

# PREA Facility Audit Report: Final

**Name of Facility:** Augusta State Medical Prison

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 04/20/2020

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"/>
<b>Auditor Full Name as Signed:</b> Mable P. Wheeler	<b>Date of Signature:</b> 04/20/2020

AUDITOR INFORMATION	
<b>Auditor name:</b>	Wheeler, Mable
<b>Address:</b>	
<b>Email:</b>	wheeler5p@hotmail.com
<b>Telephone number:</b>	(478) 737-2171
<b>Start Date of On-Site Audit:</b>	03/02/2020
<b>End Date of On-Site Audit:</b>	03/05/2020

FACILITY INFORMATION	
<b>Facility name:</b>	Augusta State Medical Prison
<b>Facility physical address:</b>	3001 Gordon Hwy., Grovetown, Georgia - 30813
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	

Primary Contact	
<b>Name:</b>	Ruthie Shelton
<b>Email Address:</b>	Ruthie.Shelton@gdc.ga.gov
<b>Telephone Number:</b>	7068554775

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	Edward Philbin
<b>Email Address:</b>	Edward.Philbin@gdc.ga.gov
<b>Telephone Number:</b>	7068554766

Facility PREA Compliance Manager	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	
<b>Name:</b>	Ruthie Shelton
<b>Email Address:</b>	ruthie.shelton@gdc.ga.gov
<b>Telephone Number:</b>	M: (706) 855-4775

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Constance Melchert
<b>Email Address:</b>	Constance.Melchert@gdc.ga.gov
<b>Telephone Number:</b>	7068554869

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	1326
<b>Current population of facility:</b>	1148
<b>Average daily population for the past 12 months:</b>	1140
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	
<b>Age range of population:</b>	19-92
<b>Facility security levels/inmate custody levels:</b>	Minimum, Medium, Close
<b>Does the facility hold youthful inmates?</b>	Yes
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	424
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	7
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	59

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

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

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Grace Atchison	<b>Email Address:</b>	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 Augusta State Medical Prison was conducted March 2-5, 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 December 8, 2016. 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. Augusta State Medical Prison is located Richmond County. This facility is a minimum, medium and close security institution, primarily housing male adults, on occasion female inmates will be housed at facility (medical unit) to receive medical services. There were no females being housed during the onsite audit.

#### Notice of Audit Posting and Timeline:

The Notice of PREA Audit for Augusta State Medical Prison located in Groveton, Georgia, was forwarded to the facility's PREA Compliance Manager on January 21, 2020, 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 23, 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 confidentiality of inmates and staff correspondences with the auditor. Seven letters were received by auditor before the onsite visit, individuals who had corresponded with the auditor prior to the onsite audit were identified and interviewed in private. 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. Confirmation of the Audit Notice posting was provided by the PREA Compliance Manager on January 23, 2020 via an email with pictures of the posted notice.

#### 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 Deputy Warden of Care and Treatment and has direct access to the Warden of the facility.

#### Requests of Facility Lists:

Augusta State Medical Prison 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 with disabilities

Inmates in segregated housing

Inmates who reported sexual prior 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 Augusta State Medical Prison. The facility currently does not have an MOU with an outside Advocacy Agency however, the facility does have a trained staff member to serve as an advocate for inmates who have suffer sexual abuse.

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 and one Qualified Assistant who were responsible for interviewing random, targeted offenders. The auditor and the qualified assistant also interviewed random and specialized staff.

The auditor and assistant arrived at the facility early morning on March 2, 2020 and concluded the audit on March 5, 2020 at around 5:30 PM. The auditor, qualified assistant and agency's Assistant Statewide PREA Coordinator were met by the PREA Compliance Manager and escorted into the administrative area for the entrance briefing with the following staff:

Vera Harden, Deputy Warden of Administration

Ruthie Shelton, Deputy Warden of Care and Treatment (PREA Compliance Manager)

Connie Melchert, Health Service Administrator

Annie Cody, Unit Manager

Larry Redd, Deputy Warden of Security

Latasha Harris, Unit Manager

Orbey Harman, Unit Manager

Madie Kitchens, Unit Manager

Robert Lanier, Qualified Assistant

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 Deputy Warden of Security, Larry Redd, PREA Compliance Manager, Ruthie Shelton and two Unit Managers.

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 of the facility. Staff was selected from the facility staffing rosters. A cross section of staff were selected that included day shift security staff, overnight security staff, counselors, administrative support staff and contractors.

(15) Randomly Selected Staff:

Correctional Officer I  
Correctional Officer Overnight  
Correctional Officer II  
Correctional Officer Split Shift  
Field Training Officer  
Lieutenants  
Sergeants  
Intake Officer  
SART

(21) 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  
Warden  
Deputy Warden of Care and Treatment (PREA Compliance Manager)  
Intake and Orientation Staff  
Staff Conducting Victim/Aggressor PREA Assessments  
Health Services Administrator  
Human Resources Manager  
Previous Interview with Special Agent from Southwest Region  
Facility Based Investigator  
Incident Review Team Member  
First Responder  
Retaliation Monitor  
SART  
Behavioral Health Counselor II  
Mental Health Unit Manager  
Sexual Assault Nurse Examiners (Prior Interview)  
Staff conducting Unannounced Rounds  
Contractors  
Volunteers

There were no youthful offenders at the facility.

(97) Total Inmate Interviews

(56) Informally interviewed inmates during the site review

(20) Randomly Selected Inmates

(21) Targeted Inmates:

LGBTI  
Inmates Reporting Prior Victimization  
Inmates who reported Sexual Abuse during Screening

Inmates with physical disabilities  
Inmates with cognitive disabilities  
Inmates who were hearing impaired  
Inmates LEP

The auditor informally interviewed/interacted with approximately ninety-seven (97) inmates during the site review. The auditor was provided privacy while talking with the inmates. After explaining the auditor's role, offenders were asked 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. Numerous interviewed offenders affirmed they were not told about Zero Tolerance during intake, this will be discussed further in the findings. Some interviewed offenders indicated they have received PREA Information in other GDC Facilities. However, most inmates verbalized several reporting methods during their interviews. Staff and inmates were introduced to the auditor as she walked throughout the facility. Closed and locked doors were opened; camera placement, PREA posters and PREA Audit Announcements and dialing instructions for the Hotline painted on walls 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
- 5) PREA Allegations Report January 2, 2019 – December 27, 2019 (Georgia Department of Corrections)

The exit interview was conducted on Thursday March 5, 2020 with Ruthie Shelton, Deputy Warden of Care and Treatment (PREA Compliance Manager), Larry Redd and Tamika Harvey, Deputy Wardens of Security, Connie Melchert, Health Services Administrator, Lawanda Grate, Administrative Assistant, Latasha Harris, Orbey Harman, Clifford Brown, Annie H. Cody, Lisa Mays, Unit Managers, the Agency Assistant State Wide PREA Coordinator, Robert Lanier Qualified Assistant 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:

Augusta State Medical Prison (ASMP) is a minimum, medium and close custody secure adult male prison located in Richmond County, Groveton, Georgia. The facility is located 135 miles from Atlanta, Georgia.

There is a hospital onsite that can also provide services for both male and female inmates who are sentenced to any Georgia Department of Corrections facility. The Augusta State Medical Prison is a large complex comprised of 26 buildings and medical hospital that provides specialty and surgical procedures, tertiary inpatient care, dialysis, pain management, palliative care, specialty evaluations and ancillary services through GDOC staff and Augusta University Medical Center. The population on the first day of the onsite audit was 1212 inmates with an operating capacity of 1326. Augusta State Medical Prison was constructed in 1982.

### Mission Statement:

Ensure public safety and effectively house offenders while operating safe and secure facility. Also provide centralized acute and specialized medical services and mental health services for offenders primarily as transients or outpatients and house severe medical cases. This facility is a Sex Offender Release Site and a Host facility for Augusta Transitional.

Augusta State Prison has 105 cameras strategically placed throughout the facility. These cameras are monitored by a certified PDS officer in the main control room or the video footage is recorded to a hard drive which is reviewed when it is not being monitored by the assigned officer. The recorded video footage is instrumental during investigations and is saved for thirty days unless it becomes evidence during an investigation.

There are 35 housing units which include housing for general population, transient population, acute care, crisis stabilization, medical assistance, 24-hour nursing, segregation, recovery/rehabilitation and pre/post-surgery. Space was observed for administrative offices, mental health, conference room, kitchen, dining hall, laundry, gymnasium, open bay and cell type dormitories, medical clinic and ID processing. Each living unit has provisions for inmate privacy while showering, using the toilet or changing clothing.

The living units are divided into two (2) separate units. Dorms 10 through 13 each have a support building that contains a multi-purpose room and counseling office. Dorms 10A & 10B have 50 single man/bed cells. Dementia and mental health level IV inmates are housed in these units, 10B has been designated a safe dorm. 11A has 100 double bunk two man cells housing mental health inmates, this dorm has been designated as a safe dorm. 11B is the special mental health treatment unit with 50 single bunks, single man cells. 12A1 is the administrative segregation/disciplinary isolation/protective custody unit with 50 beds with 25 double bunked cells. 12A2 is also administrative segregation/disciplinary isolation/protective custody unit with 25 single room single bed cells.

12B1 has 50 beds double bunked this is the medical transient dorm. 12B2 is a 50 bed general population unit with 2 man cells. 13A and 13B both have 50 bed single man cells housing mental health level IV inmates. 14A and 14B are open bay dorms consisting of 411 beds and 96 of these beds are designated for medical transient housing with a combination of single and double bunks. 14B has also been designated a safe dorm. 23A and 23B are general population open bay dorms with 256 beds with a

combination of single and double bunked upper and lower ranges. 23A-2 and 23B-2 have also been designated as safe dorms.

The nursing unit is comprised of eight separate units Nursing Unit 1A, 2A, and 3A these are 20 bed single man units. NLT 1B I is a 20 bed single man medial assisted living unit, NU 2B is a 20 CSU bed single man cells, NU3B is a 15 CSU bed single man cells, NU 4A is a 15 bed pre/post-surgery single man cells, and NU6A is a bed single man cells for administrative segregation/disciplinary isolation/protective custody unit.

Augusta State Medical Prison has 424 allotted positions which include security, care and treatment, administration, food service and plant operations. Currently the facility has 422 positions staffed with 10 vacancies in non-security and 32 security positions. The facility also has 220 nursing positions with 60 vacancies, 50 of the 200 positions are contract positions.

The facility has six (6) gender specific posts which include 11B1, 11B2, 12A1, 12A2, NU3B and NU2B (All administrative segregation, SMHTU and CSU are lock down units). Housing units are monitored by cameras 24 hours 7 days a week by the control room.

Augusta State Medical Prison Staffing (Augusta State Medical Prison Stratification Plan dated June 17, 2019)

#### Security

- 1 Warden
- 2 Deputy Wardens of Security
- 7 Unit Managers
- 12 Lieutenants
- 20 Sergeants
- 1 Secretary
- 320 Correctional Officers
- 2 Public Safety Trainers

#### Administrative

- 1 Deputy Warden of Administration
- 1 Financial Ops 3 (Business Manager)
- 1 Financial Ops Support Analyst 1
- 1 Office Admin Generalist
- 1 Clerk
- 1 Secretary
- 4 Financial Ops
- 1 Financial

#### Food Service Staff

- 1 Food Service Operations
- 4 Food Service Operations Spec
- 8 Food Service Operations Workers
- 1 Admin Support 3

#### Education Staff

- 2 Instructors 3

#### Counseling Staff

1 Deputy Warden of Care and Treatment  
1 Chief Counselor  
2 Behavior Health Counselors 3  
9 Behavior Health Counselors  
1 Social Worker  
2 Behavior Health Counselors  
1 Secretary  
2 Clerks  
1 Activity Therapist 2  
2 Practical Instructor Supervisors  
1 Pharmacy Worker  
1 Social Service Program Manager Supervisor (Chaplaincy)  
2 Rehab/Sup Counselors (Chaplaincy part-time)  
1 Library and Media Service (part-time)

#### Store Operations

2 Proc, Supply, Warehouse T  
2 Clerks

#### Plant Operations

1 Engineer  
1 Building/Construction Trades Spec (Supervisor)  
8 Building/Construction Trades Spec  
1 Admin Support

#### Personnel Operations

1 Human Resources Supervisor  
1 Human Resources Tech  
3 Human Resources Tech 2

#### Contract Employees (M.H.M Services)

20 Counselors  
6 Activity Therapists  
2 Psychologists  
4 Psychiatrists

#### August University (Medical)

1 Medical Doctor  
1 Health Services Administrator  
1 Director of Nursing  
4 Nurse Practitioners  
4 Medical Records Clerks  
26 Licensed Practical Nurses  
42 GCHC Physicians  
3 Office Associates  
1 Office Assistant  
3 Lab Technicians  
1 GCHC Supervisor Medical Technologist

1 Business Operations Spec  
2 Central Receiving  
1 Supervisor  
2 Store Keepers  
1 Sterile Supplies Specialist  
1 GCHC HIMMS Coordinator  
1 Office Coordinator  
2 Pharmacists  
1 Director of Pharmacy  
14 GCHC Certified Nursing Assistants  
3 GCHC Surgical Technologist  
1 Operating Room Assistant  
1 GCHC Office Associate OR  
1 GCHC Clinic Nurse Manager  
1 GCHC Perioperative Manager  
1 GCHC Staff Nurse Bed Space Manager  
2 Dental Assistants  
1 Dental Hygienist  
1 Dental Director  
4 GCHC Pharmacy Techs  
4 Respiratory Therapists  
3 Radiologic Therapists

Augusta State Medical Prison medical staff (Augusta University/Georgia Correctional Health Care) provides services at the facility 24/7. In addition, the facility provides assisted living services Georgia Department of Corrections inmates who require living assistance.

#### Programming

General Education Diploma

Adult Basic Education

Literacy/Remedial Services

Counseling Services

Motivational of Change

Sex Offender

Psycho-Educational Program

Re-Entry Skill Building

Early Recovery Skills

Matrix ERS

Matrix Relapse Prevention

Thinking for a Change

Moral Recognition

Pet Rescue

General Recreation

Religious Activities

Religious services are held nightly from 6:30 to 8:30 in the Prison Chapel.

On the Job Training and Work Details for Inmates

Appliance Repair (work detail)

Barbering  
 Building Maintenance (work detail)  
 Cook Apprentice  
 Kitchen Helper (work detail)  
 Food Service Preparation (work detail)  
 Food Service Baker (work detail)  
 Food Service Cook (work detail)  
 Healthcare Service Worker  
 General Office Clerk  
 Grounds Keeper (work detail)  
 Custodial Maintenance (work detail)  
 Electrician Helper  
 Plumbing (work detail)  
 Welding  
 Laundry Worker (work detail)  
 Library Worker (work detail)  
 Recreation Aide (work detail)  
 Supervise Aide  
 Warehouse (work detail)  
 Warehousing and Inventory Control  
 Store Clerk  
 Career Clerk (work detail)  
 General Labor (work detail)

Augusta State Medical Prison has had 110 (GDC Reporting, January 2, 2019 – December 27, 2019) allegations of sexual abuse or sexual harassment in the last 12 months prior to the audit. Two (2) of the allegations were determined not PREA related, two (2) allegations were determined to be substantiated, sixty (60) of the allegations were determined to be unsubstantiated and forty-six (46) were determined to be unfounded.

Inmate on Inmate Sexual Abuse	32 (1 not PREA related, 8 unfounded, 23 unsubstantiated)
Inmate on Inmate Sexual Harassment	30 (2 substantiated, 9 unfounded, 19 unsubstantiated)
Staff on Inmate Sexual Abuse	19 (11 unfounded, 8 unsubstantiated)
Staff on Inmate Sexual Harassment	29 (1 not PREA related, 18 unfounded, 10 unsubstantiated)

#### Facility Demographics

Asian	.003%
Black	59%
Hispanic	.03%
White	40%

The auditor toured the entire facility during the on site visit, 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.

<b>Number of standards exceeded:</b>	2
<b>Number of standards met:</b>	43
<b>Number of standards not met:</b>	0

Concern: Based on "special needs" of a large percentage of inmates recommended a showing of PREA video as a refresher for all inmates and allegation for time for discussion.  
 Response: Administration accepted this recommendation and provided auditor documentation of PREA refresher for all inmates prior to submission of final report.

Concern: Based on the auditor's observation of the risk screening process while onsite a recommendation was made for staff to revisit the location of counselor's interview with inmates. It appears that a more private setting is needed.  
 Response: This issue was addressed by administration and the auditor received documentation of changes in risk screening interview location prior to submission of final report.

Number of Standards Exceeded: 2  
 List of Standards Exceeded: 115:11, 115:87  
 Number of Standards Met: 43  
 List of Standards Met:  
 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; 115:88; 115:89; 115:401; 115:403  
 Number of Standards Not Met: 0  
 List of Standards Not Met:

## 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	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Augusta Local Procedure Directive  Coordinated Response  Memo Dated December 29, 2019 Victim Aggressor Assessment  PREA Org Chart  Georgia Department of Corrections Org Chart</p> <p>Interviews:  PREA Coordinator  PREA Compliance Manager</p> <p>Site Review:  Auditor observed PREA posters throughout the facility with hotline dialing instructions. Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 1 – 9 states:</p> <p>I. Introduction and Summary:</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"> <li>1. Offender Perpetrator Against Offender Victim; and</li> <li>2. Staff perpetrator against offender victim.</li> </ol> <p>B. These guidelines are provided to assist staff in:</p> <ol style="list-style-type: none"> <li>1. Detecting incidents and identifying perpetrators and victims of sexual abuse and/or harassment;</li> <li>2. Preventing sexually abusive and/or harassing behavior;</li> <li>3. Protecting vulnerable offenders from abuse and harassment from sexually aggressive offenders;</li> <li>4. Educating staff on how to intervene properly and in a timely manner;</li> <li>5. Documenting, reporting, and investigating reported incidents; and</li> <li>6. Disciplining and/or prosecuting perpetrators.</li> </ol> <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.;  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</p>

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, 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

C. GDC Standard Operating Procedures (SOPs): 203.03 Incident Report, 209.01 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;

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 dayroom 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:

Comments:

This standard is rated exceeds for multiple reasons that are discussed below. The Agency has been 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 Warden has designated the Deputy Warden of Care and Treatment 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.

PREA Compliance Manager is a Deputy Warden of Care and Treatment. The Facility's Organizational Chart identifies her as the PREA Compliance Manager. She has direct and unimpeded access to the Warden. This relationship was also confirmed in an interview with the Warden, the PREA Compliance Manager and through observations of interactions throughout the audit. The Warden confirmed his complete support of PREA and the PREA Compliance Manager.

Augusta State Medical Prison 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.

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interview:  Agency's Contract Monitor</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 7 states: Pervation Planning</p> <p>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:  Augusta State Medical Prison does not contract for the confinement of offenders. This was confirmed through interviews with the Agency's Contract Administrator (previous interview), Warden, PREA Compliance Manager, and the reviewed Pre-Audit Questionnaire.</p> <p>The Agency Contract Administrator previously provided the auditor two additional contracts the agency promulgated for the confinement of inmates by a county prison and a private vendor. Both contracts contained requirements for the contactor to comply with PREA and to acknowledge that the Georgia GDC has the right to monitor for compliance.</p> <p>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 adopt the PREA Standards and comply with them. They also acknowledged that the Department will monitor the facilities for compliance.</p>

115.13	<b>Supervision and monitoring</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Staffing Plan Dated May 16, 2019</p> <p>Interviews:  Warden  PREA Compliance Coordinator  Upper Level Staff</p> <p>Site review:  Auditor reviewed duty officers log books and records of official visits to dorms, documenting PREA rounds.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 7 - 8 states:</p> <p>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:  The Georgia Department of Corrections Policy requires each facility to develop a staffing plan addressing adequate staffing and deployment of video monitoring in an effort to protect offenders from sexual abuse. Additionally, the Georgia Department of Corrections facilities develop a stratification plan that essentially provides a brief overview of the facility and the plan for housing the population served by this facility. Augusta State Medical Prison has developed and documented a staffing plan that provides for adequate levels of staffing to attempt to keep inmates safe. The staffing plan is documented in Augusta State Medical Prison, Facility Staffing Plan, dated June 4, 2019.</p>	



The Staffing Plans and reviews of the staffing plan are guided by a template developed by the agency PREA Team. The template is designed to ensure each facility addresses each of the required items in the PREA Standards. These are developed with input from the agency PREA Coordinator and approved by the Warden and PREA Coordinator or Assistant Coordinator.

Plans are required to be documented and take into account and consider each of the items required by the PREA Standards. The Department (GDC) sends teams to facilities to assess the staffing needs and, after identifying Priority One Posts and other lessor priority posts, applies formulas with consideration of relief factors and recommends allocating the numbers of staff to be adequate for the mission of that facility. This is known as a staffing analysis.

Staffing levels then 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 critical, they must be manned 24/7. The facility may also have other posts that need to be staffed for optimum operational conditions but are a lessor 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.

115.14	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06  Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program Memo Dated January 30, 2020</p> <p>Interviews:  Warden  Deputy Warden of Care and Treatment</p> <p>Site Review:  The auditor did not see any youthful offenders during the tour of the facility, in addition, the Warden confirmed during his interview August State Medical Prison did not house any youthful offenders during 2019.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 8 - 9 states:</p> <p>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:  Augusta State Medical Prison 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 Warden, Deputy Warden for Care and Treatment/PREA Compliance Manage, and the Deputy Warden of Security. If there is a need to admit a youthful offender to the medical unit, strict adherence to policy would be followed.</p>

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115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated August 2, 2019 Female Inmate Restrictions  Memo Dated August 2, 2019 Local Directive Search Procedure</p> <p>Interveiws:  Random Staff  Site Review:</p> <p>During the tour the auditor observed August State Medical Prison did not house female offernders.</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> <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;</p> <p>ii. The following notice will be posted “NOTICE TO OFFENDERS: Male and female staff members routinely work in and visit housing areas.”</p> <p>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;</p>

- 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 reviewed Pre-Audit Questionnaire and interviews with staff confirmed that there have been zero cross-gender strip or body cavity searches during the past twelve months. All the interviewed staff confirmed that female staffs are prohibited from conducting cross-gender strip or body cavity searches unless there were exigent circumstances that are documented.

Frisk or Pat Search requires the pat search will be conducted, when possible, by an officer of the same sex. However, male offenders may be frisk or pat searched by both male and female security staff. Instructions for conducting pat searches, including using the back of the hand and edge of the hand are provided during search training. Although there are no females at this facility, policy prohibits male staff from conducting pat searches of female inmates absent exigent circumstances that are documented.

Policy prohibits staff from searching a transgender inmate for the sole purpose of determining the inmate's genital status. Staffs are also required by policy to search transgender and intersex inmates in a professional and respectful manner. One hundred percent of the interviewed staff confirmed they would not, and would not be allowed to search a transgender or intersex offender for the sole purpose of determining the offender's genital status. Interviewed transgender inmates had no issues regarding their searches.

GDC requires facilities to implement procedures enabling 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/dorm checks. Policy requires that inmates should shower, perform bodily functions and change clothing in designated areas. Observations of the showers in every dormitory confirmed that offenders have privacy while showering. Toilets are in the cells except in the open bay dorms. Showers there have curtains and toilets are separated by stalls.

Interviews with staff and offenders confirmed inmates can shower, perform bodily functions and change clothing without being viewed by staff. Interview inmates also confirmed privacy while showering, using the restroom, and changing clothes.

An additional measure required by policy is for staff of the opposite gender to announce their presence when entering an inmate housing unit. Signs are prominently posted in each dorm informing inmates that female staff typically works in the dorm. Interviewed staff, randomly selected as well as specialized staff, affirmed that staff consistently announces their presence before entering the housing area.

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Language Line Usage Log</p> <p>Detail Restriction for Hearing Impairment</p> <p>Cognitive Disability</p> <p>LEP Inmates</p> <p>Summary of Lesbian/Gay</p> <p>Summary of Transgender</p> <p>Summary of Bisexual</p> <p>Interviews:</p> <p>Agency Head</p> <p>Inmates who are LEP</p> <p>Inmates with physical and cognitive disabilities</p> <p>Staff</p> <p>Site Review:</p> <p>The auditor observed PREA information throughout the facility in Spanish and English. PREA Hotline number was posted near phones, instructions for access to VRS was also observed. 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>August State Medical Prison is committed to ensuring inmates with disabilities, inmates who are deaf/hard of hearing, blind or low vision, intellectually disabled psychiatrically disabled or speech disabled have access to interpretive services that are provided expeditiously through professional interpretive services. Inmates at the facility also have access to Video Relay Service (VRS) to report sexual abuse or sexual harassment. In addition, they also appear to be committed to ensuring inmates with limited English proficiency have access to interpretive services, the facility has an employee on site who serves as an interpreter. Interpretive services may be accessible through a Language Line Solutions. PREA Brochures in Spanish are provide to LEP inmates, Mental Health Counselor ensure that inmates with cognitive disabilities understand how to report sexual abuse/harassment.</p>

The closed caption PREA Video provides information in an effort to ensure all inmates have access to and the ability to participate in the agency's efforts of prevention, detection, responding and reporting sexual abuse and sexual harassment.

During the audit of the Augusta State Medical Prison, the auditor learned of inmates who reportedly were limited English proficient. All inmates interviewed stated that the onsite interpreter was very helpful in assuring that all information presented was understood. Most inmates understood PREA and knew how to report sexual abuse or sexual harassment if it happens. Two interviewed inmates who had been at the facility for since 2011 were unsure if they received information upon arrival but have been exposed to PREA information.

The prison has a limited English proficiency procedure affirming the facility will provide all necessary means to ensure LEP offenders are provided all PREA Information. This can be implemented through the staff interpreter, PREA Video and PREA Pamphlet in Spanish, Language Line, and PREA Posters in Spanish and English. Records indicated that from October 2019 until February 2020 interpreter services had been utilized by the facility ten (10) times.



115.17	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06  Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>New Hire Files</p> <p>Promoted Employee Files</p> <p>Volunteer Files</p> <p>Contractor Files</p> <p>Background Application</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>

- 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.
- 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 Human Resource Manager is well informed on Department of Corrections hiring processes and the requirements for background checks for newly hired staff, promoted staff, security staff, non-uniform staff, contractors, and volunteers. The described processes were consistent with GDC Policy and the PREA Standard.

GDC Policy requires background checks every year for uniform staff. Annual background checks are required for uniform staff to go to the firing range to maintain firearms qualification, as required for maintaining the officer's Peace Officer Standards Certification. All other employees and contractors with contact with inmates must have a background check every five years. However, Augusta State Medical Prison conducts backgrounds for all staff annually, this was confirmed through an interview with the Human Resources Manager.

The auditor reviewed the following files to determine if background checks were conducted as required:

(21) Newly Hired Staff – 100% of the twenty-one (21) reviewed files contained the required background checks, including the applicant verification form documenting the PREA related questions being asked prior to hire.

(12) Promoted Staff – 100% of the twelve (12) reviewed files contained the applicant verification forms and completed background checks.

(20) Contractor Files – 100% of the twenty (20) reviewed files contained the required background checks and 20 of the 2 files contained the applicant verification forms.

(20) Regular Employees – 100% of the twenty (20) files contained the required background checks (with multiple checks) and the required applicant verification forms.

(31) Volunteer Files – 100% of the thirty-one (31) reviewed files contained background checks.

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115.18	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Cameras in use with locations</p> <p>Interviews:  Agency Head  Warden</p> <p>Site Review:  During the site review the auditor observed camera locations throughout the facility. The facility provided the auditor with a list camera with totals for each location. August State Medical Prison has 105 camera throughout the facility, these cameras are monitored the control room, when cameras are not being monitored in real time, the video footage is recorded for review at a later time. Video footage is stored for 30 days unless it used as evidence during an investigation, only then is it retained with the evidence.</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 made no substantial expansion and modification to existing facilities since August 20, 2012, or since the last PREA audit. This was confirmed through an email recieved from the PREA Compliance Manager on April 14, 2020.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Investigation Protocol</p> <p>Memo Dated September 17, 2019 Inmates copay not required for PREA evaluations/follow ups</p> <p>SANE exams completed on site</p> <p>NIC Training Certificates Medical and Mental Health Providers</p> <p>August Rape Crisis Center emails regarding MOU</p> <p>Interivews:</p> <p>Director of Nursing</p> <p>PREA Compliance Manager</p> <p>Random Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 13 - 16 states:</p> <p>Responsive Planning:</p> <ol style="list-style-type: none"> <li>1. Evidence protocol and forensic medical examinations. <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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 be obtained prior to initiating the SANE protocol, in accordance with 507.04.85 Informed Consent.</li> <li>d. The Department stands in loco parentis for Youthful Offenders in its custody and</li> </ol> </li> </ol>

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 Sexual Assault Nurse Examiners are contracted with the Georgia Department of Corrections to provide "on-site" 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, 2<sup>nd</sup> 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. There were twelve (12) forensic exams required during the last twelve month.



115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Investigation Protocol</p> <p>Memo September 25, 2019 NIC Training Instructions</p> <p>GA Department of Corrections Website information</p> <p>Administrative Investigations</p> <p>OPS Investigations</p> <p>(1) Incident referred to prosecution</p> <p>Interviews:</p> <p>Agency Head</p> <p>Investigative Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 15 states:</p> <p>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>Comments:</p> <p>Augusta State Medical Prison had one hundred and one (101) allegations of sexual abuse/sexual harassment in during the last twelve months, thirteen of these allegations were referred to OPS for investigation. The PAQ stated in Standard 115.21, the facility conducted a total of twelve (12) forensic exams that were performed by a SANE/SAFE nurse and twenty-seven (27) were performed by a qualified medical practitioner.</p> <p>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 included any sexual behavior that was observed, that staff have knowledge of, or have a received a report about, suspicions. 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 understood that failing to report would result in disciplinary action up to an including dismissal.</p>



115.31	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>PREA Staff Training Curriculum</p> <p>2019 In-Service Training Rosters</p> <p>NIC Training Certificates</p> <p>Interviews:</p> <p>Random Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 16 – 17 states:</p> <p>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> <p>i. The Department’s zero-tolerance policy for Sexual Abuse and Sexual Harassment;</p> <p>ii. How to fulfill their responsibilities under the Department’s Sexual Abuse and Sexual Harassment prevention, detection, reporting, and response policies and procedures;</p> <p>iii. Offenders’ right to be free from Sexual Abuse and Sexual Harassment;</p> <p>iv. The right of offenders and employees to be free from retaliation for reporting Sexual Abuse and Sexual Harassment;</p> <p>v. The dynamics of Sexual Abuse and Sexual Harassment in confinement;</p> <p>vi. The common reactions of Sexual Abuse and Sexual Harassment victims;</p> <p>vii. How to detect and respond to signs of threatened and actual Sexual Abuse;</p> <p>viii. How to avoid inappropriate relationships with offenders;</p> <p>ix. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, Transgender, Intersex, or Gender Nonconforming offenders; and</p> <p>x. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</p> <p>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.</p> <p>c. New employees shall receive PREA training during Pre-Service Orientation.</p> <p>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.</p> <p>Comments:</p>

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 report these immediately to their shift supervisor and follow-up with a written statement or incident report before they left the 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. Interviewed staff affirmed they took the online NIC Training, "Communicating Effectively and Professionally with LGBTI Offenders". SART members confirmed they attend SART training.

115.32	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Video script for PREA Training</p> <p>Contractor PREA Acknowledgement Statements</p> <p>Volunteer PREA Acknowledgement Statements</p> <p>Interviews:</p> <p>Contractors</p> <p>Volunteers</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>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 the inmates. All volunteers and contractors who have contact with offenders are notified of the Department’s Zero Tolerance policy regarding sexual abuse and sexual harassment and informed on how to report such incidents. Augusta State Medical Prison provided the documentation of training on the Contractor/Volunteer Acknowledgment Statements. The facility has sixty (60) volunteers and thirteen (13) contractors who have contact with the inmates housed at the facility; this was confirmed through interviews with contractor and three (3) volunteers and the PAQ. The level of training provided to staff is determined by the services provided to the inmate’s onsite, this was also confirmed through a memo dated September 16, 2019.</p> <p>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</p>

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

115.33	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Pamphlet Staff Guide on Prevention and Reporting Sexual Abuse/Harassment</p> <p>PREA Pamphlet for Inmates Spanish and English</p> <p>PREA Posters</p> <p>Walls painted with Hotline Reporting Instructions</p> <p>Pages 14 &amp; 15 PREA Inmate Handbook</p> <p>Admission and Orientation Handbook (hard copy) Spanish and English</p> <p>Interviews:</p> <p>Intake Staff</p> <p>Counselor</p> <p>Site Review:</p> <p>During the site tour the auditor observed PREA related posters throughout the facility. In addition, the PREA Hotline instructions were painted on the walls near phones for inmates. 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> <ol style="list-style-type: none"> <li>i. The Department’s zero tolerance of sexual abuse and Sexual Harassment;</li> <li>ii. Definitions of sexually abusive behavior and Sexual Harassment;</li> <li>iii. Prevention strategies the offender can take to minimize his/her risk of sexual victimization while in Department custody;</li> <li>iv. Methods of reporting an incident of sexual abuse/Sexual Harassment against oneself, and for reporting allegations of sexual abuse involving other offenders;</li> <li>v. Treatment options and programs available to offender victims of sexual abuse and Sexual Harassment;</li> <li>vi. How an investigation begins and the general steps to an investigation;</li> <li>vii. Monitoring, discipline, and prosecution of sexual perpetrators;</li> </ol>

- 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:

During interviews with inmates several could not remember receiving specific PREA education during the intake process, some related they received a pamphlet, was shown video and were instructed by staff to read the pamphlet and sign an acknowledgement form documenting receipt of the information. Many interviewed inmates are "special needs" and do not recall specifics of PREA education only that information is posted through out facility. All inmates related that PREA information is discussed at DOC diagnostic unit and all of the other assigned facilities. This was addressed with staff during the exit briefing. The auditor requested documentation that all inmates were given an opportunity to watch and discuss video as a refresher, and for staff to revisit how inmate education is documented. PREA posters and instructions on making a hotline calls were observed throughout facility, informal interviews affirmed that most inmates are familiar with the basics of PREA and quite familiar with how to make a report if needed. All interviewed inmates were able to identify a staff or family member who could receive a report. Auditor received documentation of requested information prior to submission of final report.



115.34	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  NIC Training Instructions Memo Dated September 25, 2019  NIC Training Certificates</p> <p>Interview:  Administrative Facility Investigator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 19 – 20 states:</p> <ol style="list-style-type: none"> <li>4. Specialized Training (Investigations): <ol style="list-style-type: none"> <li>a. All staff investigating sexual abuse/Sexual Harassment allegations must be specially trained in conducting sexual abuse/Sexual Harassment investigations in confinement settings.</li> <li>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.</li> <li>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.</li> </ol> </li> </ol> <p>Comments:  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 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.</p> <p>All six (6) facility-based investigators at Augusta State Medical Prison have completed the National Institute of Corrections on-line specialized training for investigating sexual abuse in a confinement setting. This was confirmed through review of NIC Training certificate for “Investigating Sexual Abuse in a Confinement Setting”. Additionally, SART members attend training at least annually conducted by the Georgia Department of Corrections.</p> <p>The facility conducts its own investigations of allegations of sexual abuse/ 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.</p> <p>The facility-based investigator interviewed understood the investigative process. She indicated she has completed the online training “PREA: Investigating Sexual Abuse in a Confinement Setting”. She described the investigation process and indicated if an allegation appeared criminal the warden would refer the case to the Regional Office for the Special Agent in Charge to assign a Special Agent assigned to conduct the investigation.</p>



115.35	<b>Specialized training: Medical and mental health care</b>
	<p data-bbox="252 170 896 203"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="252 248 523 282"><b>Auditor Discussion</b></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="252 461 571 495">NIC Training Certificates</p> <p data-bbox="252 506 1134 539">Communicating Effectively and Professionally with LGBTI Offenders</p> <p data-bbox="252 551 1190 584">Medical Health Care for Sexual Assault Victims in a Confinement Setting</p> <p data-bbox="252 595 1217 629">Behavioral Health Care of Sexual Assault Victims in a Confinement Setting</p> <p data-bbox="252 674 392 707">Interviews:</p> <p data-bbox="252 719 424 752">Medical Staff</p> <p data-bbox="252 763 504 797">Mental Health Staff</p> <p data-bbox="252 842 1461 920">Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 20 states:</p> <p data-bbox="252 931 1477 1178">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.</p> <p data-bbox="252 1223 400 1256">Comments:</p> <p data-bbox="252 1267 1477 1603">The Health Services Administrator related that medical staff has completed the PREA Training required of all staff and the specialized training provided by the National Institute of Corrections, "Medical Health Care of Sexual Assault Victims in a Confinement Settings". They also attend the same PREA Training as all other employees during annual in-service training. Mental Health Staff has also completed the required on-line training, "Behavioral Health Care of Sexual Assault Victims in a Confinement Setting and both medical and health staff has completed "Communicating Effectively with LGBTI Offenders". This was confirmed through interviews with staff and review of training certificates.</p> <p data-bbox="252 1615 1461 1816">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 either come to the facility to conduct the forensic exam or to another State Prison.</p> <p data-bbox="252 1827 1477 2074">Staff are trained in PREA as newly hired employees and through annual in-service, just as any other employee of the facility. That training includes recognizing signs and symptoms of sexual abuse, first responding as a non-uniformed staff, and how to report allegations of sexual abuse and sexual harassment, including how and to whom to report and follow-up with a written statement. Medical staff are trained in annual in-service training how to respond to allegations and how to protect the evidence from being compromised or destroyed.</p>



115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Review of Assessments and Reassessments  Memo Dated December 29, 2019</p> <p>Interviews:  Behavioral Health Counselor II  PREA Compliance Manager  PREA Coordinator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 20 – 21 states:</p> <p>D. Screening for Risk of Sexual Victimization and Sexual Abusiveness:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <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> <p>Comments:  The PAQ indicated the number of inmates entering the facility within the past 12 months whose length of stay in the facility was for 72 hours or more. Inmates who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility. Most inmates entering the facility within the past 12 months whose length of stay in the facility was for 30 days or more were reassessed for their risk of sexual</p>

victimization or of being sexually abusive. within 30 days after their arrival at the facility based upon any additional, relevant information received. An audit of assessments and reassessments of inmates affirmed that most reassessments are being completed with the 30 day time frame.

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.

Policy requires offenders whose risk screening indicates a risk for victimization or abusiveness is required to be reassessed when warranted and within 30 days of arrival at the facility based up on any additional information and when warranted due to a referral, report or incident of sexual abuse or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Policy requires that 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 and security and management decisions, such as housing and cell assignments, education and programming assignments. The information from the risk screening is required to be used to determine housing, bed, education and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive.

Policy requires that 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 and security and management decisions, such as housing and cell assignments, education and programming assignments. Based on the auditor's observation of the risk screening process while onsite a recommendation was made for staff to revisit the location of counselor's interview with inmates. It appears that a more private setting is needed. This issue was addressed by administration and the auditor received documentation of changes in risk screening interview location prior to submission of final report.

115.42	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews:  PREA Compliance Manager  Staff Responsible for Risk Screening  Transgender Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 21 - 22 states:  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>2. 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>3. 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>4. Offenders whose screenings indicate they have experienced prior sexual victimization or have a history of sexually assaultive behavior must be offered a follow-up meeting with medical and mental health counseling within 14 days of the screening.</p> <p>5. 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>Comments:  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>Policy requires the agency and the facility use 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. The facility Housing Stratification Plan is utilized when assigning beds for inmates at risk of victimization and aggressors. Housing assignments are made initially at intake and with input</p>

from the Staff conducting the initial victim/aggressor assessments. The classification committee, then meets weekly and reviews the offender's history to determine program assignments, details, and whether or not the offender's housing needs to be changed. Policy also requires that 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 Augusta State Medical Prison designated safe beds meaning that aggressors are not to be placed in these dorms. Potential victims of sexual abuse level IV inmates are housed in 10A1 and 13B1. Level III inmates designated dorm is 11A1, general population and level II inmates are housed in 23A1, 23Bs and 14A2; inmates who are classified as aggressors are housed in 14B2.

The Classification Committee meets 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 views 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. Transgender inmates interviewed confirmed that during classification they are ask their safety concerns in addition, they so confirmed they are provided privacy when showering.



115.43	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated January 20, 2020</p> <p>Interviews:  Warden  Staff Supervising Segregation</p> <p>Site Review:  During the site review no inmates were being housed in segregation because he is at high risk of sexual victimization.  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 21 - 22 states:  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.  Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.  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.  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>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 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 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 Warden PREA Compliance Manager and Staff Supervising Segregation.  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</p>

victimization would be housed in designated safe beds for potential victims and potential aggressors would also be housed in designated dorms. Locator cards maintained in ID are color coded identifying potential aggressors (red), potential victims (green) and potential aggressor/victims (yellow).

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.

An officer who supervises segregation indicated that staff would try not to put an offender in segregation in the interests of not "punishing" a victim or potential victim. If a victim requested it, staff would place the inmate in voluntary protective custody in a single cell. He indicated the offender placed in involuntary protective custody would have access to education, counselors, recreation, medical and mental health services.

115.51	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Memo Dated March 31, 2019 Video Relay Service</p> <p>Memo's 2017, 2018 and 2019 Ways to report sexual abuse/harassment.</p> <p>Memo Dated August 12, 2019 Local Procedure Directive for Reporting/Responding to Sexual Allegations</p> <p>Interviews:</p> <p>Random Staff</p> <p>PREA Compliance Manager</p> <p>Random Inmates</p> <p>Site Review:</p> <p>During the site review the auditor observed dialing instructions for the PREA Hotline painted on the walls near phones. PREA posters were posted throughout the facility with way to report sexual abuse/harassment. Auditor made test calls to PREA hotline while on site.</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 22 - 23 states:</p> <p>A. Reporting:</p> <p>Offender Reporting:</p> <p>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>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>1. Third Party Reporting:</p> <p>Third party reports may be made to:</p> <p>The Ombudsman's Office at P.O. Box 1329 Forsyth, Ga 21029 478- 992-5358</p> <p>By email to the PREA Coordinator at: PREA.report@gdc.ga.gov; and</p> <p>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>Staff members shall accept reports made verbally, in writing, and from third parties and shall promptly document any verbal reports.</p> <p>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>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>

Comments:

The agency and Augusta State Medical Prison 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.

This facility is close security prison and holds offenders who have been convicted of felony crimes and are serving incarceration in the prison. The prison does not house any inmates who are being detained solely for civil immigration purposes.

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 complete a written report within 24 hours. SART will be notified to begin the investigation. Interviewed staff indicated they would be disciplined for failing to report and that would most likely be termination.

Staff may report allegations of sexual abuse and sexual harassment in the same ways the inmates may make. 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 and that they may report to any staff, drop a note or send a kite, via VRS or call the PREA hotline.

Inmates at this facility have access to reporting via the KIOSKs; on the KIOSK an offender can report an allegation directly to the Georgia Department of Corrections PREA Unit. They can also email family members and anyone on their approved visitors list. Video visitation is available for inmates who can afford service.

Offenders have access to phones enabling them to report to the Georgia Department of Corrections PREA Unit. They may do this anonymously. Offenders do not have to enter a pin number to contact the PREA Unit. Phones were observed in every unit.

Staff is trained to treat all allegations confidential. Therefore, when allegations are reported up the chain of command, they are kept private and are only forwarded to the Warden, 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) will be informed.

To report outside the facility inmates can call the PREA Hotline; write the Ombudsman (phone number provided); write the State Board of Pardons and Parole Victim Services (contact information provided); call the Georgia Department of Corrections Tip Line (and remain anonymous) and write or call the GDC PREA Coordinator; and tell a family member by phone, letter or during visitation. Within the facility they can report to a staff member, write a note, send a request, tell medical, send a "kite" or file a grievance. They may report to their attorney's either via phone, in person or via letter.

Staff interviewed indicated they would take all reports of sexual abuse or sexual harassment from any source and take all of them seriously and report it to their immediate supervisor and follow-up with a written report, a witness statement or incident report within 24 hours or prior to the end of the shift.

Inmate interviews confirmed the following ways inmates named as ways they could report:  
Hotline

Family member

Staff

Kiosk

Note

Grievance

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	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Admission and Orientation Handbook  Disciplinary Sanctions for inmates</p> <p>Interviews:  Inmates who report sexual abuse</p> <p>In the past 12 months, the number of grievances filed that alleged sexual abuse: 2  In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: 0  In the past 12 months, the number of grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days: 0  The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline: 0  In the past 12 months, the number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith: 3</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program 23 states:  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:  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.  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.  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, during the past 12 months, inmates have often used that as a form of reporting. In those cases, the grievance was turned over to the Sexual Assault Response Team to be investigated. Two of the reviewed grievances contained allegations of sexual abuse or sexual harassment.</p>

115.53	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Memo Dated January 26, 2020 identifying in house victim advocate</p> <p>Emails attempt to enter into an MOU with Rape Crisis Center in Augusta</p> <p>Documentation of Ms. Colon advocate Training</p> <p>Pages 14-15 of the Inmate Handbook</p> <p>Memo Dated August 12, 2019 Reporting and Responding</p> <p>PREA Posters</p> <p>PREA Brochures</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 15 states:</p> <p>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 the Legal Office prior to implementation.</p> <p>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:</p> <p>Augusta State Medical Prison does not have a Memorandum of Understanding with an agency to provide a 24/7 hotline enabling inmates to contact a rape crisis center via phone or by mail. The facility did provide the auditor with emails in an attempt to enter into a MOU. However, the facility has an onsite trained advocate that provides advocacy services to inmates.</p> <p>GDC Procedures require the facility attempt to enter into an agreement with a rape crisis 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 pre-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.</p>

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 and 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. Inmates also have access to a Kiosk enabling them communicate via email with family members and others on their approved visitor's list.



115.54	<b>Third-party reporting</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated August 12, 2019 Local Procedure Directive for Reporting and Responding to Sexual Assault  PREA Pamphlet Staff's Guide  Site Review:  The auditor observed PREA posters throughout the facility, hotline instructions painted on walls. Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 23 states:  1. Third Party Reporting:    Third party reports may be made to:  The Ombudsman's Office at P.O. Box 1329 Forsyth, Ga 21029 478- 992-5358    By email to the PREA Coordinator at: PREA.report@gdc.ga.gov; and    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.    Staff members shall accept reports made verbally, in writing, and from third parties and shall promptly document any verbal reports.    Staff members shall forward all reports or suspicions of sexual abuse or Sexual Harassment to their immediate supervisor or the designated SART member promptly.    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.    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, 2. Third Party Reporting provides for Third Party Reports to be made to the following:  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)  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.  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.</p>

Then it provides ways for third parties to report allegations of sexual abuse and sexual harassment. These include the following:

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](mailto: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)

Staff was asked to name ways inmates can make reports or allegations 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 and that they would report it verbally and complete a witness statement before the end of their shift or within 24 hours. Inmates indicated they would report via the PREA Hotline or JPAY, either through the KIOSK in the dorms. 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. Most interviewed inmates were aware they could have a third party, including a parent, relative or another inmate report for them.

115.61	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Official Response to Following an Inmate Report  Investigations  Interviews:  Random Staff  Medical Staff  Mental Health  Warden  PREA Compliance Coordinator  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 23 states:  A. Official Response Following an Offender Report:  Staff, First Responder, and Department reporting duties:  Response protocols shall follow the guidelines outlined in Attachment 7, Local Procedure Directive and Coordinated Response Plan.  The PREA Unit will be notified, via <a href="mailto:PREA.report@gdc.ga.gov">PREA.report@gdc.ga.gov</a>, of all allegations via Attachment 10, PREA Initial Notification Form.  Reporting to Other Confinement Facilities:</p> <p>Comments:  The Georgia Department of Corrections 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 or are aware of. Additionally, they are expected to report any knowledge or information related to staff negligence of misconduct that may have resulted in a sexual assault. Medical staff is required to report all allegations of sexual abuse that comes to their attention.  Staff are 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. 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 and any information medical or counseling staff receive will be reported in compliance with policy. This was confirmed through interviews with the Health Services Administrator and the Behavioral Health Counselor.  This facility does not house youthful offenders; however, policy requires if the victim was under the age of 18, the Field Operations Manager, in conjunction with the Director of Investigations, or designee, is required to report the allegation to the Department of Family and Children Services, Child Protective Services Section. Also, if the victim is considered a vulnerable adult under Georgia Law, the Director of Investigations or designee, will make notification to the appropriate outside law enforcement agency. Multiple examples of staff acknowledgement</p>

statements were provided.

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

Annual In-Service Training includes all the topics required by the PREA Standards. The reviewed curriculum for annual in-service covered the topics outlined in the PREA Standards. Multiple training rosters documenting staff completing Annual In-Service Training, Day 1, that includes PREA training were reviewed by the auditor.

The Department and the Warden requires that staff report all knowledge or information they have regarding an incident of sexual abuse or sexual harassment. That also includes reporting anything suspected. Randomly selected staff, both security and non-security staff affirmed that they must report "everything". When pressed about "everything" they consistently said they would report anything they knew, saw, or heard of. When asked about something they just suspected, they said they would have to report that as well. When asked if they would take an "anonymous" report and report it, they said they did not know how that would help but they would report it. Asked about another inmate reporting for another, they said they would take that seriously and report it too. They also affirmed they would be required to write a statement following an immediate report to their shift supervisor/Officer in Charge. When asked about a time frame for completing a written report they said within 24 hours was policy they thought but they could not leave the shift until the statement was written. Staff indicated they had to take all things seriously even if the inmate had been known to "cry wolf".

Non-Uniform staff and security staff indicated they would report all information, knowledge, or suspicion regarding sexual abuse. When asked about reporting staff negligence that may have contributed to an incident of sexual abuse, they said they would report that as well.

When asked if they would report their supervisor if they witnessed or heard of the supervisor violating the zero- tolerance policy, they said they would. When asked about any sanctions for failing to report, staff said they would be disciplined and most likely terminated from employment.

115.62	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Official Response Following an Inmates Report  PREA Investigation Protocol  Interview:  Agency Head  Warden  Random Staff</p> <p>In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse: 0  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 22 states:  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.  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.  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.  Comments:  Pre-Audit Questionnaire; reviewed monthly PREA Reports, reviewed grievances and incident reports and interviews with staff confirmed there have been no inmates at risk of imminent sexual abuse during the past 12 months.  Staff interviewed consistently stated that if an inmate was at risk of imminent sexual abuse, they would separate him from the threat immediately and that they would take that information seriously and report it after removing him from the threat. Staff was consistent in believing the supervisors would place the inmate in protective custody until the allegation could be investigated by the SART. Staff indicated that if possible, the inmate would be immediately removed from the threat and placed in another dorm or in involuntary protective custody, if there was no other place to keep them inmate safe, possibly moved to another facility.  The staff supervising segregation indicated that an inmate placed in involuntary protective custody would have access to programs and services like those of the general population. He indicated they could receive educational materials and possible attend class, depending on the threat, or attend other programs they are enrolled in. He also stated they have access to the phone, to exercise, to 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 and 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 paced in SCRIBE indicating the reason for the placement. If the offender remains in Administrative Segregation</p>

for 72 hours, ensure that the Sexual Assault Response Team has again evaluated the victim 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, Administrative Segregation, again, 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 from the SART is responsible for this documentation.

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 or other work area; transferred to another institution, suspended with pay pending investigation or temporarily banning the individual from the institution, whichever option the appointing authority deems appropriate.

Staff are instructed, if applicable, they are to consult with the SART, 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 from the general population and document the final decision in the offender's file with specific reasons for returning the offenders to the general population or keeping the offenders segregated and ensure the SART has evaluated 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.

All the interviewed staff stated they would take the action immediately and when pressed to see what they themselves would do with an inmate making such an allegation, they often said they'd take him to a safe place, to the security office, to medical, or elsewhere until the supervisory staff made a decision about where to house him.

Supervisory and administrative staff indicated they would not want to place an inmate in segregation because of being at risk but it may be necessary to protect him until an investigation could be conducted and the inmate transferred if necessary, to help him feel safe. If the inmate cannot be safely housed in this facility, he would be transferred to another facility.

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 Warden, PREA Compliance Manager, randomly selected and specialized staff.



115.63	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Official Response Following an Inmates Report  Interviews:  Agency Head  Warden  Random Staff</p> <p>In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: 0  In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 2</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 23 - 24 states:  Reporting to Other Confinement Facilities:  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. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.  The facility shall document that it has provided such notification.  The facility head or Department office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.  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.  Comments:  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 receive two reports from another facility in which an inmate at that facility alleged sexual abuse while at Augusta State Medical Prison. The incidents were investigated to the extent possible.  Reporting to other Confinement Facilities, requires that in cases where there is an allegation that sexually abusive behavior occurred at another Department facility, the Warden/designee of the victim's current facility is required to provide notification to the Warden of the identified institution and the Department's PREA Coordinator. In cases alleging sexual abuse by staff at</p>



another institution, the 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 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. The administrative 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, starting 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 required notification within 72 hours.

115.64	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  PREA Investigation Protocol</p> <p>Interviews:  Security Staff and Non-Security Staff First Responders  Inmates who Reported a Sexual Abuse</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused: 46  Of these allegations of sexual abuse in the past 12 months, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 46  In the past 12 months, the number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 12  Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report preserved and protected any crime scene until appropriate steps could be taken to collect any evidence: 12  Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating: 12  Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report ensured that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating: 12  Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 9  Of those allegations responded to first by a non-security staff member, the number of times that staff member requested that the alleged victim not take any actions that could destroy physical evidence: 9  Of those allegations responded to first by a non-security staff member, the number of times that staff member notified security staff: 9</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 23 states:</p> <p>A. Official Response Following an Offender Report:  Staff, First Responder, and Department reporting duties: Response protocols shall follow the guidelines outlined in Attachment 7, Local Procedure Directive and Coordinated Response Plan.  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:</p>

Georgia Department of Corrections requires that all staff and contractors having contact with inmates attend, minimally, Day 1 of Annual In-Service Training. The staff at August State Medical Prison, a cross section of interviewed staff, office staff, counselors, medical, contractors and security staff attends Annual In-Service Training and Day 1 of that training includes PREA. That training includes a refresher on first responding. 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 Augusta State Medical Prison, PREA: Local Procedure Directive and Coordinated Response Plan identify the actions required of first responders. Augusta State Medical Prison Sexual Abuse Response Plan also identifies actions to take after the Shift Supervisor on duty who receives the report, immediately notifies the Warden and Duty Officer and 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. Correctional 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 but 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 in turn, turns it over to the GDC Office of Professional Standards, Special Agent.

Interviews with randomly selected staff, representing both uniform and non-uniform staff and specialized staff, including medical staff, confirmed they are knowledgeable of their roles as first responders. They detailed the steps they would take if they were the first person to be alerted that an inmate had been sexually assaulted or abused.

115.65	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Coordinated Response Plan</p> <p>Interview:  Warden</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 24 states:  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>Comments:  This prison, while large, is manageable in terms of quick response. Housing units are close to each other. If an emergency occurred an on-call Sexual Assault Nurse Examiner can travel to Augusta State Medical Prison to conduct the forensic exam. The physician may make the determination regarding movement of an victim. 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 facility has a Coordinated Response Plan to ensure that during an emergency, the Coordinated Response Plan serves as the Emergency Plan, like other emergency plans required for secure facilities and the GDC Sexual Assault Response Checklist serves as a coordinated response plan as well.  The Local Operating Directive provides guidance in notifying all parties when there is an allegation of sexual abuse. After the shift supervisor notifies the Warden and the Duty Officer, the Sexual Assault Response Team is notified. The directive provides ready reference names and phone numbers. The SART is composed of the PREA Compliance Manager/SART Leader, a representative from medical and from counseling; the victim advocate and the Special Agent in Charge at the Regional Office is notified.  All the interviewed staff articulated their roles in responding to an allegation of sexual assault.</p>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Interview:  Agency Head  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 Commissioner of the Georgia Department of Corrections Designee confirmed that the Department is not involved in any form of collective bargaining and any staff can be removed from contact during an investigation and can be terminated from employment for violating an agency sexual abuse or sexual harassment policy.</p> <p>Interviews with the Warden, Statewide PREA Coordinator, Assistant Statewide PREA Coordinator, PREA Compliance Manager and previous interviews with the PREA Coordinator serving as the Agency Head's Designee confirmed that Georgia is a Right to Work State and employees are all non-union and not involved in any form of collective bargaining. The Warden can remove any staff member from contact with inmates following an allegation of sexual abuse or sexual harassment.</p>

115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Memo Dated May 15, 2019 Local Procedure Directive for Protection against Retaliation</p> <p>Memo Dated May 15, 2019 designating Betty McDowell, Unit Manager as Retaliation Monitor</p> <p>Interviews:</p> <p>Agency Head</p> <p>Warden or Designee</p> <p>Staff Member Charged with Monitoring Retaliation</p> <p>The number of times an incident of retaliation occurred in the past 12 months: 0</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 24 - 25 states:</p> <p>Protection Against Retaliation:</p> <p>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>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>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>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>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>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.</p> <p>Comments:</p> <p>Augusta State Medical Prison Warden and GDC have a zero-tolerance policy for retaliation toward staff or inmates who report an allegation in good faith. He also asserts that employees</p>

and inmates will be subject to disciplinary sanctions if found to participate in retaliation toward any staff or inmate. Reviewed substantiated and unsubstantiated PREA investigation packages confirmed Augusta State Medical Prison continued retaliation monitoring for 90 days after the incident occurred, consistently documented multiple occasions of monitoring retaliation. These documented on the GDC Retaliation Monitoring Form the Retaliation Monitor checking all the indicators for retaliation. There was no staff involved in an allegation that required monitoring for retaliation.

The Warden has designated a Unit Manager 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. 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, performance reports and disciplinary action.

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

115.68	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews:  Warden or Designee  Staff who Supervise Inmates in Segregated Housing</p> <p>The number of inmates who allege 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: 0</p> <p>The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility’s concern for the inmate’s safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 21 - 22 states:  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.  Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.  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.  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.  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.  Inmates at high risk for victimization will be placed in one of the dorms identified as providing a</p>



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. Augusta State Medical Prison has identified dorms 10A1, 13B1, 22A2, 23B2 and 14B2 as "safe units", inmates at high risk for victimization will be placed in one of these dorms.

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 he could feel safe.

The Warden 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.

An interview with staff supervising segregation indicated 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, and have access to visitation, recreation, to phones, medical and mental health services.

115.71	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  13 Investigation Packages  Investigation Policy  Interviews:  Warden  PREA Compliance Manager  PREA Compliance Coordinator  Investigative Staff  OPS Investigator</p> <p>The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later: 1</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 25 - 28 states:</p> <p>A. Investigations:  All reports of sexual abuse or Sexual Harassment will be considered allegations and will be investigated.</p> <p>1. 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.</p> <p>2. 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.</p> <p>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.</p> <p>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.</p> <p>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</p>

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](mailto:PREA.report@gdc.ga.gov) of the disposition and the date in which the offender was notified.

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

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.

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

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.

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

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

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.

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

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.

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

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:

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. Investigations of allegations of sexual contact, abuse/harassment of offenders filed by sentenced offenders, against departmental employees, contractors, vendors or volunteers, are fully investigated, and treated in a confidential and serious manner. Staff attitudes and conduct towards such allegations will be professional and unbiased, and staff members are required to cooperate with investigations into those matters. 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 abuse, or sexual harassment, comes to the attention of staff, the staff receiving the information is required to immediately inform the Warden and/or the Institutional Duty Officer, and/or Internal Investigations, now known as the Office of Professional Standards Investigators, verbally and followed up with a written report. Incidents according to the procedures, via, include rumors, "inmate talk", and all kissing, sexual abuse and sexual harassment. This policy, along with GDC Policy 208.06, requires that failure to report may result in disciplinary action, 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 Warden 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 criminal allegations. Augusta State Medical Prison has had one (1) substantiated allegation of conduct that appeared to be criminal in nature that was referred for prosecution since August 20, 2012, or since the last PREA audit. At the facility level, investigations are initiated by the local Sexual Assault Response Team. These include a primary facility-based investigator and a member from medical and 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 Wilcox State Prison have completed the National Institute of Corrections Specialized Training, "PREA: Investigating Sexual Abuse in a Confinement Setting". The local SART conducts the initial investigation. If the allegation appears criminal and in all cases of penetration the allegation is referred to the OPS, Special Agent in Charge, who will assign a criminal investigator. Investigations into allegations of sexual abuse may be documented locally as unsubstantiated but may be referred on to the OPS for investigation into the alleged criminal conduct.

The Sexual Assault Response Team when receiving the initial allegation 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 also 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

Interviews with the facility based investigator confirmed the credibility of the victim, alleged perpetrator and witnesses based on the evidence and not on the offender's status or identity or any other factors, including how many times the offender has alleged sexual abuse or sexual harassment. The investigation would continue even if the victim recanted, if a staff involved terminated his employment prior to a completion of the investigation, or if the inmate victim or abuser departed the facility prior to the completion of the investigation.

Interviews with facility staff, both those randomly selected and special category, confirmed that most of them knew the SART conducts sexual abuse investigations in this facility and could name each member of the SART and their specific roles.

115.72	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interview:  Investigative Staff</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 28 state:  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>Comments:  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>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	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Offender Disposition Offender Notification Form</p> <p>Interviews:  Warden  Investigative Staff  Inmates who reported sexual abuse/harassment</p> <p>The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months: 46  Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigation: 46  The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months: 0  Of the outside agency investigations of alleged sexual abuse that were completed in the past 12 months, the number of inmates alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation: 0  In the past 12 months, the number of notifications to inmates that were provided pursuant to this standard: 99  Of those notifications made in the past 12 months, the number that were documented: 99</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 28 states:  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>Comments:  The agency’s standard operating procedure, 208.06; 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.  If the allegations involved a staff member, the staff making the notification will, using the GDC Inmate Notification Form, inform the inmate whenever:  The staff is no longer posted in the institution</p>

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

If the allegation involved another inmate, staff are required to inform the alleged victim when the alleged abuser has been:

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

Notifications are documented on the GDC Notification Form that documents all the above. The auditor reviewed thirteen (13) investigation files; notifications were consistently documented in the files. 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. The notification form would document, for the inmate, if the investigation was determined to be substantiated, unsubstantiated or unfounded.



115.76	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews:  Warden  Specialized Staff  Random Staff</p> <p>In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse): 0</p> <p>In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 28 - 29 states:</p> <p>A. Discipline:</p> <p>Disciplinary Sanctions for Staff Members:  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. 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>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>OPS shall refer all substantiated cases of Offender to Offender Sexual Abuse and Staff on Offender Sexual Abuse for criminal prosecution.</p> <p>Comments:  The GDC Policy requires that staff that engage in sexual abuse with offenders and violate and agency sexual abuse and sexual harassment are banned from all Georgia Correctional Institutions and subject to disciplinary sanctions up to and including termination and termination is the presumptive sanction. If the allegation was criminal in nature, recommendations may be made for referral for prosecution. Special Agents work with the</p>

District Attorneys to determine if, and when, they have enough evidence to refer for prosecution. Administrative investigations, in which a staff member violates policy, may result in a staff member being disciplined up and 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 Warden and PREA Compliance Manager. Staff interviews confirmed the likely sanction for violating a sexual abuse or sexual harassment policy would be termination. Failure to report is cause for disciplinary action up to and including termination.

The Georgia Department of Corrections has a zero tolerance for sexual abuse and sexual harassment and if there is a substantiated case of sexual abuse, the presumptive sanction is termination from employment and possible referral for prosecution. The Department requires each facility to have a "Wall of Shame" that contains the photos of staff who have been arrested for issues including contraband and staff misconduct, including staff misconduct with an inmate. Staff acknowledge in the PREA Acknowledgment the potential sanctions, including arrest and referral for prosecution and the punishment if found guilty. Staff also signs a Code of Conduct/Ethics Acknowledgement as well.

Interviews with the Warden, PREA Compliance Manager, randomly selected staff and specialized staff, indicated that the facility has a zero-tolerance for all forms of sexual activity. If a staff was involved in an allegation of sexual abuse the staff would most likely be placed on no-contact with inmates and could possibly be placed on administrative leave, while an investigation was being conducted. If the allegation is substantiated, the staff would be terminated and banned from all GDC facilities and referred for prosecution by the OPS Investigator after consulting with the District Attorney.

115.77	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interview:  Warden</p> <p>In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates: 0</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 29 states:</p> <p>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:</p> <p>GDC 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 GDC facility. Pending investigation, the contractor or volunteer will not be allowed entry into this facility or any other GDC 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. 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.</p> <p>Interviews with the Warden and a review of investigation packages confirmed that there no allegations made against any volunteer or contractor. If there had been, an allegation the Warden indicated the volunteer or contractor would be prohibited from coming into the facility while the investigation is being conducted. If the investigation determined the allegation was substantiated, the volunteer local law enforcement would be notified and a recommendation would be made to refer the volunteer for prosecution. Interviews with contractors confirmed their understanding zero tolerance and potential sanctions for violating GDC Policies.</p>



115.78	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews:  Warden  Medical Staff  Mental Health Staff</p> <p>In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 3</p> <p>In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility: 1</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 29 - 31 states:</p> <ol style="list-style-type: none"> <li>1. Disciplinary Sanctions for Offenders: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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. <ol style="list-style-type: none"> <li>a. 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.</li> <li>b. 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.</li> <li>c. 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.</li> <li>d. 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.</li> </ol> </li> </ol> </li> </ol> <p>NOTE: Offender to Staff Sexual Abuse is not covered under PREA.</p> <ol style="list-style-type: none"> <li>e. 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</li> </ol>

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.

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:

The PAQ confirmed In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility was three (3) and in the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility was one (1).

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	<b>Medical and mental health screenings; history of sexual abuse</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>Interviews:  Medial Staff  Mental Health Staff  Inmates</p> <p>In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner: 100%</p> <p>In the past 12 months, the percent of inmates who have previously perpetrated sexual abuse, as indicated during the screening, who were offered a follow-up meeting with a mental health practitioner: 100%</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 31 states:  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:  Interviews with medical, mental health staff and the counselor who conduct the victim/aggressor assessments of incoming inmates confirmed that each of them conducts a screening that asks the inmates about prior victimization and prior abuse. They all are aware that this disclosure must result in a referral to a medical or mental health practitioner within 14 days. Inmates can refuse the referral.</p> <p>Interviewed inmates who reported having been victims of previous sexual abuse some 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.</p>

115.82	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated September 17, 2019 No Copay</p> <p>Interviews:  Medial Staff  Mental Health Staff  Inmates who suffer sexual abuse</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 14 states:  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>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 be obtained prior to initiating the SANE protocol, in accordance with 507.04.85 Informed Consent.</p> <p>GDC Policy, 208.6, Prison Rape Elimination Act, Sexually Abusive Behavior Prevention and Intervention Program requires the facility to provide prompt and appropriate medical and mental health services in compliance with this standard. It requires the SART to arrange for immediate medical examination of the alleged victim, followed by a mental health evaluation within 24 hours.</p> <p>Comments:  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> <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.</p>



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115.83	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated September 17, 2019 No copay for PREA assessment/reassessment</p> <p>Interviews:  Medical Staff  Mental Health Staff  Inmates who suffered sexual abuse</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program, GDC "Procedure for Sane Nurse Evaluation/Forensic Collection</p> <p>The facility offers medical and mental health services 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.</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. Inmates would be offered STI prophylaxis either at the hospital or at the facility, and as recommended by the Sexual Assault Nurse Examiner and ordered by the Doctor and if the inmate requested it.</p> <p>The agency's "Procedure for Sane Nurse Evaluation/Forensic Collection" provides specific actions required when an inmate alleges sexual abuse/assault. It also requires that following a SANE Examination, the facility provider or designee is responsible for ordering prophylactic treatment for STIs. A follow up visit by a clinician is required three working days following the exam. The facility has a facility specific coordinated response plan (Local Procedure Directive) that specifies the actions for first responders; Sexual Assault Response Team, Medical and Counseling. GDC Policy requires that victims of sexual abuse are provided health care services, including the forensic exam at no cost to the victim. This is confirmed through review of the GDC PREA Policy as well as interviews with medical staff. GDC Policy requires that the facility attempt to conduct a mental health evaluation of all known resident on resident abusers within 60 days of becoming aware of such history and offer treatment as appropriate.</p> <p>If an inmate had to go to the hospital for a forensic exam, the hospital would offer the inmate STI prophylaxis. If the inmate had his forensic exam at the prison, the SANE will recommend the STI prophylaxis and the staff will administer it on the doctor's orders. Any follow-up as the result of a sexual assault would be provided by the facility.</p> <p>Comments:</p>

The Health Services Administrator and Counselor confirmed the process for providing ongoing physical and mental healthcare services. 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 (in a previous interview) she recommends STI testing. The recommendation must be approved by the physician.

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 they are already on the caseload. There are no female inmates.

115.86	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Memo Dated September 16, 2019 PREA Incident Review Team</p> <p>Interviews:  Warden  PREA Compliance Manager  Members of the Incident Review Team</p> <p>In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents: 101  In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents: 46</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:  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.  The review team shall:  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.</p> <p>Comments:  The facility had 101 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 the PAQ. Interviews indicated staff understands the Incident Review Process and that they 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 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.  Using the GDC Incident Review Form, the following are a part of the review process:  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</p>

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

Documentation indicated the facility conducts incident reviews and considers all the elements required in the standards. Some of the sexual abuse allegations were referred to the Office of Professional Standards for investigation and the facility receives the final report from OPS, they will conduct the incident review.

115.87	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>GDC Annual PREA Reports Cycle FY2012</p> <p>GDC Annual PREA Reports Cycle FY2013</p> <p>GDC Annual PREA Reports Cycle FY2014</p> <p>GDC Annual PREA Reports Cycle FY2015</p> <p>GDC Annual PREA Reports Cycle FY2016</p> <p>GDC Annual PREA Reports Cycle FY2017</p> <p>GDC Annual PREA Reports Cycle FY2018</p> <p>Wheeler Correctional Facility PREA Audit FY 2018</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 31 states:</p> <p>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> <p>Comments:</p> <p>This standard is rated exceeds because of the sophisticated reports The Georgia Department of Corrections PREA Analyst generates in support of the PREA Audit process. In addition to the monthly reports of sexual abuse/sexual harassment submitted to the PREA Unit from which the Annual Report is compiled, the PREA Analyst secures a report of disabled inmates/inmates for the auditor prior to each audit, enabling the auditor to identify inmates who are hearing or visually impaired or otherwise disabled. Also, prior to each audit the PREA Analyst provides the auditor with a report of all calls to the PREA Hotline during the past twelve (12) months. Where names are associated with the hotline calls, these are provided to the auditor. Each facility maintains color coded Monthly PREA Reports documenting the allegations received during a given month.</p>

115.88	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:  Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program  Georgia Department of Corrections Website</p> <p>Interviews:  Agency Head  PREA Coordinator  PREA Compliance Manager</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program page 32 states:  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> <p>Comments:  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.  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.</p>





115.89	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program</p> <p>GDC Annual PREA Reports CY2012</p> <p>GDC Annual PREA Reports CY2013</p> <p>GDC Annual PREA Reports CY2014</p> <p>GDC Annual PREA Reports CY2015</p> <p>GDC Annual PREA Reports CY2016</p> <p>GDC Annual PREA Reports CY2017</p> <p>GDC Annual PREA Reports CY2018</p> <p>Interviews:</p> <p>PREA Coordinator</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 32 - 33 states:</p> <p>I. 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>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>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>Sexual abuse data, files, and related documentation - at least 10 years from the date of the initial report.</p> <p>Comments:</p> <p>The facility has had 101 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. Files are secured behind locked doors, with limited access.</p>

115.401	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act (PREA) Sexually Abusive Behavior Prevention And Intervention Program pages 31 - 32 states:</p> <p>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. 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:</p> <p>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. Augusta State Medical Prison was previously audited for compliance with the PREA Standards December 8, 2016.</p> <p>The medical care at this facility is accredited by the Medical Association of Georgia meeting the Medical Association of Georgia’s Standards which are essentially the standards of the National Commission on Correctional Health Care. Augusta State Medical Prison 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 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.</p> <p>The facility posted the Notices of PREA Audit on January 23, 2020 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.</p> <p>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</p>

documentation and the documentation was readily available and provided.

The on-site audit of the Augusta State Medical Prison was conducted by one Auditor, certified in both Juvenile and Adult Standards and on Qualified Assistant. 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 and Qualified Assistant conducting inmate interviews interviewed, inmates randomly selected, targeted and inmates were informally interviewed as the auditor toured the facility and living units.

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.

<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>The agency PREA 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)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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)	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	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.)	yes

<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	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	yes

	video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	
	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

<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	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

<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	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?	yes
	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)	<b>Limits to cross-gender viewing and searches</b>	
	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)	<b>Limits to cross-gender viewing and searches</b>	
	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)	<b>Limits to cross-gender viewing and searches</b>	
	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)	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all	yes

	aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	
	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	yes

	through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	
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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)	<b>Hiring and promotion decisions</b>	
	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)	<b>Hiring and promotion decisions</b>	
	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

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

<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	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

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

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

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

115.21 (d)	<b>Evidence protocol and forensic medical examinations</b>	
	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)	<b>Evidence protocol and forensic medical examinations</b>	
	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)	<b>Evidence protocol and forensic medical examinations</b>	
	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.)	na

115.21 (h)	<b>Evidence protocol and forensic medical examinations</b>	
	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)	<b>Policies to ensure referrals of allegations for investigations</b>	
	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)	<b>Policies to ensure referrals of allegations for investigations</b>	
	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)	<b>Policies to ensure referrals of allegations for investigations</b>	
	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).)	na

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

115.32 (a)	<b>Volunteer and contractor training</b>	
	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)	<b>Volunteer and contractor training</b>	
	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

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

<b>115.33 (a)</b>	<b>Inmate education</b>	
	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

<b>115.33 (b)</b>	<b>Inmate education</b>	
	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

<b>115.33 (c)</b>	<b>Inmate education</b>	
	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)	<b>Specialized training: Investigations</b>	
	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)	<b>Specialized training: Investigations</b>	
	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)	<b>Specialized training: Medical and mental health care</b>	
	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)	<b>Specialized training: Medical and mental health care</b>	
	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.)	yes

115.35 (c)	<b>Specialized training: Medical and mental health care</b>	
	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)	<b>Specialized training: Medical and mental health care</b>	
	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)	<b>Screening for risk of victimization and abusiveness</b>	
	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)	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

115.41 (c)	<b>Screening for risk of victimization and abusiveness</b>	
	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

<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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

<b>115.42 (a)</b>	<b>Use of screening information</b>	
	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

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

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

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts 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)	<b>Protective Custody</b>	
	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)	<b>Protective Custody</b>	
	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)	<b>Inmate reporting</b>	
	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

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	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

<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	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

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

<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	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)	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (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?	yes

115.53 (b)	<b>Inmate access to outside confidential support services</b>	
	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)	<b>Inmate access to outside confidential support services</b>	
	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)	<b>Third-party reporting</b>	
	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

<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	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

<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	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

<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	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

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

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

<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	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

<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	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

<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	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

<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	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

<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	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

<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	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

<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	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

<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	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

<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	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

<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	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.)	na

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

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

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

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

<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	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

<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	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)	<b>Corrective action for contractors and volunteers</b>	
	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)	<b>Corrective action for contractors and volunteers</b>	
	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)	<b>Disciplinary sanctions for inmates</b>	
	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)	<b>Disciplinary sanctions for inmates</b>	
	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)	<b>Disciplinary sanctions for inmates</b>	
	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

<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	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

<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	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

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	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

<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	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

<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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)	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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)	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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).	na

115.81 (d)	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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)	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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)	<b>Access to emergency medical and mental health services</b>	
	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)	<b>Access to emergency medical and mental health services</b>	
	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)	<b>Access to emergency medical and mental health services</b>	
	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)	<b>Access to emergency medical and mental health services</b>	
	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)	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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)	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

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

<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

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

<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	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

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

<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	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

<b>115.87 (c)</b>	<b>Data collection</b>	
	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

<b>115.87 (d)</b>	<b>Data collection</b>	
	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

<b>115.87 (e)</b>	<b>Data collection</b>	
	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

<b>115.87 (f)</b>	<b>Data collection</b>	
	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

<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	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

<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	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

<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	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

<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	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

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

<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	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

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

<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	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

<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	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

<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	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.)	no

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

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



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

<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	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

<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	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