review Checklist; PREA Sexual Victimization/Aggressor classification Screening; Sexual Abuse Review Checklist and PREA Pamphlet. Based on interview with random inmates and intake staff

During the intake process, inmates receive information explaining Georgia Department of Corrections' zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

During the intake process, Georgia Department of Corrections provides a comprehensive education to inmates through a video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

Georgia Department of Corrections provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions.

**§115.34 Specialized training: Investigators**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV C. 5; In Service Training Records; NIC Certificate; GDC Internal Investigations Unit; Compliance Manager Training and PowerPoint Lesson Plan. Based on interview with investigative staff.

In addition to the general training provided to all employees Georgia Department of Corrections ensures that the in house investigators have received training in conducting investigations in confinement settings.

Specialized training includes 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. Georgia Department of Corrections maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

**§115.35 Specialized training: Medical and mental health care**

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

**Auditor comments, including corrective actions needed if does not meet standard**

SOP 208.06 IV. C.6. Reviewed NIC Certificate – PREA Medical Health Care and Lesson Plan PREA Compliance Manager.

Georgia Department of Corrections ensures 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; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Ware State Prison maintains documentation that medical practitioners have received the training.

Medical health care practitioners also receive the training mandated for employees, contractors and volunteers.

<b>§115.41      Screening for risk of victimization and abusiveness</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV D. 1 (a-h); Victim/Aggressor Classification Rating; PREA Sexual Victim/Sexual Aggressor Classification Screening. Based on interview with random inmates and intake staff responsible for screening. Only limited staff has access to the risk screening form only Medical, Case Managers and Warden.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates.

Intake screenings take place immediately upon arrival at Ware State Prison.

Ware State Prison uses an objective screening instrument.

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

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Georgia Department of Corrections, in assessing inmates for risk of being sexually abusive.

Within 30 days from the inmate's arrival at Ware State Prison, Ware State Prison reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Ware State Prison since the intake screening.

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

Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked.

Georgia Department of Corrections implements appropriate controls on the dissemination within Ware State Prison 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.

Based on the screening being done immediately upon arrival I find Ware State Prison exceeds in this standard.

<b>§115.42</b>	<b>Use of screening information</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV D. 2 (a-d); Acknowledgement Statement for Supervised Visitors/Contractors, Volunteers. Based on interview with PREA compliance manager and staff responsible for risk screening.

Georgia Department of Corrections uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Georgia Department of Corrections makes individualized determinations about how to ensure the safety of each inmate.

Transgender/Intersex inmates would not be housed at Ware State Prison they would be housed at Augusta State Prison by Georgia's Classification policy.

<b>§115.43</b>	<b>Protective custody</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV D. 3. (a-d). SOP II B09-0001. Based on interview with warden.

No inmates have been placed in involuntary segregation housing due to a risk of victimization.

Inmates 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.

Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Ware State Prison restricts access to programs, privileges, education, or work opportunities, Ware State Prison documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations.

Ware State Prison assigns such inmates to involuntary segregated housing 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 involuntary segregated housing assignment is made Ware State Prison clearly documents the basis for Ware State Prison’s concern for the inmate’s safety; and the reason why no alternative means of separation can be arranged. Every 30 days a review is performed to determine whether there is a continuing need for separation from the general population.

<b>§115.51</b>	<b>Inmate reporting</b>
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV E. 1. (a-e); Language Line; Inmate Handbook; Staff PREA Information Pamphlet. Based on interviews with random staff and inmates.

Georgia Department of Corrections provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. They can call \*7732 which is the PREA hotline; contact any staff member, write to the Ombudsmen Office or the Office of Parole and Pardons or write a kite or file a grievance.

Georgia Department of Corrections provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Georgia Department of Corrections, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request.

Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.

Georgia Department of Corrections provides a method for staff to privately report sexual abuse and sexual harassment of inmates.

**§115.52 Exhaustion of administrative remedies**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDC 208.06 IV. E. 1.2. and SOP IIB05-0001; reviewed two grievances submitted.

Georgia Department of Corrections does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.

Georgia Department of Corrections does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.

Georgia Department of Corrections ensures 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, and such grievance is not referred to a staff member who is the subject of the complaint.

Georgia Department of Corrections issues 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.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of inmates.

Georgia Department of Corrections has established procedures for the filing of an emergency grievance when the inmate is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, Georgia Department of Corrections immediately forwards 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 is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents Georgia Department of Corrections' determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

Georgia Department of Corrections may discipline an inmate for filing a grievance related to alleged sexual abuse only where Georgia Department of Corrections demonstrates that the inmate filed the grievance in bad faith.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed SOP 208.06 IV. E. 3. Based on interview with random inmates and inmates who reported sexual assault

Ware State Prison provides inmates with access to a staff victim advocate for emotional support services related to sexual abuse.

Ware State Prison informs 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.

There are no local victim advocacy groups in Waycross Georgia.

**§115.54 Third party reporting**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV E. 4.

Georgia Department of Corrections has a method to receive third-party reports of sexual abuse/harassment and distributes publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. Visitors can go to [www.dcor.state.ga.us](http://www.dcor.state.ga.us)

**§115.61 Staff and agency reporting duties**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Reviewed GDOC SOP 208.06 IV F. 1. (g-i); PREA brochure; PREA Lesson Plan training and hotline call notification memo. Based on interviews with random staff; warden and medical staff.

Georgia Department of Corrections requires 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 Georgia Department of Corrections; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Apart from reporting to designated supervisors or officials, staff does not reveal 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.

If the alleged victim is considered a youthful offender or vulnerable adult under a State or local vulnerable person's statute, Georgia Department of Corrections reports the allegation to the designated State or local services agency under applicable mandatory reporting laws.

Ware State Prison reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to Ware State Prison's designated investigators.

#### **§115.62 Agency protection duties**

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

#### **Auditor comments, including corrective actions needed if does not meet standard**

GDOC 208.06 IV.F.2 Based on interviews with random staff, and warden.

Immediate action is taken to protect inmates when Georgia Department of Corrections learns that an inmate is subject to a substantial risk of imminent sexual abuse.

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

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

#### **Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV F. 3 (a-d). Based on interview with agency head and warden.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Ware State Prison that received the allegation notifies the head of the facility where the alleged abuse occurred. Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented.



**§115.64 Staff first responder duties**

X Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV F. 4; Institutional Response Plan. Based on interview with security staff who are first responders and random staff.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, 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; and if the abuse occurred within a time period that still allows for the collection of physical evidence, 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 first staff responder is not a security staff member, the responder request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

Based on all staff have the PREA Staff guide card that they showed me during the tour and during the interviews I find Ware State Prison exceeds in this standard. With this card there is no doubt that first responders will know what to do if an assault occurs.

**§115.65 Coordinated response**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV F.5. and Institutional Response Plan. Based on interview with warden

Ware State Prison has 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.

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

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on interview with agency head. GDC does not have collective bargaining.

**§115.67 Agency protection against retaliation**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV F. 6 (a-e); Local Procedure Directive; and Offender Right to Know signed form. Based on interview with agency head, warden, and designated staff member with monitoring retaliation.

Georgia Department of Corrections has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designate which staff members or departments are charged with monitoring retaliation.

Georgia Department of Corrections has 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 that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, Georgia Department of Corrections monitors the conduct and treatment of inmates or staff who reported the sexual abuse and 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, and act promptly to remedy any such retaliation. There is periodic status checks performed. Items Georgia Department of Corrections should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Georgia Department of Corrections continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Georgia Department of Corrections takes appropriate measures to protect that individual against retaliation.

**§115.68 Post allegation protective custody**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on interview with warden.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse receives all the same rights and privileges as general population inmates.

**§115.71 Criminal and administrative agency investigation**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV G. 3; Staff Training Roster; NIC Certificate and In Service Training Record. Based on interview with investigative staff

When Georgia Department of Corrections conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Where sexual abuse is alleged, Georgia Department of Corrections uses investigators who have received special training in sexual abuse investigations.

Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator.

When the quality of evidence appears to support criminal prosecution, Georgia Department of Corrections conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. No agency requires an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that contain a thorough description of physical, testimonial, and documentary evidence, the reasoning behind credibility assessments, and investigative facts and findings, and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal are referred for prosecution to GDC Professional Standards unit.

Georgia Department of Corrections retains all written reports for as long as the alleged abuser is incarcerated or employed by Georgia Department of Corrections, plus five years.

The departure of the alleged abuser or victim from the employment or control of Ware State Prison or agency does not provide a basis for terminating an investigation.

### **§115.72 Evidentiary standard for administrative investigation**

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

#### **Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV G. 14 Based on interview with investigative staff.

Georgia Department of Corrections imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

### **§115.73 Reporting to inmates**

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

#### **Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV G. 15; PREA Allegation Notification Letter. Based on interview with warden; investigative staff.

Following an investigation into an inmate's allegation that they suffered sexual abuse in an agency facility, Georgia Department of Corrections informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If Georgia Department of Corrections did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Georgia Department of Corrections subsequently informs the inmate (unless Georgia Department of Corrections has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at Ware State Prison; Georgia Department of Corrections learns that the staff member has been indicted on a charge related to sexual abuse within Ware State Prison; or Georgia Department of Corrections learns that the staff member has been convicted on a charge related to sexual abuse within Ware State Prison.

Following an inmate's allegation that they had been sexually abused by another inmate, Georgia Department of Corrections subsequently informs the alleged victim whenever Georgia Department of Corrections learns that the alleged abuser has been indicted on a charge related to sexual abuse within Ware State Prison; or Georgia Department of Corrections learns that the alleged abuser has been convicted on a charge related to sexual abuse within Ware State Prison.

All such notifications or attempted notifications are documented.

An agency's obligation to report under this standard is terminated if the inmate is released from Georgia Department of Corrections' custody.

#### **§115.76 Disciplinary sanctions for staff**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

#### **Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV H. Reviewed Sexual Assault/Sexual Misconduct Acknowledgment Statement.

Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse.

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

All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV H. 2; Sexual Assault/ sexual Misconduct Acknowledgement Statement. Based on interview with warden.

No allegations against a volunteer or contractor has been received.

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

Ware State Prison takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

<b>§115.78</b>	<b>Disciplinary sanctions for inmates</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV H.3. and SOP II. B 02-0001 Based on interview with medical staff.

Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions are 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.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed.

All mental health services are provided at Valdosta State Prison either by taking the inmate there or through the use of Tele med.

Georgia Department of Corrections disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

Georgia Department of Corrections prohibits all sexual activity between inmates and may discipline inmates for such activity.

**§115.81 Medical and Mental health screening; history of sexual abuse**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed SOP 208.06 IV. D.; SOP VG30-0001; VG20-0002; MH/MR evaluation Health Screening Form and Nursing Assessment form for Alleged Sexual Assault. Based on interview with staff responsible for risk screening and medical staff.

If the screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, 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. All mental health services are provided at Valdosta State Prison usually done by tele med.

If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly 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.

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.

**§115.82 Access to emergency medical and mental health services**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed SOP IIA21-0001. Reviewed SANE nurse Call Roster; Medical PREA Log; and Procedure for Sane Nurse exam. Based on interview with medical.

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.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and immediately notify the appropriate medical and mental health practitioners.

Inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Treatment services are 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.

<b>§115.83</b> <b>ongoing medical and mental health care for sexual abuse victims</b>
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed Medical PREA Log. Based on interview with medical staff.

Ware State Prison offers 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.

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.

Ware State Prison provides such victims with medical and mental health services consistent with the community level of care.

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

Treatment services are 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.

<b>§115.86</b> <b>Sexual abuse incident reviews</b>
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)



**Auditor comments, including corrective actions needed if does not meet standard**

Reviewed GDOC SOP 208.06 IV J. Based on interview with warden, PREA compliance manager; incident review team.

Ware State Prison conducts 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. This review occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at Ware State Prison; and they examine the area in Ware State Prison where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

**§115.87 Data collection**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Georgia Department of Corrections collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

Georgia Department of Corrections maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Georgia Department of Corrections obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Upon request, Georgia Department of Corrections provides all such data from the previous calendar year to the Department of Justice no later than June 30.

**§115.88 Data review for corrective action**

- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on interview with PREA coordinator.

Georgia Department of Corrections reviews 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, as well as Georgia Department of Corrections as a whole.

Such reports includes a comparison of the current year’s data and corrective actions with those from prior years and provide an assessment of Georgia Department of Corrections’ progress in addressing sexual abuse.

Georgia Department of Corrections’ report is approved by Georgia Department of Corrections head and made readily available to the public through its website [www.dcor.state.ga.us/pdf/GDC-Annual-PREA-Report-CY2014.pdf](http://www.dcor.state.ga.us/pdf/GDC-Annual-PREA-Report-CY2014.pdf)

<b>§115.89</b>	<b>Data storage, publication and destruction</b>
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Georgia Department of Corrections makes 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 [www.dcor.state.ga.us/pdf/GDC-Annual-PREA-Report-CY2014.pdf](http://www.dcor.state.ga.us/pdf/GDC-Annual-PREA-Report-CY2014.pdf)

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires.

**AUDITOR CERTIFICATION:**

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

*Katherine Brown*

November 4, 2015

Auditor Signature

Date