

PREA Facility Audit Report: Final

Name of Facility: Johnson State Prison

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 03/23/2020

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Mable P. Wheeler	Date of Signature: 03/23/2020

AUDITOR INFORMATION	
Auditor name:	Wheeler, Mable
Address:	
Email:	wheeler5p@hotmail.com
Telephone number:	
Start Date of On-Site Audit:	02/03/2020
End Date of On-Site Audit:	02/06/2020

FACILITY INFORMATION	
Facility name:	Johnson State Prison
Facility physical address:	290 Donovan-Harrison Road, Wrightsville, Georgia - 31096
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Grace Atchison
Email Address:	Grace.atchison@gdc.ga.gov
Telephone Number:	678-332-6066

Warden/Jail Administrator/Sheriff/Director	
Name:	Antoine Caldwell
Email Address:	Antoine.Caldwell@gdc.ga.gvo
Telephone Number:	478-864-4115

Facility PREA Compliance Manager	
Name:	Lakisha Franklin
Email Address:	lakisha.franklin@gdc.ga.gov
Telephone Number:	O: (404) 323-6896

Facility Health Service Administrator On-site	
Name:	Deann Morris
Email Address:	Deann.Morris@gdc.ga.gov
Telephone Number:	478-864-4192

Facility Characteristics	
Designed facility capacity:	1610
Current population of facility:	1538
Average daily population for the past 12 months:	1510
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	
Age range of population:	18+
Facility security levels/inmate custody levels:	Minimum/Medium/Close
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	287
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	12
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	30

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

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

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

AUDIT FINDINGS

Narrative:

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

Introduction:

The Prison Rape Elimination Act (PREA) onsite audit of the Johnson State Prison was conducted February 3-6, 2020. The audit was conducted by Mable Wheeler PREA Auditor, certified in adult and juvenile facilities and one qualified assistant. This audit was assigned to M P Wheeler and Associates, LLC by the Georgia Department of Corrections. The facility was last accredited on April 21, 2017. There are no known existing conflicts of interest or barriers to completing the audit.

Audit Methodology:

Pre-Onsite Audit Phase:

A meeting was held on September 10, 2019 between the Statewide PREA Coordinator, Assistant Statewide PREA Coordinator, DOC PREA Analyst, Warden, PREA Compliance Manager and Auditor to discuss logistics of the new online audit process. Several follow-up telephone conversations were held between the PREA Compliance Manager and auditor. 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. This facility is a medium security institution, housing male adult felon inmates.

Notice of Audit Posting and Timeline:

The Notice of PREA Audit for Johnson State Prison located in Wrightsville, Georgia, was forwarded to the facility's PREA Compliance Manager on December 10, 2019, more than six weeks prior to the on-site audit, for posting in the facility. The PREA Compliance Manager posted the Notice in areas accessible to staff, inmates, contractors, volunteers and visitors. Confirmation of the posting was provided to the auditor. 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. Three letters were received by auditor before the onsite visit. During the site-review the auditor observed the Notices of PREA Audit posted in common areas, living units and other places visible to staff, inmates, contractors, volunteers and visitors.

Online Pre-Audit Questionnaire/ Flash Drive Review:

The Facility's PREA Compliance Manager uploaded the Pre-Audit Questionnaire more than 30 days prior to the on-site audit. The reviewed Pre-Audit Questionnaire, 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 has direct access to the Warden of the facility.

Requests of Facility Lists:

Johnson State 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.
- Inmates who are Limited English Proficient (LEP)
- LGBTI Inmates
- Inmates in segregated housing
- Inmates in Isolation
- Inmates who reported sexual abuse
- Inmates who reported sexual victimization during risk screening
- Complete staff roster
- Specialized Staff
- All contractors who have contact with the inmates
- All Volunteers
- All allegations of sexual abuse and sexual harassment reported for investigation in the 12 months preceding the audit

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 Johnson State Prison.

- Just Detention International
- Wings

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, certified in both adults and juvenile standards and one (1) Qualified Assistant. The Qualified Assistant was responsible for interviewing random and targeted offenders.

The auditor arrived at the facility early morning on February 3, 2020 and concluded the audit on February 6, 2020 at around 5:00 PM. The auditor, assistant and agency's Assistant Statewide PREA Coordinator was met by the PREA Compliance Manager and escorted into the administrative area for the entrance briefing with the following staff:

- Antonie G. Caldwell, Warden
- Lakisha M. Franklin, Deputy Warden of Care and Treatment
- Ada Messer, Deputy Warden of Administration
- Edginald Gibbons, Deputy Warden of Security
- Bennett Knight, Department of Corrections Assistant PREA Coordinator
- Robert L. Jones, Qualified Assistant

- Robert Lanier, Qualified Assistant
- 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 Warden, Deputy Warden of Security and Deputy Warden of Administration.

Selection of Staff and Inmates:

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

(15) Randomly Selected Staff:

- Correctional Officer
- Correctional Officer Overnight
- Correctional Officer II
- Lieutenants
- Sergeants
- Intake Officer
- SART
- Inmate Records Clerk

(24) 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 of Johnson State Prison
- Deputy Warden of Security
- Intake and Orientation Staff
- Staff Conducting Victim/Aggressor PREA Assessments
- Director of Nursing
- Senior Counselor
- Human Resources Manager
- PREA Compliance Manager
- Previous Interview with Special Agent from Southwest Region
- Facility Based Investigator
- Staff Supervising Segregation
- Incident Review Team Member
- First Responder
- Retaliation Monitor
- SART Leader
- Mental Health Director
- Health Services Administrator
- Sexual Assault Nurse Examiners
- Unannounced Rounds

- Non-Medical Staff involved in cross-gender searches
- Contractors

(136) Total Inmate Interviews

(94) Informally interviewed inmates during the site review

(19) Randomly Selected Inmates

(23) Targeted Inmates:

- Gay
- Bi-sexual
- Transgender
- Inmates Reporting Prior Victimization
- Limited English Proficient
- Inmates in Segregation

There were no youthful offenders at the facility.

The auditor informally interviewed/interacted with approximately one hundred and thirty-six (136) 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. One hundred percent of the interviewed offenders affirmed they were told about Zero Tolerance during intake. They indicated they have received PREA Information in all GDC Facilities. All inmates described the intake process and receipt of PREA information. Most inmates verbalized several reporting methods. Staff 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 were noted. All areas of the facility were viewed during the onsite tour.

The auditor and associate 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 for Communicating Effectively with LGBTI Offenders
- NIC Certificates Investigations
- NIC Certificates Medical
- NIC Certificates Behavioral Health
- Newly Hired Employees Personnel Files
- Promoted Staff Personnel Files
- Volunteer Files
- Contractor Files
- Regular Employees Personnel Files
- Reviewed Investigation Files
- Grievances
- Incident Reports representing 10% of the total incident reports
- 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

Investigations: The auditor reviewed 69 investigation packages of 83 investigations conducted between January 2019 through December 2019.

The following allegations were made during that time period:

- Allegations of Staff on Inmate Sexual Harassment: 21
- Allegations of Inmate on Inmate Sexual Harassment: 37
- Allegations of Staff on Inmate Sexual Abuse: 5
- Allegations of Inmate on Inmate Sexual Abuse: 20

Findings:

- Unsubstantiated: 51
- Substantiated: 5
- Unfounded: 12
- Pending: 10
- Not PREA Related: 5

Fifty-one (51) of the investigations were determined to be unsubstantiated; twelve (12) determined to be unfounded; and five (5) substantiated; ten pending and five (5) not PREA related . Investigations are discussed in Standard 115.71, Criminal and Administrative Investigation.

The exit interview was conducted on Thursday, February 6, 2020 with Lakisha Franklin, Deputy Warden of Care and Treatment/PREA Compliance Manager, Bennett Kight, Assistant State Wide PREA Coordinator and the 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.

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:

Johnson State Prison design capacity will house 1610 adult male inmates. The population on the first day of the audit was 1556. The age range of population is 18 and older; no youthful offenders have been housed at this facility during this reporting period. The average length of stay is 2 years and 263 days and custody level is medium. Johnson State Prison has 20 Priority One Posts that are manned by one correctional officer 24 hours a day, 7 days a week.

Johnson State Prison is located in Wrightsville, Georgia. It is a medium security prison owned and operated by the Georgia Department of Corrections. Groundbreaking construction began in 1989 and it was opened in 1992. There are 15 housing units to include: ADA Accommodation, Mental Health Level III, Residential Substance Abuse, Isolation/Segregation, Faith and Character Based, General Population, and a Fire Team. The perimeter is surrounded by an inner and outer fenced topped in razor wire and equipped with a perimeter detection system. Outside of the perimeter are a clothing warehouse, maintenance shop, auto mechanic shop, key and tool office, training building and a fire station.

The mission of Johnson State Prison is to protect the public by providing a safe and secure facility through accountability, discipline and programs for offenders. Offers offenders the opportunity to re-enter society with the tools needed to become a productive member of their community, thus reducing recidivism. Provide general labor details to the City of Wrightsville, Johnson County, as well as surrounding cities, counties. Release site for Sex Offenders. Houses two Residential Substance Abuse Treatment (RSAT) centers as well as Level II & III mental health, geriatric and ADA wheelchair inmates.

Staffing Analysis:

Johnson State Prison has a total of 299 positions which includes Security staff, Care and Treatment, Administrative, Food Service, and Plant Operations, Medical and Mental Health and RSAT Spectrum Contractors. Currently the facility has 220 position filled with 59 vacant positions.

Security

- 1 Warden
- 1 Deputy Warden of Security
- 5 Unit Managers
- 1 Captain
- 1 Public Safety Training
- 10 Lieutenants
- 14 Sergeants
- 1 FTO Sergeant
- 4 Portal Sergeants
- 123 Correctional Officers
- 1 Administrative Support

Care and Treatment

- 1 Deputy Warden of Security
- 1 Chief Counselor
- 2 Behavioral Health Counselor 3
- 10 Behavioral Health Counselor 2
- 2 Behavioral Health Counselor 1
- 7 Administrative Support
- 1 Chaplain

3 Teachers (Part-time)
1 Teacher (Full-time)
1 Library & Media Services
1 Recreation Director
2 Recreation Supervisors
1 Activity Therapist
1 Rehabilitation Counselor 3

Administration

1 Deputy Warden of Administration
1 Business Manager
3 Financial Ops Generalist 1
1 Finance Clerk 2
4 Inmate Store
1 Inmate Store (hourly)
1 Property Supply Supervisor
1 Operations Analyst
1 Administrative Assistant
1 Warden's Secretary
1 Business Support Analyst 1
2 Administrative Support
1 Personnel Manager
1 Personnel Tech
2 Personnel Clerks

Food Service

1 Food Service Director
2 Food Service Managers
10 Food Service Supervisors

Plant Operations

1 Maintenance Engineer
1 General Trades Tech Supervisor
1 Mechanic
6 General Trades Tech 2
1 Administrative Support
1 Firefighter Captain

Medical and Mental Health

1 Health Services Administrator
1 Director of Nursing
1 Mental Health Director
6 MHM Licensed Counselors
5 Registered Nurses
20 Licensed Practical Nurses
1 Optometrist
1 Physical Therapist Tech
1 Physical Therapist

1 X-Ray Technician
2 Nurse Practitioners
1 Medical Doctor
1 Dentist
1 Dental Hygienist
2 Administrative Supports

RSAT Spectrum Contractors

1 RSAT Director
1 Clinical Supervisor
2 Administrative Supports
15 RSAT Counselors

Johnson State Prison has (20) twenty priority one post that are manned by male or female staff that require 24/7 coverage. When a hospital post is required, it is also considered priority on post (1) one female and (1) one male officer relieving staff to supervise until the offender is released. Each priority one post is manned 24 hours 7 days a week with the exception of hospital post which are on a as needed basis. If for any reason a specific post can not be covered, staff on duty will be required to stay until someone can be "pulled" or "called" to cover the post. A current listing of all staff with contact information is maintained in the main control. Common reason for deviations are:

Unexpected call-ins
Unplanned hospital post
Emergencies
Tactical call-outs
Institutional shake-downs
Family leave

Physical Layout:

The facility is enclosed within two ten feet fences with secured breakaway razor wire at the top and bottom and is fortified with additional razor wire in corners. The perimeter fence is equipped with a perimeter detention system and cameras are strategically located. Safety vestibules and sally ports constitute the only breaches in the perimeter of the facility. Eighteen cameras provide monitoring coverage on the outer perimeter and ten cameras provide additional monitoring coverage throughout the inner compound. However, there are zero cameras located in the housing units with the exception of the Segregation Unit. The facility's fence alarms include microwave and touch. The microwave security system is installed at the front and rear gate entrance areas.

Security staff is assigned to the front entry point to verify the authorized entry of staff and visitors. Staff is issued facility identification cards and locator cards. The individual locator cards are maintained at the front entry point by security staff. All staff and visitors must present valid identification at each ingress/egress point. The personal property of all staff and visitors is x-rayed and those entering must clear a metal detector prior to entry. Personal keys of visitor's are collected by staff and remain at the entry point during visitation. The visitor's personal keys are returned when the visitor exits the facility. The armory is located outside the secure perimeter of the facility with restricted access behind two secured doors within the front entry of the facility.

Offender Housing Units:

Johnson State Prison has a total of 21 dorms that can house up 96 offenders. One isolation/segregation

unit that can house 92 offenders. Two RSAT buildings with 4 open pods that can house 45 offenders. Both RSAT buildings have a housing capacity of 384 offenders. D- Building is an open dorm that serves as a unit for ADA offenders. Each pod houses 70 offenders, 35 beds are assigned for assisted living offenders. Housing capacity for D-Building is 140 ADA offenders. The Fire Station is located outside the perimeter and can house 10 offenders.

D-Building has 4 open dorms, D1, D2, D3, and D4. Housing capacity for D Building is 282 with 4 beds identified as assisted living beds. The dormitory is staffed 24/7 with two officers, D-Building has no cameras.

E-1 and E-2 houses mental health level III, each building houses 96 offenders and is staffed 24/7 with one officer. E-1 and E2 has no cameras.

L-Building has 4 open dorms, L1, L2, L3 and L4 housing RSAT offenders, capacity is 192 offenders. The dormitory is staffed 24/7, L-Building has no cameras.

F-1 is the faith and character based dorm and can house 96 offenders and is staffed 24/7 with one officer. F-1 has no cameras.

F-2 is a general population dorm housing 96 offenders and is staffed 24/7 with two officers. F-2 has no cameras.

K-Building has 4 open dormitories K1, K2, K3, and K4. This RSAT unit houses 192 offenders and is staffed 24/7 with two officers. K-Building has no cameras.

G1 and G2 are general population dormitories housing 96 offenders and is staffed 24/7 with one officer working each side of the dorm. G1 and G2 has not cameras.

H1- and H-2 are general population dormitories housing 96 offenders each and is staffed 24/7 with one officer. H-1 and H-2 has no cameras.

J-1 and J-2 is an administrative segregation unit. J-1 houses 72 offenders. The top range of J-1 has 2 man cells and the lower range houses 2 ADA cells and 4 observation cells. J-2 has 46 2 man cells and 2 single man cells housing 94 offenders. Both units house offenders who are on voluntary or involuntary protective custody, pending investigations, suicide watch, disciplinary or safety of the facility. Both J-1 and J2 are staffed 24/7 with two officers. J-1 and J-2 each have (3) three cameras both have cameras on the outside and (1) one camera is in the middle of J-1 and J2. There is (1) one camera on the wall in J-1 and J-2. The Warden has 24/7 access to all cameras installed in the facility.

Showers, toilets and urinals are located in the back of the dorms/living units; D Building has (2) two urinals, (3) three toilets and (5) five shower heads, designed to serve 72 seventy-two inmates. Inmates related to the auditor they generally shower one at a time to give each other privacy. D Building housing is accommodated living for inmates who use wheelchairs or crutches. D Building is also equipped with tablets and kiosks that have PREA information, the auditor observed PREA posters on the wall.

E2 has (3) three showers upstairs and (3) three showers downstairs and (3) three toilets, E2 houses mental health level 3 inmates. The auditor observed that E2 had (4) four phones, (2) kiosks and tablet that had PREA information.

L Building RSAT has (4) four units it also has community design showers that accommodate 192 inmates. The auditor observed the each unit had (2) two phones and (1) one kiosk serving 48 inmates per units.

F2 houses veterans, the showers are located in the back of the unit, (3) three individual showers are located upstairs and (3) three downstairs, F2 houses 96 inmates.

F1 the Faith and Character dorm houses 96 inmates.

R Building RSAT has (4) four pods that houses 48 inmates each, this building has (4) four showers with curtains, (4) four toilets and (2) two urinals that serves 192 inmates.

K Building has (4) four pods that houses 48 inmates and each has (4) four showers and (4) four toilets.

G2-G1 has (3) three individual showers upstairs and (3) three downstairs, toilets are the cells, this units houses 96 general population inmates.

(Auditor Note: Some showers did not have privacy panels.)

The Fire Station is located outside the institution and can house 10 offenders that are minimum security and on LSO, this dormitory has no cameras. The Fire Chief works Monday thru Thursday. Unannounced PREA rounds are conducted in each dorm by supervisors and duty officers and noted in the logbook.

Food Service:

The facility has one central kitchen that providing meals to two separate dining halls (east side and west side). Approximately 150 offenders are assigned to work in the food service department.

The offenders assigned to the department prepare and serve three meals daily to the offender population with the exception of Friday, Saturday, Sunday and Holidays in which two meals are served.

Food Service staff and Security Staff provide coverage within the department during all meals.

Programs:

Academic: Literacy Remedial, General Education Diploma, Adult Basic Education

Substance Abuse: Residential Substance Abuse Treatment, Motivation for Change

Counseling: Faith and Character Based Program, Sex Offender Psycho-Educational Program, Re-Entry, Behavior Stabilization, Family Violence, Thinking for a Change, Relapse Prevention, Motivation For Change, Moral Recognition Therapy

Mental Health: Mental Health Programs to Include: Therapeutic, Psycho-Educational, Mental Health Activities (Greenhouse, Maintenance, Gym, Board Games)

Recreation: General Recreation

Religious Activities: Various Worship Services

Vocational/OJT: Barbering, Laundry, General Office Clerk, Food Service Baker, Cook, Food Preparation, Groundskeeper, Career Clerk, Horticulture, Custodial Maintenance, Kitchen Helper, Computer Technology, Customer Service

Vocational Programs:

Johnson State Prison partners with Central Georgia Technical College to offer eligible offenders the opportunity to learn a vocational trade in Customer Service and Computer Technology and various OJT programs such as cook apprentice, baker, custodial maintenance, wheelchair repair, barbering, grounds keeping, laundry, general office clerk, law library clerk and warehouse clerk. Johnson State Prison also has a fire team where offenders are afforded an opportunity to earn their fire training certificate. Johnson State Prison offers a Faith and Character Based program that offers the offender an opportunity to grow spiritually and morally.

Library Services:

A general library is provided to benefit the offender's general reading needs and to improve their academic development in the various programs, groups, and services offered. All offenders have equal opportunity for access to the material. Along with allowing offenders equal opportunity for access, library

books are available seven days a week to include holidays.

Outside/Inside Work Details:

Department of Transportation, outside grounds, outside orderly, outside warehouse, and outside vehicle maintenance. Johnson State Prison offers the following inside details: food service, laundry, inside maintenance, barber shop, education aides, dorm orderly, gym aide, inside ground warehouse orderly, medical orderly, counseling orderly, sidewalk orderly and career clerks.

Visitation:

Visitation is on Saturdays, Sundays, and State Holidays from 9:00 a.m. to 3:00 p.m. Segregation Visitation is on Wednesday from 9:00 a.m. to 3:00 p.m. The visitation area is used weekly for church and other programs as needed. The visitation area has six cameras and are utilized as needed.

Demographics:

Black 58%

White 38%

Other 4%

Thirty-two percent of the population is mental health and are monitored more closely, mental health level III are kept separated from general population to reduce risk of victimization. All staff who work in those areas have specialized mental health training.

AUDIT FINDINGS

Summary of Audit Findings:

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

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

Standards Exceeded: 115.11, 115.88

Standards Met: 45

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

Standards Not Met: 0

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Zero Tolerance of Sexual Abuse and Sexual Harassment</p> <p>Interviews: Agency PREA Compliance Coordinator Facility PREA Compliance Manager Georgia Department of Corrections Commissioner (Designee)</p> <p>Site review: Auditor observed posters throughout the facility; phones with PREA Hotline dialing instructions, and Kiosks were observed in all living units day rooms.</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 1-7 states: A. The Georgia Department of Corrections (GDC) has a zero-tolerance policy toward all forms of sexual abuse, Sexual Harassment and sexual activity among offenders. The purpose of this policy is to strengthen the Department’s efforts to prevent occurrences of this nature by implementing key provisions from the U.S. Department of Justice’s standards on the prevention, detection, and response to sexual abuse in confinement facilities, in accordance with the Prison Rape Elimination Act of 2003 (PREA). This policy and provides guidelines to address the following prohibited sexually abusive and/or harassing behavior(s):</p> <ol style="list-style-type: none"> 1. Offender Perpetrator Against Offender Victim; and 2. Staff perpetrator against offender victim. <p>B. These guidelines are provided to assist staff in:</p> <ol style="list-style-type: none"> 1. Detecting incidents and identifying perpetrators and victims of sexual abuse and/or harassment; 2. Preventing sexually abusive and/or harassing behavior; 3. Protecting vulnerable offenders from abuse and harassment from sexually aggressive offenders; 4. Educating staff on how to intervene properly and in a timely manner; 5. Documenting, reporting, and investigating reported incidents; and 6. Disciplining and/or prosecuting perpetrators. <p>III. Definitions:</p> <p>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.)</p> <p>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.</p> <p>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.</p> <p>D. Gender Nonconforming - A person whose appearance or manner does not conform to</p>

traditional societal gender expectations.

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

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

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

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

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

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

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

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

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

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

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia,

- anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) through (5) of this definition;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender, detainee, or resident;
8. Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an offender, detainee, or resident by staff for reasons unrelated to official duties.

M. Sexual Harassment includes:

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

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

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

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

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

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

S. Youthful Offender - Any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.

IV. Statement of Policy and Applicable Procedures:

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

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

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

A. Prevention Planning:

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

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

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

Comments:

This Standard is rated exceeds, the Agency (GDOC) has been very proactive in instilling a zero-tolerance for all forms of sexual abuse, sexual harassment, and retaliation for reporting or cooperating with an investigation. The Warden is supportive of PREA and the standards, in an interview stated that the Georgia Department of Corrections (Agency) and Johnson State Prison have a zero tolerance for all forms of sexual abuse, sexual harassment and retaliation. Johnson State Prison is required to comply with the Georgia Department of Corrections Policies, including PREA. 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, contractors, volunteers or detainees 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.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Contracting Memo dated January 28, 2019 from the Warden GDOC contracts with private entities (sample)</p> <p>Interviews: Agency Contract Administrator</p> <p>Policy 208.06 Prison Rape Elimination Act, page 7 states: 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: 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 Government Entity responsible for operation of the county prison. Each of the reviewed contracts contained the same verbiage requiring the County to adopt and comply with the PREA Standards. The contract also acknowledge that GDOC will monitor the facilities for compliance. Johnson State Prison does not contract with outside entities for the confinement of offenders. Georgia Department of Corrections (parent agency) complies with all requirements of this standard.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Prevention Planning Staffing Plan Dated 5/15/19 Priority One Post Unannounced Rounds Log Book Average Daily Population 1/1/2019 - 12/31/2019</p> <p>Interviews: Warden PREA Compliance Manager Higher Level Staff</p> <p>Site Review: Observation during the onsite tour of the facility, the auditor noted the lack of security cameras in the housing units and while touring the warehouse the audit observed (2) two mirrors that needed to be mounted. Mirrors were mounted prior to end of site review.</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 7-8 states: 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.</p> <p>Comments:</p>

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 are essentially based on the mission of the facility, population served, security levels of offenders, special needs of offenders, programs, work details and the numbers of identified priority one posts. Priority one posts are those that are so critical they must be 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.

Auditor Note:

Johnson State Prison Staffing Plan dated 5/15/19 states the facility has 299 budgeted positions however, the total number of staff listed in the staffing plan calculates to 308 positions with 164 Security positions, 34 Care and Treatment positions, 22 Administrative positions, 13 Food Service positions, 11 Plant Operations positions, 45 Medical and Mental Health positions, and 19 RSAT Contractor positions.

Johnson State Prison Stratification Plan "Staffing Pattern" states Johnson State Prison has a total of 319 staff members. Security has 166 staff members, Care and Treatment has 30 staff members, and Administration area has 49 staff. There 24 part-time staff which includes academic instructors, librarian storekeeper and police sergeants. There are 50 contract staff which includes medical, mental health and RSAT.

In addition, the Johnson State Prison's Staffing Plan states page 3, "there were a few blind spots identified at Johnson State Prison in the housing units, and kitchen area. Mirrors will be strategically placed in all areas identified taking into consideration isolated areas, single person staff alone with an inmate and areas that are potentially problematic that are not monitored by cameras".

Observation: During the onsite tour of the facility, the auditor noted the lack of security cameras throughout the facility, as identified in staffing plan. Blind spots identified by auditor had previously been identified by facility. Mirrors have been ordered to address the identified blind spots. During the on-site tour auditor observed crews preparing facility for the installation of cameras. This is a much needed project for this facility. The number of cameras currently in operation is very limited and only record in real time. While touring the warehouse the audit observed (2) two mirrors that needed to be mounted. Mirrors were mounted prior to auditor leaving facility.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Youthful Inmates Memo dated January 28, 2019</p> <p>Interviews: Line Staff Education Staff</p> <p>Site Review: No youthful offenders are housed at Johnson State Prison.</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 8-9 states: 7. Youthful Offenders: a. A Youthful Offender shall not be placed in a housing unit in which the Youthful Offender will have sight, sound, or physical contact with any adult offender through use of a shared day room or other common space, shower area, or sleeping quarters. b. In areas outside of housing units, staff must either: i. Maintain sight and sound separation between Youthful Offenders and adult offenders, or ii. Provide direct staff member supervision when Youthful Offenders and adult offenders have sight, sound, or physical contact. c. Efforts shall be made by the assigned institution to avoid placing Youthful Offenders in isolation to comply with this provision. Absent Exigent Circumstances, Youthful Offenders shall not be denied daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful Offenders shall also have access to other programs and work opportunities to the extent possible.</p> <p>Comment: Johnson State Prison does not house youthful offenders. Male youthful offenders are housed by GDOC at the Burrus Training Facility.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Limits to Cross-Gender Viewing and Searches Cross Gender Search Training Memo Dated January 8, 2020 Day 1 Training Logs with staff signatures</p> <p>Interviews: Medical Staff Inmates Transgender Inmates Random Staff</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 9-10 states: 8. Limits to Cross-Gender Viewing and Searches: 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. 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. 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. 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). 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. Offenders will be notified of the presence of opposite-gender staff members in several ways: i. Offenders are advised of the requirement to remain clothed, and the presence of cross-gender staff members generally, during the intake screening process and the admission and orientation process; ii. The following notice will be posted “NOTICE TO OFFENDERS: Male and female staff members routinely work in and visit housing areas.” iii. For staff members with offices in the housing units, the most recent schedule is posted in the unit so offenders are aware of when opposite-gender staff may be present; iv. An announcement shall be made each time an opposite-gender staff member comes into a housing unit area and;</p>

- 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:

During the onsite audit, targeted inmates self-identifying as transgender reported feeling safe at this facility. All individuals interviewed (medical staff, non-medical staff, and transgender inmates) stated that no cross-gender searches, visual body cavity searches or pat-downs occur.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Offenders with Disabilities, LEP and Limited Reading Skills Language Line Solutions Brochure ADA Appeal Form Tips for Working With Language Line Interpreters</p> <p>Interviews: LEP inmates Random Staff</p> <p>Policy 208.06 Prison Rape Elimination Act, page 11 states: 9. Offenders with Disabilities, Who Are Limited English Proficient (LEP), or Have Limited Reading Skills: 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. 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: The agency (GDOC) has an Americans with Disabilities Coordinator who is responsible for overseeing and coordinating the agency's efforts to comply with the ADA requirements. The Coordinator works in direct collaboration with the State ADA Coordinator's Office and serves as an invaluable resource when a facility needs any type of interpretive service. The Facility has an agreement with Language Line to provide interpretation services. Contract services, also includes American Sign Language. The facility has PREA documentation available for inmates in English and Spanish format. If interpretation is needed for any other language, translation service is also provided by Language Line.</p> <p>Staff are available to ensure that inmates with limited educational skills/disabilities receive and understand how to access all aspects of PREA, including prevention, detection, responding and reporting. Staff read the PREA information to the inmate upon admission and additionally, PREA Education is provided through the PREA Video and orally to clarify any issues. Counseling staff are available in this facility to assist in intake and orientation of inmates</p>

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06, Prison Rape Elimination Act, Hiring and Promotions Background packet Criminal Query Inquiry Log Criminal History Log Applicant Verification Form With PREA related questions Personnel Files of Staff who were hired or promoted in last twelve months, Personnel Files of contractors/volunteers Personnel Files of Staff re: five-year background records checks</p> <p>Interview: Human Resources Manager</p> <p>In the past 12 months: The number of persons hired who may have contact with inmates who have had criminal background record checks: 20</p> <p>The percent of persons hired who may have contact with inmates who have had criminal background record checks: 100%</p> <p>In the past 12 months: The number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates: 6</p> <p>The percent of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates: 100%</p> <p>Policy 208.06 Prison Rape Elimination Act, page 12 states: Ask all applicants and employees who may have contact with offenders directly about previous misconduct described in SOP 104.09, Filling a Vacancy, in written applications or interviews for hiring and promotions and any written interview or written self-evaluations conducted as part of reviews of current employees. Every employee has a continuing affirmative duty to disclose any such misconduct.</p> <p>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.</p> <p>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.</p> <p>Material omissions regarding misconduct or the provision of materially false information shall</p>

be grounds for termination.

Comments:

Files of staff and contractors/volunteers were reviewed for compliance of this standard. All files reviewed had up-to-date criminal history checks. The Human Resource Manager and document review confirmed that all persons selected for employment or provide services at the prison must consent in writing (Form SOP IV00312, Attachment 1), to a Criminal Background Check and a Driver History Consent to be conducted prior to officially hiring someone. The HR Manager also stated that all newly hired staff background checks include live scan Fingerprints.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06, Prison Rape Elimination Act, Upgrades to facility and Technology</p> <p>Interviews: Warden PREA Compliance Manager</p> <p>Site Review 2019 Staffing Plan Review Facility</p> <p>Policy 208.06 Prison Rape Elimination Act, Response Planning page 8 states: 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>When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the DOC shall consider the effect of the design, acquisition, expansion, or modification upon the DOC's ability to protect offenders from sexual abuse. The PREA Compliance Manager will be responsible for consulting with the Office of PREA Compliance, when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the DOC shall consider how such technology may enhance the DOC's ability to protect offenders from sexual abuse.</p> <p>Comments: Johnson State Prison has had no technology upgrades to the facility since the last audit. However, during the site visit the auditor observed installation of wiring for security cameras installation. The Warden confirmed during interview, the facility had added two additional mirrors in ware house and are currently surveying the facility to determine blind spots in other areas for additional mirror installation. This was strongly recommended by auditor. The current camera installation project underway is subject to take months before completion. The kitchen area was identified by auditor as needing immediate attention.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act , Evidence protocol and forensic medical examinations Policy 103.10 Evidence Handling and Crime Scene Processing SANE Nurse Protocol WINGS MOU</p> <p>Interviews: SANE Nurse PREA Compliance Manager Inmates who suffer sexual abuse</p> <p>Site Review: Auditor observed notice posting for WINGs Advocacy Agency posted throughout the facility. PREA posters were also visible with reporting instructions to include the PREA Hot Line number on a units.</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 13-15 states: 1. Evidence protocol and forensic medical examinations. 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. 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. 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. The Department stands in loco parent is for Youthful Offenders in its custody and can authorize a physical examination of such Youthful Offender without consulting his or her parent(s) so long as the Youthful Offender consents to the examination. For those offenders that are unable to consent or are incapacitated, the Department may authorize the collection 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</p>

be banned from correctional facilities, or will be subject to disciplinary action, up to and including termination, whichever is applicable.

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.

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.

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.

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 .

Comments:

Comments: Auditor reviewed documentation of facility's MOU with WINGs a qualified victim advocacy agency. Counseling/Mental Health staff are available to provide support /counseling if requested by a sexual assault victim.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Investigations Georgia Department of Corrections Website</p> <p>Interviews: Agency Head Investigative Staff (facility & Office of Professional Standards) PREA Compliance Manager</p> <p>Policy 208.06 Prison Rape Elimination Act, page 15 states: 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>Policy 208.06 Prison Rape Elimination Act, pages 25 - 28 states: G. Investigations:</p> <ol style="list-style-type: none"> 1. All reports of sexual abuse or Sexual Harassment will be considered allegations and will be investigated. 2. The local SART is responsible for the administrative investigation of all allegations of sexual abuse or Sexual Harassment. Attachment 4, Sexual Allegation Response Checklist will be completed for all PREA allegations. In cases where allegations are made against staff members and the SART inquiry deems the allegation is unfounded or unsubstantiated by evidence, the case can be closed at the facility level. If the allegation is criminal in nature, an interview shall not be conducted, nor will a statement be collected from the accused perpetrator without first consulting the Regional SAC. 3. Appointing authorities or their designees shall report all allegations of sexual assault with penetration and those with immediate and clear evidence of physical contact, to their Regional Director, Regional SAC and the Department's PREA Coordinator immediately upon receipt of the allegation. <ol style="list-style-type: none"> a. Where sexual abuse is alleged and cannot be cleared at the local level (as indicated in G.2. of this section), the Regional SAC shall determine the appropriate response upon notification. If this appropriate response is to open a criminal investigation, the Regional SAC shall assign an agent or investigator who has received special training in sexual abuse investigations. b. Agents and investigators shall gather and preserve direct and circumstantial evidence including any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. c. The credibility of the victim, suspect, or witness shall be assessed on an individual basis and will not be determined by the person's status as offender or staff member. An offender who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. d. Upon conclusion of the criminal investigation, OPS must notify the Warden/Superintendent

of the disposition of the case. The Warden must ensure that Attachment 3, PREA Disposition Offender Notification Form is completed and a copy is both given to the offender and placed in the case file. On completion of this procedure, the PREA Coordinator's Office will be notified via PREA.report@gdc.ga.gov of the disposition and the date in which the offender was notified.

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

5. For investigations of allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution in accordance with SOP 103.06, Investigations of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Offenders.

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

7. Administrative and criminal investigations shall include an effort to determine whether staff

member actions or failures to act contributed to the abuse. This shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind the credibility assessments, and investigative facts and findings.

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

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

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

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

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

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

14. Following the close of an investigation into an offender's allegation that he or she suffered sexual abuse in a Department facility, the facility shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, unfounded, unsubstantiated-forwarded to OPS or substantiated-forwarded to OPS. This will be completed by a member of the local SART unless appointing authority delegates to another designee. In the event an allegation is forwarded to OPS for investigation, the facility shall notify the offender of the outcome of the OPS investigation upon completion. Such notifications or attempted notifications shall be documented on Attachment 3, PREA Disposition Offender Notification Form. The Department's obligation to report under this standard shall terminate if the offender is released from the Department's custody.

Comments:

All PREA allegations are filtered through the PREA Compliance Manager. She forwards details/information to the Office of Professional Standards and Office of PREA Compliance. All allegations are investigated. If an allegation meets the level of a criminal action, the complaint is sent to the OPS for investigation.

The auditor, in a recent interview with the Commissioner of the Department of Corrections (designee) confirmed he supports all the efforts of the PREA Unit and is accessible to the Director of Compliance and the PREA Coordinator, whenever needed. There is a system in place that the Commissioner receives a timely text alert on all PREA allegations.

The Agency's website addresses the reporting of Sexual Abuse and Harassment.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Employee Training Training Rosters Training Records NIC Certificates "Communicating Effectively with LGBTI Offenders" NIC Certificates "Investigating Sexual Abuse in a Confinement Setting" NIC Certificates "Behavior Health Care for Sexual Assault Victims in Confinement Setting" NIC Certificates " Medical Health Care of Sexual Assault Victims in Confinement Setting" GIB Certificates "Security Awareness Training</p> <p>Interview:</p> <p>Random Staff</p> <p>Site review:</p> <p>PREA Related posters are prolific and posted in numerous locations throughout the facility.</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 16 - 17 states:</p> <p>1. Employee Training:</p> <p>a. All Departmental employees shall be required to attend training annually on:</p> <ul style="list-style-type: none"> i. The Department's zero-tolerance policy for Sexual Abuse and Sexual Harassment; ii. How to fulfill their responsibilities under the Department's Sexual Abuse and Sexual Harassment prevention, detection, reporting, and response policies and procedures; iii. Offenders' right to be free from Sexual Abuse and Sexual Harassment; iv. The right of offenders and employees to be free from retaliation for reporting Sexual Abuse and Sexual Harassment; v. The dynamics of Sexual Abuse and Sexual Harassment in confinement; vi. The common reactions of Sexual Abuse and Sexual Harassment victims; vii. How to detect and respond to signs of threatened and actual Sexual Abuse; viii. How to avoid inappropriate relationships with offenders; ix. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, Intersex, or Gender Nonconforming offenders; and x. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <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>

The reviewed curriculum for the annual in-service training covered the required topics. Most staff were knowledgeable of all the topics required by the PREA Standards and enumerated in the Staff Questionnaires and acknowledged their in-service training covered all the topics and responded appropriately to most questions. However, the auditor did suggest that PREA refreshers routinely become a part of the shift change briefings.

Training for the Sexual Abuse Response Team members is provided at least twice a year. This training is similar to that provided on-line through the National Institute of Corrections, "Investigating Sexual Abuse in Correctional Settings". Additional Specialized training is required for investigators, medical staff, and mental health staff. This training was documented through reviewed certificates from the National Institute of Corrections and interviews with staff as well as previous reviews of training rosters. Mental Health Staff and Medical Staff attend training specific to their areas. This often includes response to sexual assault and working with sexual assault victims.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Education and Training, Volunteers and Contractors</p> <p>Contractor PREA Training Records</p> <p>Contractor PREA Acknowledgement Statement</p> <p>Volunteer PREA Training Records</p> <p>Volunteer Acknowledgement Statement</p> <p>Interviews:</p> <p>Contractors</p> <p>Volunteers</p> <p>The number of volunteers who have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response: 30</p> <p>The number of individual contractors, who have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response: 12</p> <p>The percent of volunteers and individual contractors, who have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse/harassment prevention, detection and response: 100%</p> <p>Policy 208.06 Prison Rape Elimination Act, 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>Interviews with staff verify that they are aware of PREA's components. Contractors are</p>

required to attend the same Annual Inservice Training that all staff attend. Review of training records show that they are concise and easy to review. All file reviews showed that training is updated, signatures are present, and training is now current.

The level and type of training provided to volunteers 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. Documentation of that training is on the Contractor/Volunteer Acknowledgment Statement.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Inmate Education Orientation Check List PREA Flyers Spanish and English Memo "Ways to Report" Inmate Handbook Posters</p> <p>Interviews:</p> <p>Intake Staff Inmates</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 18 - 19 states: 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> <ul style="list-style-type: none"> i. The Department's zero tolerance of sexual abuse and Sexual Harassment; ii. Definitions of sexually abusive behavior and Sexual Harassment; iii. Prevention strategies the offender can take to minimize his/her risk of sexual victimization while in Department custody; iv. Methods of reporting an incident of sexual abuse/Sexual Harassment against oneself, and for reporting allegations of sexual abuse involving other offenders; v. Treatment options and programs available to offender victims of sexual abuse and Sexual Harassment; vi. How an investigation begins and the general steps to an investigation; vii. Monitoring, discipline, and prosecution of sexual perpetrators; viii. The prohibition against retaliation for reporting, and; ix. Notice that male and female staff routinely work and visit housing areas; <p>b. The facility shall maintain documentation of offender participation in these education sessions in the offender's institutional file.</p> <p>c. A poster reflecting the Department's zero tolerance for sexual abuse and Sexual</p>

Harassment, contact information and methods of offender reporting shall be posted in each housing unit and common area throughout the facility.

Comments:

The auditor observed the intake process. Inmates receive PREA information via written information (verbal or self-read). The resident signs the PREA Acknowledgment and initials the Orientation Checklist affirming having viewed the PREA Video, that they understood it and that they had the opportunity to ask questions. By initialing the Video Acknowledgment, inmates affirm that they have been given the orientation education regarding sexual assault and PREA. The auditor reviewed 25 Orientation Checklists. Inmates report receiving PREA education while at the diagnostic facility and any other GDOC placement.

Residents are also provided PREA information on a continuous basis through posters on bulletin boards and on walls reflecting the Department's zero tolerance for sexual abuse and harassment and contact information for inmate reporting of sexual abuse allegations.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Specialized Training (Investigations) The Office of Professional Standards Investigators attend mandate law enforcement training and complete the On-line training provided by NIC.. These investigators have arrest powers and are assigned by regions. Investigators are primarily involved in intelligence gathering, gang activity and contraband. They also are responsible for PREA criminal investigations and have the authority to refer a case to local DA for prosecution.</p> <p>Interview: Facility Investigator Office of Professional Standards investigator</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 19 - 20 states: 4. Specialized Training (Investigations): a. All staff investigating sexual abuse/Sexual Harassment allegations must be specially trained in conducting sexual abuse/Sexual Harassment investigations in confinement settings. 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. c. The Department shall maintain documentation that agents and investigators, whether internal or external, have completed the required specialized training in conducting sexual abuse investigations.</p> <p>Comments: The facility-based investigator understands the investigative process. He indicated he has completed the online training “PREA: Investigating Sexual Abuse in a Confinement Setting”. He described the investigation process and indicated if an allegation appeared criminal the warden would refer the case to the Regional Office for the Special Agent in Charge to assign a Special Agent to conduct the investigation.</p> <p>The agency has implemented a computer- based system in which the facility-based investigator inputs the components of the investigation for review by the Agency’s PREA Coordinator and/or Assistant PREA Coordinator. If they believe additional information is needed, they inform the facility-based investigator and will not authorize the close-out of the investigation until the PREA Unit approves the investigation. Interviews with the Facility-Based Investigator, PREA Compliance Manager (also trained to conduct investigations in confinement settings), Agency PREA Coordinator and a Special Agent (previous interview) confirmed the investigative process and the fact that the investigators have all completed specialized training in conducting sexual abuse investigations in confinement settings.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Specialized training: Medical and Mental Health Care Policy 508.22 Mental Health Management of Suspected Sexual Abuse or Sexual Medical "Medical Health Care for Sexual Assault Victims in a Confinement Setting" Mental Health " Behavioral Health Care for Sexual Assault Victims in a Confinement Setting"</p> <p>Interviews: Medical Staff Mental Health Staff</p> <p>Policy 208.06 Prison Rape Elimination Act, page 20 states: 5. Specialized Training (Medical and Mental Health Care): GDC medical and mental health staff members and Georgia Correctional HealthCare (GCHC) staff members who have contact with offenders will be trained using the National Institute of Corrections (NIC) Specialized Training PREA Medical and MH Standards curriculum. Certificate of completion will be printed and maintained in the employee training file. In addition to the specialized training, these same employees are required to attend GDC's annual PREA in-service training.</p> <p>Comments: Medical and mental health care staff are trained in how to detect and assess the signs and symptoms and dynamics of sexual abuse and sexual harassment; their role in preserving and how to preserve any physical evidence of sexual abuse; how to respond effectively and efficiently to victims of sexual abuse and sexual harassment; and the reporting process, including who to report to and how they are required to report. Certificates documenting completing the NIC On- Line Training, "Medical Care for Victims of Sexual Abuse in a Confinement Setting" and "Behavioral Health Care for Sexual Assault Victims in a Confinement Setting" were reviewed by auditor. Additionally, medical and mental health care staff are required to attend the same training required for all staff, including annual in-service training.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Screening for Risk of Sexual Victimization and Sexual Abusiveness</p> <p>SCRIBE Notes w/ PREA Assessments</p> <p>PREA Screening Instrument Initial and Reassessment</p> <p>Interviews:</p> <p>Staff Responsible for Risk Screening</p> <p>PREA Compliance Manager</p> <p>PREA Coordinator</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 20 - 21 states:</p> <p>D. Screening for Risk of Sexual Victimization and Sexual Abusiveness:</p> <ol style="list-style-type: none"> 1. All offenders shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other offenders or sexually abusive toward other offenders. 2. Counseling staff members will conduct a screening for risk of victimization and abusiveness, in SCRIBE, through use of Attachment 2, PREA Sexual Victim/Sexual Aggressor Classification Screening Instrument. This screening will be conducted within 24 hours of arrival at the facility. Information from this assessment will be used to determine classification decisions with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. NOTE: The risk assessment should not hinder classification opportunities. 3. Offenders should be encouraged to disclose as much information as possible for the Department to provide the most protection possible under this policy. If an offender chooses not to respond to questions relating to his or her level of risk, he or she may not be disciplined. 4. Offenders whose risk screening indicates a risk for victimization or abusiveness shall be reassessed whenever warranted due to an incident, disclosure or allegation of sexual abuse or harassment and also for all offenders, within 30 days of arrival at the institution. A case note shall be entered in SCRIBE to indicate this review has been conducted. This case note is for the sole purpose of documenting the screening occurred and shall not include any confidential or clinical information. <p>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> <ol style="list-style-type: none"> 5. The Warden/Superintendent shall designate a safe dorm(s) or safe beds for those offenders identified as highly vulnerable to sexual abuse. Location(s) shall be identified in Attachment 7, PREA Local Procedure Directive and Coordinated Response Plan and in the Staffing Plan. 6. In deciding whether to assign a Transgender or Intersex offender to a male or female facility and in making other housing and programming assignments, the Department shall consider on a case-by-case basis whether a placement would ensure the offender's health

and safety, and whether the placement would present management or security problems.
7. Placement and programming assignments for each Transgender or Intersex offender shall be reassessed no less than every six months to review any threats to sexual safety of the offender.

8. 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.

9. Offenders at high risk for sexual victimization or aggression shall not be placed in involuntary segregation based solely on that determination unless a determination has been made that there is no available alternative means of separation from likely abusers. This placement, including the concern for the offender's safety must be noted in SCRIBE case notes with documentation of why no alternative means of separation can be arranged.

a. Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.

b. The facility shall assign such offenders to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

c. If offenders placed in segregated housing for this purpose have restricted access to programs, privileges, education, or work opportunities, then the facility shall document: 1) the opportunities that have been limited; 2) the duration of the limitation; and 3) the reasons for such limitations.

d. Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.

Comments:

When Assessments and Reassessments are completed, the forms are placed in the inmate files and documented in SCRIBE. When an inmate is noted as a potential victim or predators, an "Alert" is posted in SCRIBE. Only supervisors have access to the "Alerts", which are used for housing assignments, program assignment and work detail assignment. Information is shared on a need to know basis. (Note: only supervisors can make housing assignments or changes.)

115.42	Use of screening information
	<p data-bbox="252 168 896 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 523 280">Auditor Discussion</p> <p data-bbox="252 324 507 358">Materials Reviewed</p> <p data-bbox="252 369 1412 448">Policy 208.06 Prison Rape Elimination Act, Screening for Risk of Sexual Victimization and Sexual Abusiveness: (Use of Screening Information).</p> <p data-bbox="252 459 1364 571">Policy 220.09 Classification and Management of Transgender and Intersex Offenders Assessments Reassessments</p> <p data-bbox="252 627 391 660">Interviews:</p> <p data-bbox="252 672 491 705">PREA Coordinator</p> <p data-bbox="252 716 614 750">PREA Compliance Manager</p> <p data-bbox="252 761 726 795">Staff Responsible for Risk Screening</p> <p data-bbox="252 806 710 840">Transgender/Intersex/Gay Inmates</p> <p data-bbox="252 884 1013 918">Policy 208.06 Prison Rape Elimination Act, page 21 states:</p> <p data-bbox="252 929 1484 1176">Offenders whose risk screening indicates a risk for victimization or abusiveness shall be reassessed whenever warranted due to an incident, disclosure or allegation of sexual abuse or harassment and also for all offenders, within 30 days of arrival at the institution. A case note shall be entered in SCRIBE to indicate this review has been conducted. This case note is for the sole purpose of documenting the screening occurred and shall not include any confidential or clinical information.</p> <p data-bbox="252 1220 1436 1388">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 data-bbox="252 1444 1460 1691">The Warden shall designate safe beds for those inmates identified as highly vulnerable to sexual abuse. 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 data-bbox="252 1736 1476 1859">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 data-bbox="252 1915 1476 2027">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 data-bbox="252 2083 1460 2161">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</p>

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.

Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders.

Comments:

When Assessments and Reassessments are completed, the forms are placed in the inmate files and documented in SCRIBE. When inmates are identified potential victim or predators, an "Alert" is posted in SCRIBE. Only supervisors have access to the "Alerts", which are used for housing assignments. (Note: only supervisors can make housing assignments or changes). A representative number of victim/aggressor assessments and reassessments (completed timely) were reviewed by auditor. Staff conducting assessments review inmate history

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed Policy 208.06 Prison Rape Elimination Act, Protective Custody PAQ Inmate Files</p> <p>Interviews: Warden Staff who Supervise Inmates in Segregated Housing Inmates</p> <p>The number of inmates at risk of sexual victimization who were held in involuntary segregation housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0</p> <p>In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>Policy # 208.06, Prison Rape Elimination Act, 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.</p> <p>Offenders placed in segregation will receive services in accordance with SOP 209.06, Administrative Segregation.</p> <p>The facility shall assign such offenders to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.</p> <p>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>If an involuntary segregation housing assignment is made, the facility PREA Compliance Manager shall clearly document the following:</p> <p>I. The basis for the staff member's concern for the offender's safety;</p>

2. The other alternative means of separation that were explored; and
3. The reason why no alternative means of separation can be arranged.

Comments:

The Warden reiterated that only under extreme conditions would an inmate be placed in involuntary segregation. This assignment would not restrict the inmate from activities. If it does become necessary to segregate, the facility would look at other means of lesser restriction, such as moving the inmate to another facility.

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.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06; Prison Rape Elimination Act, Inmate Reporting Ways to Report memo dated January 14, 2019 PREA Brochures (Spanish and English) PREA Posters</p> <p>Interviews: Staff Inmates PREA Compliance Manager</p> <p>Site Review: PREA Posters PREA Poster for Reporting Sexual Abuse PREA Poster on Your Rights to Safety and Services</p> <p>Policy # 208.06, Prison Rape Elimination Act, pages 22 - 23 states: 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>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.</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>Staff at this facility, in compliance with GDC Policy, and the PREA Standards, accepts reports from all sources, including those from third parties and reports made anonymously. Policy requires that they report these to their immediate supervisor immediately and/or Designated SART member and follow-up with a written witness statement or incident report prior to the end of their shift. Interviewed staff indicated they would be disciplined for failing to report and that would most likely be termination.</p>

Staff may report allegations of sexual abuse and sexual harassment in the same ways the inmates may 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 or call the PREA hotline.

Inmates are educated on ways they can report through multiple sources. These include information provided to them at intake and during orientation, through streaming video informing inmates of ways to report, including to outside entities such as the Ombudsman, the outside victim advocacy organization, and to the Office of Victim Services, and through bright and vivid posters informing inmates that Rape is not a part of their sentence and how to report. The facility also provides inmates the tools to make reports. These include a Kiosk enabling them to email family, to notify staff and to email the GDC PREA Unit. They may also have video chats with family via the KIOSK. Inmates also have GOAL devices (tablets) that enable them to make reports of sexual abuse or sexual harassment at any time day or night, via email to the PREA Unit. Phones are available for making calls to the PREA Unit as well.

Inmates at this facility have access to reporting via the KIOSKS located in each dormitory, 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. On the KIOSK the offender can email designated staff. 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 dormitory, test call was made during site tour. Receipt of call was documented.

Staff are trained to treat all allegations as confidential. Therefore, when allegations are reported up the chain of command, they are kept private and are only forwarded to the 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 who fail to report allegations of sexual abuse or sexual harassment will be held accountable and sanctioned through dismissal. Allegations must result in staff reporting verbally immediately and filing an incident report or witness statement prior to the end of the shift.

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

- Hotline
- Tablet
- Staff
- Kiosk
- Counseling Staff
- Note
- Grievance

Comments:

The agency and Johnson State Prison provides 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 medium 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.

Interviewed staff indicated they would take a report 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, prior to the end of the

shift. Staff who fail to report allegations of sexual abuse or sexual harassment will be held accountable and sanctioned through dismissal.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Response Following an Offender Report</p> <p>Interviews: Inmates who Reported a Sexual Abuse Supervisors</p> <p>Policy 208.6 Prison Rape Elimination Act, page 23 states: Offender Grievances, in an updated policy, states that all allegations of sexual abuse and sexual harassment are not grievable issues. These should be reported in accordance with methods outlined in the policy.</p> <p>Prior to the change in the policy, with an effective date of March 2, 2018, inmates did file grievances and those reviewed by the auditor were responded to by immediately turning them over to the Sexual Assault Response Team for investigation.</p> <p>If a grievance alleged sexual abuse, it would be turned over to the SART to begin an investigation, as the grievance process ceases. Although policy asserts that allegations of sexual abuse or sexual harassment are not grievable, during the past 12 months no grievances have been filed alleging sexual abuse/harassment, 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.</p> <p>The past 12 months: The number of grievances filed that alleged sexual abuse: 2 The number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: 2 The number of grievances alleging sexual abuse that involved extension that 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 The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months: 0 The number of those grievances that had an initial response within 48 hours: 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: 0 The number of grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days: 0</p> <p>Comments: Interviewed staff and inmates are aware that there is a grievance process. Offender</p>

Grievances, in an updated policy, states that all allegations of sexual abuse and sexual harassment are not grievable issues. Inmates are giving numerous methods to report PREA related issues, if a grievance is filled alleging sexual abuse/sexual harassment is automatically referred to SART 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.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Inmate Access to Outside Confidential Support Services</p> <p>Inmate Handbooks</p> <p>English and Spanish Brochures</p> <p>PREA Posters</p> <p>MOU with crisis center WINGS (Women In Need of God's Shelter)</p> <p>Interviews:</p> <p>Inmates who Reported a Sexual Abuse</p> <p>Inmates</p> <p>Staff</p> <p>Executive Director of WINGS</p> <p>Site Review:</p> <p>PREA Posters throughout the facility</p> <p>WINGs Posters throughout the facility</p> <p>Policy 208.06 Prison Rape Elimination Act, 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>Inmates also 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.</p> <p>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. They also have GOAL Devices from which they can email the GDC PREA Unit and to family.</p> <p>Comments:</p> <p>Victim advocates from the community used by the facility shall be per-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</p>

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. Johnson State Prison has a MOU with WINGS to serve as an outside advocacy agency for the prison. Auditor made phone contact with the Executive Director of WINGS, she confirmed that the agency can provide support if an inmate is transported to a local hospital for a forensic exam. No on-site visits. Inmates are able to call and write for support.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Policy 208.06 Prison Rape Elimination Act, Third Party Reporting Georgia Department of Corrections Website Inmate Handbook Posters Brochures Spanish and English Incident Reports</p> <p>Interviews:</p> <p>Inmates Staff</p> <p>Site Review:</p> <p>PREA Posters PREA Brochures Hotline Number/Instructions Kiosks Tablets</p> <p>Policy 208.06 Prison Rape Elimination Act, page 23 states: 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. Anonymous third party reports may be made to:</p> <ol style="list-style-type: none"> 1. The Ombudsman’s Office at P.O. Box 1329 Forsyth, Ga 21029 478- 992-5358 2. By email to the PREA Coordinator at: PREA.report@gdc.ga.gov; and 3. 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>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 Send correspondence to Georgia Department of Corrections, ATTN: Office of Professional Standards PREA Unit, (Address provided) The DOC’s website is clear on how to report sexual abuse.</p> <p>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</p>

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 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. Johnson State Prison has posters posted throughout the facility with information on ways to report PREA related issued.

The agency also has a TIP Line accessible to inmates and to third parties. The Georgia Department of Corrections Home page provides the phone numbers of multiple departments/offices third party could call if they needed to.

Auditor Note:

Incidents reports reviewed by auditor identified 20 calls to the PREA Hotline, 18 calls where made by the same inmates, 2 calls were placed by individual inmates.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents Reviewed: Policy 208.06 Prison Rape Elimination Act, Official Response Following an Offender Report.</p> <p>Interviews: Warden PREA Coordinator Staff Medical Staff Mental Health</p> <p>Policy # 208.06 Prison Rape Elimination Act, page 23 states: 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.</p> <p>The Georgia Department of Corrections Policy (SOP 208.06) mandates that all staff, contractors and volunteers report any knowledge, suspicion, or information they may receive concerning sexual assault or sexual harassment. They are required to report any retaliation they know about or have observed 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. Staff are required to keep confidential, any information, knowledge or reports of sexual abuse or sexual harassment they may receive other than reporting to those who have a need to know and for management and security decisions. Medical staff are required to report all allegations of sexual abuse that comes to their attention.</p> <p>The facility PREA Compliance Manager will report all allegations of sexual abuse, including anonymous allegations to the Office of PREA Compliance. Staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation or other security and management decisions.</p> <p>Comments: Staff interviewed acknowledged the requirements of reporting, whether it is direct or indirect knowledge or suspicion and confidentiality of those reports. The medical and mental health stated that it is a requirement that they share with inmates their duty to report and what is or is not confidential. All information received regarding sexual abuse and harassment is provided to the facility PREA Compliance Manager and Investigator, as well as the Office of PREA Compliance.</p> <p>Staff is trained and policy requires that any information they obtain or become aware of is limited to a need-to-know basis and only for the purpose of treatment, security and management decisions, such as housing, work, education, and programming assignments.</p>

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 Mental Health Director and the Director of Nursing.

115.62	Agency protection duties
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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Documents Reviewed:

Policy 208.06 Prison Rape Elimination Act, Official Response Following an Offender Report and Responsive Planning
PREA Investigation Protocol

Interviews:

Agency Head
Warden
Random Staff

Site Review:

No inmates were being held in segregation regarding a PREA allegation report when auditor was on site.

In the past 12 months, the number of times the facility determined that an inmate was subject to substantial risk of imminent sexual abuse: 0

Policy 208.06 Prison Rape Elimination Act, page 14 states:

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.

Comments:

All staff interviewed indicated that imminent abuse information is taken seriously, and action would be immediate. Action would/could include housing moves, interview staff and inmates, review of the inmates history (including assessment) and any action necessary for the inmate's safety. Additionally, the SART team would open an investigation immediately.

Staff were consistent in stating that if an inmate was at risk of imminent sexual abuse, they would separate him from the threat immediately and that they would take that information seriously and report it after removing him from the threat. Staff were consistent in believing the supervisors would place the inmate in protective custody until the allegation could be investigated by the 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.

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 possibly attend class, depending on the threat, or attend other enrolled programming. He also stated they have access to the phone, to exercise, to counseling, medical and mental health, if needed.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Official Response Following an Offender Report</p> <p>Interviews: Agency Head Warden</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</p> <p>In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 0</p> <p>Policy 208.06 Prison Rape Elimination Act, page 24 states: In cases where there is an allegation that sexual abuse occurred at another Department facility, the Warden/Superintendent (or his/her designee) of the victim's current facility will provide notification to the Warden/Superintendent of the institution where the allegation allegedly occurred and the Department's PREA Coordinator. In cases alleging sexual abuse by staff at another institution, the Warden/Superintendent of the offender's current facility refers the matter directly to the Regional SAC and the Department's PREA Coordinator. For non-Department facilities, the Warden/Superintendent will notify the appropriate office of the facility where the abuse allegedly occurred and the Department's PREA Coordinator.</p> <p>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.</p> <p>Comments: When information about an abuse is related to the facility, the Warden is immediately notified. That individual would contact the appropriate Regional OPS and the Department's PREA Coordinator about the information received. This contact would be made via phone. Documentation would follow, and the receiving location would initiate an investigation.</p> <p>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, start an investigation. They also indicated if they received an allegation from another facility that an offender had been sexually abused while at this facility, they would cooperate with an investigation and conduct interviews or provide any additional information they may have. They indicated they would make the report immediately but were aware that the policy required notification within 72 hours.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Official Response Following an Offender Report Investigations LOP Johnson State Prison</p> <p>Interviews: Security Staff Non-security staff First Responders</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused: 15</p> <p>Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 0</p> <p>Of these allegations, the number of times the first non-security staff member to respond to the report separated the alleged victim and abuser: 0</p> <p>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: 4</p> <p>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: 3</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 24-25 states: 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>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</p>

staff members who fear retaliation for reporting or for cooperating with investigations.

Comments:

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 of a PREA incident.

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.

115.65	Coordinated response
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1445 528"> Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Official Response Following an Offender Report, Coordinated Response Johnson State Prison LOP Coordinated Response Plan PREA Sexual Abuse Incident Review </p> <p data-bbox="248 584 379 656"> Interview: Warden </p> <p data-bbox="248 712 1473 1043"> Policy 208.06 Prison Rape Elimination Act, page 25 states: PREA Local Procedure Directive and Coordinated Response Plan 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 data-bbox="248 1099 1425 1261"> 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 data-bbox="248 1317 1437 1559"> 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 data-bbox="248 1615 1477 1731"> 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 data-bbox="248 1787 1453 1859"> 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 data-bbox="248 1915 1481 2076"> Comments: The facility also uses the GDC Sexual Abuse Response Checklist (GDC 208.06, Attachment 6) to coordinate the actions and responses of first responders. This document becomes a part of the investigation package. </p> <p data-bbox="248 2132 1449 2168"> Interviewed staff articulated the actions each would take in response to sexual assault. Staff </p>

are knowledgeable of their responsibilities in responding. Non-Uniform staff attend the same training as uniform (security) staff and their explanations of actions to take were the same as the uniformed staff.

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

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act</p> <p>Interview: Commissioner</p> <p>The State of Georgia is a right to work state. The Georgia Department of Corrections employees are not members of a union. The Department is not involved in any form of collective bargaining. An interview with the Commissioner of the Georgia Department of Corrections confirmed that his Department is not involved in any form of collective bargaining and he can remove any staff from contact during an investigation and can remove them from employment for violating an agency sexual abuse or sexual harassment policy.</p> <p>Comments: The Warden can remove any staff member from contact with inmates following an allegation of sexual abuse or sexual harassment.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Protect Against Retaliation Retaliation Memo Sample of Retaliation Forms (9)</p> <p>Interviews: Commissioner Warden Designated Staff Member Charged with Monitoring Retaliation</p> <p>The length of time that the agency/facility monitors the conduct or treatment: 90 days The number of times an incident of retaliation occurred in the past 12 months: 0</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 24 - 25 states: 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</p>

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

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

Staff interviewed know that retaliation is not allowed. Staff are aware that they can be removed from their jobs. It was also stated that any known retaliation would be reported to their PREA Compliance Manager. It was shared that the same steps can occur for retaliation as could for sexual abuse/harassment or imminent danger: housing moves, facility transfers, etc.

Comments:

The Georgia Department of Corrections has a zero tolerance toward retaliation against any inmate/detainee or staff who reports an allegation of sexual abuse or sexual harassment. This is expressed and documented in GDC Policy 208.06, Prison Rape Elimination Act, Sexually Abusive Behavior Prevention and Intervention Program. Interviews show that staff know that retaliation is not allowed. Staff are aware that they can be removed from their jobs. It was also stated that any known retaliation would be reported to

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Protective Custody Inmates files who were placed in segregation</p> <p>Interviews: Warden Retaliation Monitor Staff</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 completions of assessment: 0</p> <p>In the past 12 months, the number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing 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, pages 21 - 23 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.</p> <p>Inmate file reviewed: Individual records required documented all activity such as bathing, exercise, medical visits, program participation and religious visits. It also included documentation of unusual occurrences.</p> <p>Comments: As noted, the use of segregated housing would only be used as a last resort. Preferable action would be housing changes and transfer to another facility. The staff member supervising segregation stated, that any inmate placed on involuntary protective custody will have access to programs, including education. They would also have their tablets enabling them to communicate with family.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Investigations Investigation Files</p> <p>Interviews: Warden Office of Professional Standards (prior interview) PREA Compliance Manager Investigative Staff Inmates who Reported a Sexual Abuse</p> <p>The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since 2012: 0</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 19 – 20 and 25 - 28 states:</p> <ol style="list-style-type: none"> 1. All reports of sexual abuse or Sexual Harassment will be considered allegations and will be investigated. 2. The local SART is responsible for the administrative investigation of all allegations of sexual abuse or Sexual Harassment. Attachment 4, Sexual Allegation Response Checklist will be completed for all PREA allegations. In cases where allegations are made against staff members and the SART inquiry deems the allegation is unfounded or unsubstantiated by evidence, the case can be closed at the facility level. If the allegation is criminal in nature, an interview shall not be conducted, nor will a statement be collected from the accused perpetrator without first consulting the Regional SAC. 3. Appointing authorities or their designees shall report all allegations of sexual assault with penetration and those with immediate and clear evidence of physical contact, to their Regional Director, Regional SAC and the Department's PREA Coordinator immediately upon receipt of the allegation. <ol style="list-style-type: none"> a. Where sexual abuse is alleged and cannot be cleared at the local level (as indicated in G.2. of this section), the Regional SAC shall determine the appropriate response upon notification. If this appropriate response is to open a criminal investigation, the Regional SAC shall assign an agent or investigator who has received special training in sexual abuse investigations. b. Agents and investigators shall gather and preserve direct and circumstantial evidence including any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. c. The credibility of the victim, suspect, or witness shall be assessed on an individual basis and will not be determined by the person's status as offender or staff member. An offender who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. d. Upon conclusion of the criminal investigation, OPS must notify the Warden/Superintendent of the disposition of the case. The Warden must ensure that Attachment 3, PREA Disposition Offender Notification Form is completed and a copy is both given to the offender and placed in

the case file. On completion of this procedure, the PREA Coordinator's Office will be notified via PREA.report@gdc.ga.gov of the disposition and the date in which the offender was notified.

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

5. For investigations of allegations of sexual abuse, the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution in accordance with SOP 103.06, Investigations of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Offenders.

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

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

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

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

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

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

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

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

14. Following the close of an investigation into an offender's allegation that he or she suffered sexual abuse in a Department facility, the facility shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, unfounded, unsubstantiated-forwarded to OPS or substantiated-forwarded to OPS. This will be completed by a member of the local SART unless appointing authority delegates to another designee. In the event an allegation is forwarded to OPS for investigation, the facility shall notify the offender of the outcome of the OPS investigation upon completion. Such notifications or attempted notifications shall be documented on Attachment 3, PREA Disposition Offender Notification Form. The Department's obligation to report under this standard shall terminate if the offender is released from the Department's custody.

All staff investigating sexual abuse/Sexual Harassment allegations must be specially trained in conducting sexual abuse/Sexual Harassment investigations in confinement settings.

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.

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

abuse investigations.

Specialized Training (Investigations)

1. Gather and/or preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data,
2. Interview alleged victims, suspected abusers, and witnesses,
3. Review prior complaints and reports of sexual abuse involving the suspected abuser,
4. Determine whether staff actions or failures to act contributed to the abuse and shall be documented in the reports.

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.

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

Investigative staff at Johnson State Prison have received specialized training in investigating in a confinement setting, this was confirmed by reviewing NIC training certificates.

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

A file review of all PREA allegations over the last twelve months showed detailed documentation of evidence, interviews (alleged victim/perpetrator and witnesses) and pertinent data. Documentation was noted by date and time; copies were attached to the files and copies of reports and allegations. The file format was organized and detailed.

In an interview with the investigator included discussion on the format for making a referral for prosecution. Credibility of witnesses is based upon the findings, not on their legal status.

Closed investigation files are maintained.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Investigations</p> <p>Interviews: Investigative Staff Special OPS Agent (prior interview)</p> <p>Policy 208.06 Prison Rape Elimination Act, page 28 states: The DOC shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Comments: Review of the investigation files shows that it is fact/evidence driven. The auditor saw no statements of opinions. The facility-based investigator confirmed that the standard is used to substantiate a case; stated it is the “preponderance of the evidence” meaning that it is more likely that the incident occurred than it did not.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act, Reporting to Inmates Investigations Inmate PREA Disposition Offender Notification Forms Review of Sexual Abuse Investigations Review of Inmate Files</p> <p>Interviews: Warden Investigative Staff Inmates who Reported a Sexual Abuse</p> <p>In the past 12 months: The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility: 77</p> <p>Of the alleged sexual abuse investigations that were completed, the number of inmates who were notified verbally or in writing of the results of the investigation: 61</p> <p>In the past 12 months: The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency: 0</p> <p>In the past 12 months: The number of notifications to inmates that were provided pursuant to this standard: 62</p> <p>The number of notifications that were documented: 55</p> <p>PREA Audit Questionnaire notes: 7 inmates were not notified of the outcome of their investigation due to being transferred to another facility or being released from DOC.</p> <p>Policy 208.06 Prison Rape Elimination Act, 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>If the allegations involved a staff member, the GDC Inmate Notification Form will be use to notify victim:</p>

- The staff is no longer posted in the institution
- The staff is no longer employed at the institution
- The staff has been indicted on a charge related to sexual abuse with the institution or the staff has been convicted on a charge related to sexual abuse within the institution

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

- Indicted 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

Comments:

Investigation findings completed by facility are provided to the inmate, copies of notices were reviewed by the auditor. Seven (7) inmates were not notified of the outcome of their investigation due to being transferred to another facility or being released from DOC per the Pre-Audit Questionnaire . However, policy states the Department's obligation to report under this standard shall terminate if the offender is released from the Department's custody. When the inmate is transferred to another facility, the facility completing the investigation still has the obligation to report the findings to the inmate at his new facility.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act , Discipline, Disciplinary Sanctions for Staff Members</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>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: 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, page 28 states: Disciplinary Sanctions for Staff Members:</p> <ol style="list-style-type: none"> a. Staff members who engage in sexual abuse with an offender shall be banned from correctional institutions and subject to disciplinary action, with termination being the presumptive discipline, and may also be referred for criminal prosecution when appropriate. b. Disciplinary sanctions for violations of Department policy related to Sexual Harassment will be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff members with similar histories. c. All terminations for violations of the Department sexual abuse or Sexual Harassment policies, or resignations by staff members that would have been terminated if not for their resignation shall be reported to law enforcement agencies, unless the activity was clearly not criminal. These shall also be reported, as required, to the Georgia Peace Officers Standards and Training Council (POST). d. OPS shall refer all substantiated cases of Offender to Offender Sexual Abuse and Staff on Offender Sexual Abuse for criminal prosecution. <p>Comments: There has been no disciplinary sanctions or terminations of staff members within the past twelve (12) months.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy 208.06 Prison Rape Elimination Act , Discipline (Contractors and Vendors)</p> <p>Interviews: Warden Contractor</p> <p>Policy 208.06 Prison Rape Elimination Act , Discipline, page 29 states: Contractor 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>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 sign a Code of Conduct/Ethics Acknowledgement as well.</p> <p>Staff and contractors found to have engaged in sexual misconduct/abuse will be banned from correctional institutions or subject to disciplinary sanctions up to and including termination and staff may be referred for criminal prosecution. Contractors and volunteers will be banned from any contact with inmates and reported to law enforcement agencies, unless the activity was not criminal. Appropriate licensing agencies and/or the Georgia Peace Officer Standards and Training Council will be notified.</p> <p>Comments: During the previous twelve (12) months there have been no issues with contractors or volunteers. The interview with a contractor showed that he knew his boundaries and that he could lose his ability to provide services.</p>

115.78	Disciplinary sanctions for inmates
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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Materials Reviewed:

Policy 208.06 Prison Rape Elimination Act , Discipline, Disciplinary Sanctions for Offenders
Review of Investigation Reports Documentation of Sanctions Imposed

Interviews:

Warden

Medical Staff

In the past 12 months:

The number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 15

The number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility: 0

Policy 208.06 Prison Rape Elimination Act, pages 30-31 states:

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.

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.

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:

There are several ways in which the facility can sanction an inmate if found guilty of an administrative investigation: being locked down, taking good time, taking commissary, less access to the kiosk, and notification to the courts. If the inmate has cognitive or mental health issues and the 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.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Materials Reviewed:

Policy 208.06 Prison Rape Elimination Act, Medical and Mental Health Care
Policy 508.22 Mental Health Management of Suspected Sexual Abuse or Sexual
Medical and Mental Health Consent Forms
PREA Risk Assessment Forms

Interviews:

Mental Health Staff
Medical Staff
Inmates who Disclose Sexual Victimization at Risk Screening

In the past 12 months, the number of inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner: 30

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%

In the past 12 months, the number 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: 30

In the past 12 months, the percent of inmates who have previously perpetrated/victimized sexual abuse, as indicated during the screening, who were offered a follow up meeting with a mental health practitioner: 100%

Policy 208.06 Prison Rape Elimination Act, page 21 states:

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.

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.

Comments:

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

115.82 Access to emergency medical and mental health services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Materials Reviewed:
Policy 208.06; Prison Rape Elimination Act, Access to Medical and Mental Health Services
Policy 508.22; Mental Health Management of Suspected Sexual Abuse or Sexual Harassment
Memo Dated January 8, 2020, Inmates are not charged a copay for assessment/evaluation
were sexual assault is suspected
SANE Log

Interviews:
Medical Staff
Security Staff First Responders
Non-Security Staff First Responders
Inmates who Reported a Sexual Abuse

Policy 208.06 Prison Rape Elimination Act, pages 13-16 states:
Prison Rape Elimination ACT; Responsive Planning states: 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.

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical
treatment and crisis intervention services, the nature and scope of which are determined by
medical and mental health practitioners according to their professional judgment. All victims of
sexual abuse shall be offered access to forensic medical examinations at the facility or an
outside facility, such examinations shall be performed by a Sexual Assault Forensic Examiners
(SAFE's) or Sexual Assault Nurse Examiners (SANE's) where possible. The DOC shall
document efforts to provide SAFE's or SANE's, if one is not available, the examination can be
performed by other qualified medical practitioners. Treatment shall be 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.

The facility will use a SANE (Sexual Assault Nurse Examiner), any refusal by the offender to
undergo the forensic exam, must be documented. If no qualified medical or mental health
practitioners are on duty at the time a report of recent abuse is made, first responders shall
take preliminary steps to protect the victim and shall immediately notify the appropriate
medical and mental health practitioners.

Victims of sexual abuse shall be offered information about timely access to emergency
contraception, pregnancy tests and sexually transmitted disease testing and treatment, in

accordance with professionally accepted standards and policies of care, where medically appropriate. If pregnancy results due to the sexually abusive vaginal penetration while incarcerated such victims shall be receive timely and comprehensive information about access to all lawful pregnancy related medical services. Johnson State Prison does not house female inmates.

Comments:

Medical staff immediately initiate all necessary urgent/emergent treatment for bleeding, wounds and other traumas. They then complete the Nursing Protocol Assessment form for alleged sexual assault. Facility clinicians document physical examinations in the progress notes. When medically indicated, medical staff are required to arrange transfer of the offender (if contracted SANE staff is unavailable) to the designated emergency facility for continued treatment and collection of forensic evidence.

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.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Materials Reviewed:

Policy Number 208.06, Prison Rape Elimination Act, Medical and Mental Health Care
Policy Number 508.22, page 3 - 8, Mental Health Management of Suspected Sexual Abuse or Sexual Harassment
Memo dated January 8, 2020 Medical Charges for sexual assault victims

Interviews:

Medical Staff
Inmates who Reported a Sexual Abuse

Policy 208.06 Prison Rape Elimination Act, page 14 states:

Victims of sexual abuse shall be offered information about timely access to emergency contraception, pregnancy tests and sexually transmitted disease testing and treatment, in accordance with professionally accepted standards and policies of care, where medically appropriate. If pregnancy results due to the sexually abusive vaginal penetration while incarcerated such victims shall be receive timely and comprehensive information about access to all lawful pregnancy related medical services.

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. All victims of sexual abuse shall be offered access to forensic medical examinations at the facility or an outside facility, such examinations shall be performed by a Sexual Assault Forensic Examiners (SAFE's) or Sexual Assault Nurse Examiners (SANE's) where possible.

The DOC shall document efforts to provide SAFE's or SANE's, if one is not available, the examination can be performed by other qualified medical practitioners. Treatment shall be 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.

The facility shall attempt to conduct a mental health evaluation of all known offender-on-offender abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

Comments:

Johnson State Prison offers medical and mental health services to all inmates alledging sexual abuse victimization in a prison, jail, lockup or juvenile facility and as appropriate, the facility offers appropriate follow-up services and mental health evaluation, including referrals for continued care following transfer or placement in other facility or their release from custody. Mental Health assessments are conducted on victims of sexual abuse and they are either offered services or are continued care on the caseload, if already on the mental health caseload. These services are provide by the facility at no cost to the inmate. The facility provides victims with medical and mental health services consistent with the community level of care.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Policy Number 208.06; Prison Rape Elimination Act, Data Collection and Review Documentation of Sexual Abuse Incident Team Review of Documentation of Completed Criminal or Administrative Investigations of Sexual Abuse</p> <p>Interviews: Warden PREA Compliance Manager Incident Review Team Members</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: 67</p> <p>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: 67</p> <p>Policy 208.06 Prison Rape Elimination Act, page 31 states: The Incident Review team in collaboration with Facility PREA Compliance Manager shall conduct a Sexual Abuse Incident Review within 30 days of the conclusion of every sexual abuse investigation where the allegation was substantiated, or unsubstantiated. The review team shall include upper-level facility staff, with input from line supervisors, investigators, and medical or mental health practitioners. No review shall be conducted if the allegation has been determined to be unfounded.</p> <p>The review committee shall:</p> <ol style="list-style-type: none"> 1. Consider whether the allegation or investigation indicates need to change policy or practice to better detect, or respond to sexual abuse; 2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; 3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; 4. Assess the adequacy of staffing levels in that area during different shifts; 5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; <p>The facility shall document the recommendations for improvement or reasons for not doing at the conclusion of the Sexual Abuse Incident Review.</p> <p>Comments:</p>

This policy requires that the members of the incident review team consist of the PREA Compliance Manager, SART and representatives from upper level management, line supervisors and other staff members, as designated by the Warden of the facility. Documentation reviewed indicated the facility conducts incident reviews and considers all the elements required in the standards.

The facility had eight-three (83) allegations of sexual abuse or sexual harassment in the past 12 months. This information was provided through reviewed monthly PREA Reports to the GDC PREA Unit. However, the PREA information provided by the facility indicates the facility had sixty-nine (69) allegations during the period of January 2019 - December 2019, the PAQ indicates sixty-seven (67) allegations during the period of the last (12) months.

115.87	Data collection
	<p data-bbox="248 170 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 1294 488">Materials Reviewed: Policy Number 208.06; Prison Rape Elimination Act, Data Collection and Review DOJ Survey of Sexual Victimization Data Collect Memo dated February 6, 2019</p> <p data-bbox="248 539 1469 831">Policy 208.06 Prison Rape Elimination Act, page 31 states: 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> <ol data-bbox="248 842 1445 1178" style="list-style-type: none"> 1. The total number of allegations, 2. Investigation number and the disposition; 3. The DOC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews; 4. The DOC also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its offenders. 5. The incident-based data collected shall include, at a minimum, the data necessary to complete the Survey of Sexual Violence conducted by the Department of Justice. <p data-bbox="248 1227 1481 1641">The Georgia Department of Corrections collects accurate and uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions and aggregates the incident-based sexual abuse data at least annually. The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the US Department of Justice. The department maintains reviews and collects data as needed from all available incident-based documents, including reports, investigation files and sexual abuse incident reviews. Information is also secured from every facility, including private facilities with whom, DOC contracts for the confinement of inmates. Upon request, DOC provides data from the previous calendar year to the US Department of Justice no later than June 30th.</p> <p data-bbox="248 1697 1481 2033">The GDC PREA Unit has a dedicated staff person, an analyst, who collects and analyzes the data. Based on the data reviewed the GDC can track allegations and investigations and findings from each facility and assess the need for any corrective actions. The PREA Compliance Manager related the facility sends a monthly PREA report (208.06, Attachment 2), to the Agency’s PREA Analyst. This report, according to the compliance manager, consists of the numbers of PREA Cases, victims and predators, statistics on allegations of sexual abuse, assaults, grievances filed, the results of investigations and a response to the question, “was the investigation or allegations sent to the OPS investigators.</p> <p data-bbox="248 2085 612 2119">Data Collection and Review</p> <p data-bbox="248 2130 1465 2163">The Department shall review data collected and aggregated of all sexual abuse allegations in</p>

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.

Comments:

The auditor reviewed the most recent Georgia Department of Corrections Annual Report. The Agency issues annual PREA reports and posts them on the GDC Website. The auditor reviewed the 2018 Georgia Department of Corrections Prison Rape Elimination Annual Report. The thirteen-page report was detailed and comprehensive. The report indicated that the Georgia DOC has 34 prisons, 13 Transition Centers, 9 probation detention centers, 5 substance abuse and integrated treatment facilities and 4 private prisons. Data is collected from each of the facilities and aggregated. Georgia DOC compiles and investigates PREA allegations in 4 major categories including 1) Staff on inmate Abuse, 2) Staff on Inmate Harassment, 3) Inmate on Inmate Abuse, and 4) Inmate on Inmate Harassment.

Data is collected, reviewed annually and maintained from all available incident-based documents, including reports, investigation files and sexual abuse reviews. Upon request all data from previous calendar years will be provided to the Department of Justice.

115.88	Data review for corrective action
	<p data-bbox="252 170 928 203">Auditor Overall Determination: Exceeds Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 517 360">Materials Reviewed:</p> <p data-bbox="252 371 1182 488">Policy 208.06 Prison Rape Elimination Act , Data Collection and Review 2016 GDC PREA Annual Report 2018 GDC PREA Annual Report</p> <p data-bbox="252 544 395 577">Interviews:</p> <p data-bbox="252 589 619 705">Commissioner PREA Compliance Manager PREA Coordinator</p> <p data-bbox="252 757 1018 790">Policy 208.06 Prison Rape Elimination Act, page 31 states:</p> <p data-bbox="252 801 1469 1048">a. Each facility shall submit a report to the Department’s PREA Analyst each month using the electronic spreadsheet provided from the PREA Coordinator’s office. This form shall be submitted by e-mail no later than the fifth calendar day of the month following the reporting month. All allegations investigated within the month shall be included on this report along with the appropriate disposition. The monthly report shall be completed in accordance with the Facility PREA Log User Guide.</p> <p data-bbox="252 1104 1469 1305">b. The Department shall review data collected and aggregated of all sexual abuse allegations in order to improve staff performance, identify problem areas, and improve facility operations and offender sexual safety. The Department shall publish the data in an annual report, comparing each years’ data, and provide an assessment of progress in addressing offender sexual abuse. It shall make this publicly available on its website.</p> <p data-bbox="252 1361 1469 1608">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.</p> <p data-bbox="252 1664 1469 1910">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> <p data-bbox="252 1966 411 2000">Comments:</p> <p data-bbox="252 2011 1469 2157">This standard is rated exceeds because 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.</p>

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

The 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. Files are secured behind a locked door, with limited access.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Policy Number 208.06; Prison Rape Elimination Data Collection and Review, Record Retention of Forms Relevant to Policy</p> <p>Memo dated October 1, 2019 Standard 115.87, 115.88 and 115.89</p> <p>Georgia Department of Corrections Annual PREA Reports 2012, 2013, 2014, 2015, 2016, 2017 and 2018</p> <p>Georgia Department of Corrections Website</p> <p>Interview:</p> <p>PREA Coordinator</p> <p>Policy 208.06 Prison Rape Elimination Act, pages 31 – 32 states:</p> <p>Data Collection</p> <p>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> <ol style="list-style-type: none"> 1. The total number of allegations, 2. Investigation number and the disposition; 3. The DOC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews; 4. The DOC also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its offenders. 5. The incident-based data collected shall include, at a minimum, the data necessary to complete the Survey of Sexual Violence conducted by the Department of Justice. <p>The Georgia Department of Corrections collects accurate and uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions and aggregates the incident-based sexual abuse data at least annually. The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the US Department of Justice. The department maintains reviews and collects data as needed from all available incident-based documents, including reports, investigation files and sexual abuse incident reviews. Information is also secured from every facility, including private facilities with whom, DOC contracts for the confinement of inmates. Upon request, DOC provides data from the previous calendar year to the US Department of Justice no later than June 30th.</p> <p>The GDC PREA Unit has a dedicated staff person, an analyst, who collects and analyzes the data. Based on the data reviewed the GDC can track allegations and investigations and findings from each facility and assess the need for any corrective actions. The PREA Compliance Manager related the facility sends a monthly PREA report (208.06, Attachment 2),</p>

to the Agency's PREA Analyst. This report, according to the compliance manager, consists of the numbers of PREA Cases, victims and predators, statistics on allegations of sexual abuse, assaults, grievances filed, the results of investigations and a response to the question, "was the investigation or allegations sent to the OPS investigators.

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.

Comments:

The auditor reviewed the most recent Georgia Department of Corrections Annual Report (2018). The Agency issues annual PREA reports and posts them on the GDC Website. The auditor reviewed the 2017, 2016, 2015, 2014, 2013 and 2012 Georgia Department of Corrections Prison Rape Elimination Annual Reports. The thirteen-page reports are detailed and comprehensive. The reports indicated that the Georgia DOC has 34 prisons, 13 Transition Centers, 9 probation detention centers, 5 substance abuse and integrated treatment facilities and 4 private prisons. Data is collected from each of the facilities and aggregated. Georgia DOC compiles and investigates PREA allegations in 4 major categories including 1) Staff on inmate Abuse, 2) Staff on Inmate Harassment, 3) Inmate on Inmate Abuse, and 4) Inmate on Inmate Harassment.

Data is collected, reviewed annually and maintained from all available incident-based documents, including reports, investigation files and sexual abuse reviews. Upon request all data from previous calendar years will be provided to the Department of Justice.

115.401	Frequency and scope of audits
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents Reviewed: Policy, 208.06, Prison Rape Elimination Act, Sexually Abusive Behavior Prevention and Intervention Program</p> <p>Policy 208.06 Prison Rape Elimination Act, page 32 states: The Department shall conduct audits pursuant to 28 C.F.R.§115.401-405.</p> <p>Each facility operated by the Department shall be audited every three (3) years on a schedule determined by the Department's PREA Coordinator. Federal Auditors determine compliance with federal standards and shall not dictate facility management, or procedural decisions. All auditor suggestions and findings shall be referred to the agency PREA Coordinator for review.</p> <p>County facilities and Private facilities operated on behalf of the Department (housing state offenders) must meet the same audit requirements. These entities are responsible for scheduling and funding their audits. All auditors shall be certified by the Department of Justice. Each facility shall bear the burden of demonstrating compliance with the federal standards. A copy of the final report shall be submitted to the Department's PREA Coordinator upon completion of the audit and must be conducted every three years.</p> <p>Comments: The Georgia Department of Corrections ensures that 1/3 of their prisons are audited each year for compliance with the PREA Standards each year so that at the end of the 3-year cycle, all prisons have been audited. Johnson State Prison was previously audited for compliance with the PREA Standards April 21, 2017.</p> <p>The medical care at this facility is accredited by the Medical Association of Georgia for meeting the Medical Association of Georgia's Standards which are essentially the standards of the National Commission on Correctional Health Care. Central State Prison contracts with Augusta University to provide medical care for offenders.</p> <p>The facility posted the Notices of PREA Audit in areas of the facility accessible to inmates, staff, contractors, volunteers and visitors six weeks prior to the on-site audit. These were observed in living units and other areas accessible to staff, inmates, contractors, volunteers and visitors. Thirty (30) days prior to the onsite audit the auditor and PREA Compliance Manager communicated via email to discuss the audit process. Communications with the PREA Compliance Manager were often and productive.</p> <p>The Pre-Audit Questionnaire and requested documents were uploaded to the PREA Resources Center online system. The information contained GDC's 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 minimum, medium and closed security adult male inmates. The auditor provided the facility and extensive list of documents that the auditor would be asking for on-site. The</p>

facility was always responsive and helpful and complied with any request. During the on-site audit the facility was requested to provide documentation and the documentation was readily available to and easily provided.

The on-site audit of the Johnson State Prison was conducted by one Auditor, certified in both Juvenile and Adult Standards and one 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 and qualified assistant to conduct interviews in complete privacy. During the on-site review, the auditor freely walked around the facility, interviewing informally, staff, inmates, and contractors without impediment.

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

Interviews were conducted in complete privacy with every resident chosen for interviews. The Certified Auditor conducting inmate interviews interviewed a total of one hundred and thirty-six (136) inmates. Nineteen (19) offenders randomly selected and twenty-three (23) targeted and ninety-four (94) informally were interviewed.

The auditor reviewed inmate files, made observations throughout the on-site audit, thoroughly reviewed large 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 with the following: Deputy Warden of Care and Treatment/ PREA Compliance Manager and the Assistant Statewide PREA Coordinator. Preliminary findings were discussed. The auditor and the PREA Compliance Manager continued to work together following the on-site audit when additional information was needed it was provided in a timely manner.

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

Appendix: Provision Findings

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

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

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

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

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

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

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

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

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

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

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

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

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

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

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, 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)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes

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

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

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

	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

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

115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes

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

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

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

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

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

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

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na

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

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

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

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes

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

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

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

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

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

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	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)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no

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

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

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

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

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

115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	no

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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