

# PREA Facility Audit Report: Final

**Name of Facility:** Southside Regional Jail

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 10/26/2020

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Paul Perry	<b>Date of Signature:</b> 10/26/2020

AUDITOR INFORMATION	
<b>Auditor name:</b>	Perry, Paul
<b>Email:</b>	paul.perry@carolinedf.org
<b>Start Date of On-Site Audit:</b>	09/28/2020
<b>End Date of On-Site Audit:</b>	09/29/2020

FACILITY INFORMATION	
<b>Facility name:</b>	Southside Regional Jail
<b>Facility physical address:</b>	244 Uriah Branch Way, Emporia , Virginia - 23847
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	

<b>Primary Contact</b>	
<b>Name:</b>	Major Anthony Johnson
<b>Email Address:</b>	johnsona@telpage.net
<b>Telephone Number:</b>	(434)634-0851

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Col. Mark Shiflett
<b>Email Address:</b>	mshiflett@telpage.net
<b>Telephone Number:</b>	(434)634-2254

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	LPN Heather Story
<b>Email Address:</b>	hstory@telpage.net
<b>Telephone Number:</b>	(434)634-2254

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	100
<b>Current population of facility:</b>	190
<b>Average daily population for the past 12 months:</b>	159
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Both females and males
<b>Age range of population:</b>	18-77
<b>Facility security levels/inmate custody levels:</b>	1
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	45
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	0
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	2

<b>AGENCY INFORMATION</b>	
<b>Name of agency:</b>	Southside Regional Jail Authority
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	244 Uriah Branch Way, Emporia , Virginia - 23847
<b>Mailing Address:</b>	
<b>Telephone number:</b>	

**Agency Chief Executive Officer Information:**

<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

**Agency-Wide PREA Coordinator Information**

<b>Name:</b>	Anthony Johnson	<b>Email Address:</b>	johnsona@telpage.net
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## AUDIT FINDINGS

### **Narrative:**

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

The Southside Regional Jail contracted with PREA Auditors of America, 14506 Lakeside View Way, Cypress, TX 77429 for Prison Rape Elimination Act audit services of the Southside Regional Jail Facility. The Auditor has been certified by the United States Department of Justice to conduct PREA audits of adult facilities. The purpose of this audit was to determine the Southside Regional Jail's level of compliance with standards required by the Prison Rape Elimination Act of 2003. This is the second Prison Rape Elimination Act audit of the Southside Regional Jail facility. The facility was last audited in June 2017.

The Auditor sent a notice by email to the agency's PREA Coordinator on August 13, 2020. The notice contained information and an address, informing inmates how to confidentially contact the Auditor prior to arriving on site. The notice was emailed in an English and Spanish version. The notice informed the inmate population their communications to the Auditor's address would be treated as confidential correspondence by facility staff. The notice required a facility representative's name and date upon posting the notice in areas throughout the facility. While touring the facility the Auditor observed all notices were posted on August 13, 2020 in all inmate living units by the PREA Compliance Manager. Notices were posted in various other areas where inmates frequent and in the main lobby. The Auditor received no correspondence from an inmate prior to arriving at the facility.

The Auditor received the SRJ completed Pre-Audit Questionnaire through the Online Audit System (AOS). The Pre-Audit Questionnaire was completed and the Auditor began reviewing the material on September 13, 2020. The information sent by the agency's PREA Coordinator included; but was not limited to: policies, procedures, annual reports, organizational chart, forms, training materials, educational materials, staffing plan, population reports, tracking mechanisms, contractor and volunteer records, Memorandums of Agreement, medical documentation, inmate records, contracts, brochures and Inmate Handbook.

Once a contract between the PREA Auditors of America and the Southside Regional Jail was signed and the Pre-Audit Questionnaire was completed, the Auditor began communications with the SRJ PREA Coordinator through email and telephone. Prior to arriving on site, the Auditor asked questions and specifically requested additional information. The SRJ PREA Coordinator responded quickly to communications from the Auditor. The PREA Coordinator emailed and uploaded additional documents as requested. The Auditor maintained communications with the PREA Coordinator prior to arrival and after completing the on-site portion of the audit. After leaving the facility the Auditor requested additional documents and other relevant information from the PREA Coordinator. The PREA Coordinator remained very responsive to the Auditor.

The Auditor conducted a thorough review of the facility's policies and procedures. During a review the Auditor discovered several areas that were addressed with the facility's command staff. The facility reviewed the findings and made several revisions to its policies. The Auditor was sent a copy of the revisions. Details of the Auditor's findings and the facility's revisions are specified in the applicable

standards in this report.

The Auditor observed the facility has a Memorandum of Agreement with the Family/Violence Sexual Assault Unit (FVSAU) for emotional support services. The Auditor requested the contact information for FVSAU and was provided the information by the PREA Coordinator while on site. The Auditor contacted a representative from FVSAU. An interview with a representative from FVSAU was conducted by telephone. The Auditor conducted a telephone interview to determine the types and level of services provided by the organization. Details of the telephone interview are included in the relevant standards in this report.

The Auditor discovered the SRJ maintained a Memorandum of Understanding with the Chesapeake Forensic Specialists. The contact information was not included in the OAS. The Auditor requested the Chesapeake Forensic Specialists contact information. The PREA Coordinator provided the contact information while on site. The Auditor contacted the SANE and conducted a formal interview by telephone. The Auditor familiarized himself with the memorandum prior to the telephone interview. The interview provided the Auditor with an understanding of the level and scope of services provided to SRJ inmate victims following an incident of sexual abuse. Details of the telephone interview are provided in the applicable sections of this report.

The Auditor conducted a review of the Southside Regional Jail's website ([www.southsideregionaljail.org](http://www.southsideregionaljail.org)). The website includes information related to the agency's Prison Rape Elimination Act information. The website includes information regarding the agency's zero-tolerance and investigation practices, annual reports, and previous PREA audit report. The public is provided information how to file a third-party report of sexual abuse and/or sexual harassment.

The Auditor arrived at the Southside Regional Jail the morning of September 28, 2020. The Auditor met with the PREA Coordinator and Classification/Compliance First Sergeant to discuss the audit process. The Auditor was informed operational adjustments have been made in the facility to reduce the risk of COVID-19. The Auditor was informed to wear a facial covering while in the facility. The Auditor informed the PREA Coordinator and Classification/Compliance First Sergeant informal interviews with inmates and staff would not be conducted while touring the facility. The Auditor informed the staff any issues discovered would be brought to the attention of the PREA Coordinator if/when discovered. The Auditor informed the staff he would take a tour of the facility and attempt not to disrupt facility operations as much as possible. The Auditor was provided a tour accompanied by the PREA Coordinator and the Compliance/Classification First Sergeant.

The Auditor was allowed full access to all areas in the Southside Regional Jail. The tour included visits to all inmate housing units, administrative areas, intake, property, control center, visitation, recreation areas, medical, laundry, library, classroom and food service. While touring the facility the Auditor observed for blind spots, opposite gender announcements, overall supervision level, staff interactions with the population and camera placements throughout the facility. The Auditor observed posted PREA materials while touring the facility.

During the facility tour, the Auditor observed staff making security rounds, staff interacting with the inmate population, medical practitioners performing services, intake operations, inmates working in food service, and male and female staff making opposite gender announcements before entering opposite gender housing units. The Auditor observed all inmate restroom and showers to ensure inmates could utilize the restroom and take a shower without staff of the opposite gender seeing the inmate fully naked.

The Auditor conducted a review of supportive documentation provided by the PREA Coordinator.

Supportive documentation included, policies, procedures, staffing plan, brochures, handbooks, educational video, training records, employee, contractor and volunteer records, medical records, inmate records, logbooks, and other relevant documents. The Auditor reviewed supportive documentation to determine the facility's level of compliance in prevention, detection, and response to sexual abuse and sexual harassment, training and education, risk screening, reporting, investigations, inmate discipline, medical and mental health care, and data collection, review and reporting practices.

The Auditor requested additional supportive records from the PREA Coordinator. The Auditor requested medical and classification records of 20 inmates, all staff, contractor and volunteer training records, and 7 randomly chosen HR records. The Auditor requested to formally interview 20 inmates whose files were chosen for review. While on site, the Auditor visited with day and night shifts.

Formal interviews were conducted with randomly and specifically chosen inmates. The Auditor conducted formal interviews with inmates in the facility's non-contact professional visitation area. The room was not visible by camera and did not include audio monitoring. The Auditor conducted formal interviews with 20 inmates. Inmates specifically chosen for interviews included 4 who reported sexual victimization, 2 who identified as gay/lesbian, 1 with a mental illness, 1 with a physical disability, 1 with a criminal charge related to sexual abuse, and 1 who was identified at a substantial risk of sexual abuse. During interviews with randomly selected inmates the Auditor discovered additional inmates who had been previously victimized, were diagnosed with a mental disability and identified as gay/bisexual/lesbian. There were no inmates housed at the facility who identified as transgender, were blind or deaf, or Limited English Proficient at the time of the audit. The Auditor selected a relevant sample of inmates from various housing units. None of the inmates chosen declined an interview with the Auditor

Formal interviews were conducted with SRJ staff. The Auditor conducted random formal interviews with 4 staff members and specialized interviews with 14 staff members. Specialized interviews were conducted with HR, Risk Screening, Intermediate/Higher Level, Intake, Investigator, Incident Review Team Member, Retaliation Monitor, Security and Non-Security First Responders, Segregation Supervisor, Medical Practitioner and Contractor. All formal interviews were conducted in a private area of the facility.

The Auditor concluded the onsite portion of the audit on September 29, 2020. The Auditor met with members of the agency's command staff. The Auditor informed personnel of immediate findings after touring the facility, interviewing staff, interviewing inmates and reviewing documentation. The group was informed the Auditor still had more documentation to review after leaving the facility. The group was informed any recommendations and findings would be documented in the Auditor's report. It was explained that recommendations made by the Auditor were recommendations and not requirements. The Auditor informed the group he may contact the PREA Coordinator for additional information and documents after leaving the facility. Facility staff were thanked for their cooperation with the Auditor while on site. The following SRJ staff were in attendance during the exit briefing:

- Superintendent
- Assistant Superintendent
- Chief of Operations (PREA Coordinator)
- Chief of Security
- Compliance/Classification First Sergeant

## 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.

The Southside Regional Jail is operated by the Southside Regional Jail Authority. The facility is located at 244 Uriah Branch Way, Emporia, VA, 23847. The facility is located on a 13 acre parcel in southern Virginia, minutes from Interstate I-95. The SRJ is a 47,198 square foot facility. The inmate housing units make up 32,592 square feet of the total facility square footage. The facility serves the City of Emporia and Greensville County. The SRJ holds local, State and Federal male and female inmates. The facility's rated capacity is 100 with custody levels of minimum, medium and maximum.

The Southside Regional Jail has both open and podular style housing units. The facility has housing units on its HA and HB side. Housing units on the HA side are labeled as HA100 through HA 600. All housing units on the HA side of the facility are podular style housing units that house maximum custody male inmates. Housing units HA100 through HA400 each have 4 double bunked cells adjacent to a dayroom. Each unit has tables, chairs, television, telephones and a skylight in the ceiling. All cells have a toilet and sink inside. Showers are adjacent to the dayroom and each have a shower curtain that allows the inmates to shower without staff of the opposited gender seeing the inmate fully naked. There are cameras that monitor the dayroom. Cameras are positioned so staff cannot see into the cells or shower area. The Auditor observed PREA posters in each dayroom. There is an officer's control bubble where a staff member observes inmates in the dayroom and controls access to unit entrance and cells doors.

Housing units HA500 and HA600 are podular style units that house medium custody male inmates. There is an officer's control bubble where a staff member observes inmates in the dayroom and controls access to entrance and cell doors. Each housing unit is two tiers in height and has 16 double bunked cells. There are showers upstairs and downstairs. Each shower is protected from view by a shower curtain. Cameras monitor inmate activity in the dayroom. No camera has a direct view into cells or the shower area. Each cell in the units have a toilet and sink inside the cell. Inmates have access to tables, chairs, telephones and a television in the dayroom. The Auditor observed PREA materials posted in each dayroom.

The facility houses female inmates in open style housing units labeled as W104, W106 and W108. Housing unit W108 has 8 sets of bunk beds, housing unit W106 has 4 sets of bunk beds and unit W104 has 7 sets of 3 tier bunk beds. Each open bay style female housing unit has showers adjacent to a dayroom. Each shower is protected from view with a shower curtain. Showers are strategically located in the corner of the housing unit and positioned where staff cannot view into the showers when entering the housing unit. Toilets and sinks are positioned in the shower area and are protected from view with a half wall. Each open bay style unit has cameras that monitor activity in the dayroom. No cameras are positioned where showers and toilet areas are visible. Each dayroom has tables, chairs, microwave, telephones and televisions. The Auditor observed PREA materials posted in each dayroom.

There are two male housing units on the HB side of the facility. The open bay male housing units are known as HB300 and HB400. Each has 16 bunk beds that are three tiers in height. There are cameras that monitor inmate activity in the housing unit. The showers, toilets and sinks are positioned where staff



cannot view inside when entering the housing units. Toilets are protected with a 1/2 wall while showers are protected with a shower curtain. Inmates have access to a microwave, tables, chairs, telephones and televisions in the dayroom. The Auditor observed PREA materials posted in each dayroom.

The facility has a small single cell housing unit known as SP. One side of the SP unit has three single cells, one of which is a dry cell. The other side of the SP unit has four single cells. There are two sections of two cells divided by a wall. Each section of two cells has a small dayroom with a shower and telephone. Showers are protected from staff being able to see the inmate fully naked. Each dayroom is monitored by a camera. All 7 single cells in the SP unit have a camera inside the cell. The Auditor viewed the camera from the facility's control center and observed the facility has electronically placed a black square over the toilet area so staff monitoring the cameras cannot observe the inmate utilizing the restroom. The Auditor observed PREA materials posted in the SP unit. The SP unit houses special purpose inmates.

The facility's main control center is located inside the lobby entrance. One security staff member operates the main control center. The control center staff member monitors inmates participating in recreation. The facility's recreation area is located adjacent to the main control center. The gymnasium serves as both indoor and outdoor recreation. There are large doors that roll up for outside access, weather permitting. The gymnasium is also visible by cameras that monitor inmate activity. There is a restroom in the gymnasium that is protected by a door.

There is a public visitation and professional visitation area adjacent to the main control center. There are 9 non-contact visitation booths accessible to the public. One of the public visitation booths is handicap accessible. Attorneys and/or other professional visitors may visit with inmates in one of two professional visitation booths. There is one contact and one non-contact professional visitation booth. Visitors enter the visitation area directly from the facility's lobby area.

There is a library on the HA side of the facility. Inmates on the HA and HB side of the facility may attend the library. The library has both leisure and legal materials. The facility has legal materials in printed and electronic format. There is one computer in the library where inmates have access to legal materials through the Lexis Nexis system. There is a large window in the hallway where staff have visibility into the library. Inmates have access to a classroom on the HB side of the facility. There is a large classroom where staff can view into the classroom from the hallway. There is a camera in the library and in the classroom.

The facility has a laundry area in a hallway outside of the kitchen. The laundry room has two washers and two dryers. There is a camera in the laundry room that is monitored by the main control center. Only one inmate works in the facility's laundry room. The kitchen is located across from the laundry room. Food services are contracted with Trinity Food Services who are supplemented with 8 inmate workers on each shift. The kitchen has 1 walk-in freezer and 2 walk-in refrigerators. The Auditor observed a sign on the door informing personnel that only one inmate was allowed in the walk-ins at a time. The sign informed personnel if more than one inmate was inside they must be under direct staff supervision. There is a drystorage area that also has a sign on the door. The kitchen has one staff and one inmate restroom. Each has a locking door that is controlled by staff. The kitchen area is rectangular and open, with the exception of the dish area. The dish washing area is located behind a wall. The Auditor observed cameras that monitor the dish washing area. There are cameras that monitor the general kitchen area.

The intake area has 7 cells. There is one dry cell, 5 - 3 bunk cells and one multiple occupancy cell with a large bench. No cells in the intake area are monitored by cameras inside the cells. All cells, excluding

the dry cell, have a toilet and sink inside. The toilets are protected from view with a 1/2 wall. Inmates participate in court activities in the facility Video TeleConferencing room. There is a magistrate window and police sallyport in the intake area. Inmates are strip-searched upon entry in the strip-search room. The strip-search room has an adjacent shower that is protected with a shower curtain. The Auditor observed a telephone, posted PREA materials and a television that was playing the educational video in the intake area. There are cameras that monitor the general intake area.

Medical services are provided by Southside Regional Jail nursing staff and contract personnel. The Physician and mental health services is contracted through Mediko Correctional Healthcare. There are two cells located in the medical area; neither of which has a camera inside. One of the cells is negative pressure and used to house inmates with a communicable disease. Cameras monitor the general medical area. There is an examination room, offices, nurses station, biohazard room and a bathroom with a door in the medical area. Medical services are provided Monday through Friday from 5:30 a.m. to 11:00 p.m. Medical staff are oncall during off hours. Dental services are provided offsite by a local community dentist. The Physician reports to the facility once every two weeks. Mental health services are provided by a Medico Qualified Mental Health Practitioner who works 24 hours each week.

Supervision in the facility is conducted remotely. Staff conduct twice hourly security rounds throughout all facility areas. Facility supervisors are required to tour all facility areas at least once on each shift. Facility cameras monitor hallways, corridors, visitation, kitchen, recreation yards, laundry, sallyports, housing units, intake, medical, library and classroom areas. All facility cameras are accessible and monitored by the facility's main control center.

On the first day of the audit there were 183 inmates incarcerated in the Southside Regional Jail. There were 152 males and 31 females. The age range of the population was 18-77.

## AUDIT FINDINGS

### Summary of Audit Findings:

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

<b>Number of standards exceeded:</b>	0
<b>Number of standards met:</b>	45
<b>Number of standards not met:</b>	0

The Auditor reviewed the facility's previous PREA audit report prior to arriving at the Southside Regional Jail. The previous audit determined the facility met the requirements of all PREA standards.

The Auditor determined the Southside Regional Jail has developed appropriate policies and procedures that aid in prevention, detection and response to acts of sexual abuse and sexual harassment. The Auditor found the facility's staff are following the agency's policies and procedures related to sexual abuse and sexual harassment. The SRJ training materials include elements from the agency's policies and procedures and PREA standards. The Auditor found inmates feel safe in the Southside Regional Jail. The SRJ has 12 housing units to ensure likely abusers can be separated from those identified at risk of sexual victimization. Interviews with staff and contract personnel revealed they have been trained and understand their responsibilities in response to acts of sexual abuse and sexual harassment.

The Auditor was provided a detailed tour of the Southside Regional Jail facility and observed staff and contractors interacting professionally with the population. A review of files and other documents revealed facility personnel are documenting actions in accordance with the SRJ policies and procedures related to sexual abuse and sexual harassment. Formal interviews with inmates reveal they are confident in staff's abilities to respond to and protect them from acts of sexual abuse. Most inmates informed the Auditor facility staff are very professional, do not tolerate acts of sexual abuse or sexual harassment and are helpful to the inmate population. Formal interviews with staff revealed they are knowledgeable in the policies and procedures to prevent, detect and respond to incidents of sexual abuse. The Auditor determined the Southside Regional Jail has successfully created a zero-tolerance culture in the facility that has resonated from staff to the inmate population. Interviews with the SRJ command staff reveal they are supportive of PREA standards and staff's input and efforts to prevent, detect and respond to sexual abuse and sexual harassment.

The Auditor found the facility's supervisors and command staff make unannounced rounds throughout all facility areas to deter sexual abuse and sexual harassment. The SRJ supervisors and command staff maintain an open-door policy and facility staff are confident they can approach and talk to supervisors and members of the command staff. Command staff have a proactive approach towards compliance with the Prison Rape Elimination Act standards. Supervisors and command staff accept input from other staff to ensure inmates are protected from acts of sexual abuse and sexual harassment.

The Auditor determined the inmate population had been appropriately educated by facility staff. The inmate population was found knowledgeable in the agency's prevention, detection and response efforts towards sexual abuse and sexual harassment. Inmates understood the various way of reporting sexual abuse and sexual harassment and most inmates informed the Auditor they preferred reporting such directly to a staff member. Each inmate is provided information and an education upon arrival at the SRJ. The facility provides readily available information to inmates in the form of posters, handbook and other written materials. The population informed the Auditor they feel safe in the facility. Numerous inmates informed the Auditor they were tired of watching the PREA educational video because it plays on the television in the housing units every day at 2 p.m.

The SRJ staff are appropriately screening each inmate during booking to determine their level of risk for abusiveness or victimization. The risk screening allows the facility's classification staff to identify such inmates and ensure they are protected from sexual abuse when determining housing, programs, education and work opportunities. The facility is conducting reassessments of inmates within 30 days of arrival, after an incident of sexual abuse, referral and/or upon receiving additional information that bears on the inmate's level of risk.

All facility supervisors have been trained to conduct sexual abuse and sexual harassment investigations in confinement settings. The facility's investigators understand how to conduct appropriate investigations following an allegation of sexual abuse and sexual harassment. Facility investigators understand the requirement to refer criminal acts of sexual abuse to the Greenville County Sheriff's Office for criminal investigation. Policy requires investigations be objective and are conducted promptly and thoroughly. Investigators are required to inform inmates of investigative determinations at the conclusion of each investigation. The facility conducts an incident review of all allegations, unless unfounded, within 30 days of the conclusion of the investigation.

The Auditor determined the facility meets the requirement of each standard. The Auditor made several recommendations to the facility in an effort to strengthen its level of compliance with several standards. Details of recommendations made are included in the applicable section of this report. The facility made several corrective actions to comply with provisions of these standards during the audit. The Auditor determined the facility has appropriate policies, procedures and practices for prevention planning, response planning, training and education, screening for risk of victimization and abusiveness, reporting, response following a report, investigations, discipline, medical and mental health care, and data collection and review of sexual abuse and sexual harassment incidents.

## 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.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail (SRJ) has established a policy that prohibits all forms of sexual abuse and sexual harassment. The policy stipulates the facility has a zero-tolerance of staff-on-inmate, inmate-on-staff, and inmate-on-inmate sexual abuse and sexual harassment. The SRJ policy includes its prevention, detection, and response strategies. The policy includes but is not limited to, the following strategies:

**Prevention**

- Architectural design facilitates contact between inmates and staff
- Slotted windows in cells
- Sufficient lighting for staff to see inmate activity during evening hours
- Shower curtains provided for privacy - frosted from feet to mid-calf
- Locked electrical and plumbing chases
- Providing inmates information how to avoid sexual assault
- Screening of inmates at intake
- Training provided to all staff

**Detection**

- Around the clock supervision of inmates
- Supervisors conduct unannounced rounds
- Security staff retain authority over inmates
- Observations of perceived aggressive inmates are reported
- Staff are not permitted to leave their post
- Staff may not visit with inmates not under their supervision
- Inmates are encouraged to report any knowledge or or suspicion of sexual assault, sexual misconduct, or unauthorized relationship
- Accepting third-party reports of sexual abuse and sexual harassment

**Response**

- Providing multiple avenues for privately reporting sexual abuse and sexual harassment, retaliation, and staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or harassment
- The Greenville County Sheriff's Office accepts third-party reports of sexual abuse and sexual harassment
- Notifying other agencies when receiving an allegation an inmate was sexually abused at another facility
- Protection from retaliation
- Retaliation monitoring
- All potential criminal allegations of sexual abuse and sexual harassment are reported to

- Conducting prompt, thorough and objective investigations of all allegations
- Gathering and preserving direct and circumstantial evidence, interviewing victims, suspected perpetrators and witnesses
- Notifying inmates of investigative determinations
- Conducting Sexual Abuse Incident reviews within 30 days of each allegation that is substantiated or unsubstantiated
- Taking disciplinary action against staff and inmates

The Southside Regional Jail has appointed a PREA Coordinator. The PREA Coordinator oversees facility efforts towards compliance with the Prison Rape Elimination Act. The PREA Coordinator serves as the agency's Chief of Operations and is employed at the rank of Major. The PREA Coordinator reports to the Assistant Superintendent. The PREA Coordinator has sufficient time and authority to develop, implement and oversee the Southside Regional Jail's efforts to comply with the Prison Rape Elimination Act.

#### **Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 1, 9-13, 36

General Definitions

Organizational Chart

Facility Memorandum

Interviews with Staff

Interviews with Inmates

#### **Analysis/Reasoning:**

The Auditor conducted a review of the Southside Regional Jail's Prison Rape Elimination Act policy. The Auditor observed the policy includes the agency's prevention, detection and response approaches towards sexual abuse and sexual harassment of inmates. The policy includes definitions of sexual abuse, sexual harassment and voyeurism and has sanctions for those found to have violated the agency's sexual abuse and sexual harassment policies and procedures. The facility has a clear policy that states, "Southside Regional Jail mandates a zero tolerance towards all forms of sexual abuse and sexual harassment."

The Auditor reviewed the agency's organizational chart. The SRJ has an Organizational Chart that outlines the position of the PREA Coordinator. The PREA Coordinator serves as the facility's Chief of Operations. The Captain of Security reports directly to the Assistant Superintendent and has direct access to the Superintendent for PREA related issues, concerns, etc. The Auditor discussed the PREA Coordinator's ability to develop, implement and oversee SRJ PREA efforts. The Auditor determined the PREA Coordinator has sufficient time and authority to oversee agency efforts to ensure compliance in the facility. The PREA Coordinator responded quickly to the Auditor's questions and requests prior to, during and after the Auditor conducted the site visit. The PREA Coordinator understands and is knowledgeable regarding the requirements of the Prison Rape Elimination Act.

The Auditor reviewed an internal memorandum written by the facility's Assistant

Superintendent. The memorandum was written on January 1, 2019. The memorandum stipulated the Chief of Operations was appointed as the Prison Rape Elimination Act PREA Coordinator for the Southside Regional Jail during the 2018 calendar year. The Southside Regional Jail Authority employed a new Superintendent since the initial appointment of the PREA Coordinator position. The memorandum explains the current Superintendent has not changed that appointment.

The Auditor conducted formal interviews with inmates. Interviews with inmates reveal they are confident in staff's ability to respond to allegations of sexual abuse and sexual harassment. Only one inmate interviewed stated he had no confidence in staff's abilities. The inmate population was able to articulate information to the Auditor based on the agency's education efforts. The population interviewed stated they watch the PREA video everyday at 2 pm. Inmates informed the Auditor the staff are helpful and respectful to the inmates. Each inmate was asked if he/she felt safe in the facility. All inmates interviewed, excluding one, stated they feel safe in the facility. The Auditor was informed inmates feel staff would maintain information confidential. Most informed the Auditor they would report an allegation directly to a staff member if they were sexually abused or sexually harassed. The Auditor discovered one inmate who would not make an allegation of sexual abuse if he was sexually abused.

The Auditor conducted formal interviews with randomly selected staff. The Auditor determined the facility's staff were well educated and had retained the knowledge provided through SRJ training. Each staff member understood the agency's policies and procedures for preventing, detecting and responding to sexual abuse and sexual harassment. Each staff member has been trained during the 2020 year. The agency trains its staff on an annual basis.

The agency's command staff supports subordinate staff efforts and ideas towards compliance with the Prison Rape Elimination Act. The command staff maintain an "open door" policy. Staff interviewed by the Auditor felt confident they could discuss any issue with the command staff. The facility's command staff conduct tours throughout the facility.

**Conclusion:**

The Auditor conducted a thorough review of the agency's policies, procedures, organizational charts, memorandum and conducted interviews with staff and inmates. The Auditor determined the Southside Regional Jail has developed an appropriate zero-tolerance policy that includes its prevention, detection and response approaches towards allegations of sexual abuse and sexual harassment. The agency has designated an appropriate staff member to develop, implement and oversee agency efforts. The Southside Regional Jail has successfully created a zero-tolerance culture. The Auditor determined the SRJ meets the requirements of this standard.



115.12

**Contracting with other entities for the confinement of inmates**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The SRJ policy requires any contract entered into for the confinement of inmates after August 20, 2012 or since the last PREA audit requires all contractors adopt and comply with PREA standards. The policy requires all contracts include a provision that allows the agency to monitor the contractor's compliance with the PREA standards. The Southside Regional Jail does not contract for the confinement of its inmates.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 13

Interviews with Staff

**Analysis/Reasoning:**

At the time of the audit the Southside Regional Jail had not entered into a contract for the confinement of SRJ inmates with another governmental or private agency.

The Auditor conducted formal interviews with SRJ staff. No staff member was aware of a contract with any agency for the confinement of SRJ inmates.

**Conclusion:**

The Auditor reviewed the agency's Prison Rape Elimination Act policy and interviewed agency staff. The agency has an appropriate policy to ensure new contracts include provisions to comply with this standard. The Auditor determined the Southside Regional Jail meets the requirements of this standard.

**115.13 Supervision and monitoring**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion****Auditor Discussion:**

The Southside Regional Jail has a policy that requires the agency develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides supervision and monitoring of inmates in its custody and to protect such from occurrences of sexual harassment and sexual abuse. Policy requires at least four security staff members on-duty at all times in the secure area of the facility; at least one of which must be female. Policy stipulates cameras are located in the housing units, hallways, kitchen, library and intake to monitor the actions of inmates and observe movement and actions of staff.

The Prison Rape Elimination Act policy requires the Superintendent or his/her designee document all incidents of non-compliance with the staffing plan when the facility is non-compliant with the staffing plan. The policy requires an annual review by the Superintendent, in conjunction with the PREA Coordinator, to assess, determine, and document whether adjustments are needed to:

- The staffing plan;
- The facility's development of video monitoring systems and other monitoring technologies;
- Adequate number of personnel; and
- The resources the Authority has available to commit, to ensure adherence to the staffing plan.

The SRJ policy requires supervisors conduct unannounced rounds throughout the facility to determine the general atmosphere of the inmates and staff and to identify and deter staff sexual abuse and sexual harassment. The policy prohibits staff from alerting other staff members when supervisors are conducting their supervisory rounds. Unannounced rounds are documented in the Unannounced Rounds Documentation Form.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 16

Staffing Plan

Staffing Plan Review

Staffing Plan Development Factors

Unannounced Rounds Log

Shift Reports

Housing Unit Logs

Interviews with Staff

## Interviews with Inmates

### Observations

#### **Analysis/Reasoning:**

The Auditor reviewed the SRJ staffing plan. The staffing plan allows for 50 total positions. There are 39 security and 11 civilian positions authorized for the facility. Six of the 39 security positions are part time positions. At the time of the audit the facility had 2 vacant security and no vacant civilian positions. The staffing plan requires a minimum of 4 security staff to work in the secure area of the facility at all times, one of which must be female.

The Auditor determined the following staff to inmate ratio based on the designed capacity of the facility and the authorized positions:

- 1 staff member for every 2 inmates

The following denotes the staff to inmate ratio utilizing the current number of inmates and current number of staff:

- 1 staff member for every 3.8 inmates

The Auditor determined the following ratio using the current number of inmates and current number of security staff:

- 1 security staff member for every 5 inmates

The staffing plan reviewed by the Auditor includes provisions for administrative, support and security positions on all shifts in each facility area. The facility utilizes overtime to ensure vacant positions are filled for each shift. The facility's security staffing level was maintained at 5% below capacity at the time of the audit.

The Southside Regional Jail operates with two day and two night shifts. The duration of each shift is 12 hours. The Shift Commander has the authority to utilize overtime and cancel staff holidays to fill vacant positions. Each shift is staffed with at least one Lieutenant and one Sergeant. Each facility shift is required to maintain one male and one female staff member to ensure inmates are searched by a staff member of the same sex as the inmate.

The Auditor reviewed a sampling of shift reports from the previous 12 months. Shift reports are completed by each Shift Commander. The Auditor observed Shift Commanders are documenting daily staff vacancies on each shift and account for the vacancies. The Shift Commanders document staff working overtime to fill vacant positions. The Shift Commander notates the reason for staff vacancies in the comments section of the shift report. The Auditor observed vacancies for the following reasons: annual leave, sick leave, training, military leave and FMLA. The Shift Commander fills vacant positions with staff on overtime usage.

The Auditor reviewed the Southside Regional Jail's annual staffing plan review. The Staffing Plan Review was conducted on December 20, 2019. The previous year staffing plan review was conducted in December 2018. The facility will conduct a review of the current staffing plan

in December 2020. The most current staffing plan review was signed by the Chief Coordinator and the Superintendent. The Southside Regional Jail's staffing plan includes considerations of the bulleted topics in the "Auditor Discussion" portion of this standard. The facility's policy requires staff conduct a review of its staffing plan each year. The Auditor conducted a formal interview with the Assistant Superintendent. The Auditor asked to explain the considerations when determining appropriate levels of staffing for the facility. The Assistant Superintendent explained the requirements of this standard in her response.

The Auditor reviewed a sampling of SRJ unannounced rounds logs from the facility from the previous 12 month preceeding the audit. Facility Lieutenants, Sergeants and other command staff are documenting unannounced rounds on each post in the facility. Each supervisor documents his/her unannounced security rounds in the Unannounced Rounds Log. The Supervisor records the date, shift, time, area toured, comments and signs the log.

While touring the facility the Auditor observed staff making security rounds in living units and support areas of the facility. Staff were present in all areas toured by the Auditor. Security and contract personnel were observed interacting with the inmate population. The Auditor observed camera placements throughout the facility. Cameras were strategically placed to assist in the prevention, detection and response to incidents of sexual abuse. The Auditor observed supervisors making unannounced rounds throughout various facility areas, to include housing units.

The Auditor conducted formal interviews with staff and supervisors from various shifts. Staff were asked if supervisors conduct unannounced rounds throughout the facility. Each staff stated supervisors do make unannounced rounds through the facility. Supervisors were asked if they were required to make unannounced rounds. The Auditor was informed they are required to make at least one unannounced round in all facility areas and on each shift. Each supervisor was asked how they prevent staff from alerting other staff when they are making unannounced rounds. The Auditor was informed supervisors do not conduct their rounds by any specific pattern. Supervisors stated they conduct their rounds at different times and do not take the same route when touring the facility.

Each supervisor was asked what actions they take if discovering a staff member was alerting other staff when supervisors are conducting unannounced rounds. Supervisors informed the Auditor they would verbally counsel the staff member about the importance of the unannounced round. Each was asked what they would do if they caught the person a second time. Supervisors stated they would recommend formal discipline for the staff member. Each staff member interviewed was aware the SRJ has a policy prohibiting staff from alerting other staff members of supervisory rounds.

The Auditor conducted formal interviews with inmates. Inmates were asked if supervisors announce their presence when entering housing units. Inmates informed the Auditor supervisors do not always announce their presence when entering a housing unit. The Auditor determined male supervisors do not announce their presence in male housing units and female supervisors do not announce their presence in female housing units. Interviews with inmates reveal opposite gender announcements of supervisors are made when entering opposite gender housing units.

The facility was not under a consent decree, a judicial finding of inadequacy, or a finding of inadequacy from a federal, internal, or external oversight body at the time of the audit.

**Conclusion:**

The Auditor concluded the facility has an adequate staffing plan to ensure the protection of inmates from sexual abuse. The staffing plan is reviewed in accordance with this standard. The Auditor reviewed policies, procedures, staffing plan, staffing plan review, shift reports, Unannounced Rounds Log, interviewed staff and inmates and made observations to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is not to house juvenile inmates unless they have been adjudicated as an adult. The policy is to place such youthful inmates in Special Housing and make all efforts to keep them from sight, sound, or physical contact with any adult inmate until proper arrangements are made to have them transferred to a regional jail that is certified to house youthful inmates.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 16

Population Reports

Interviews with Staff

**Analysis/Reasoning:**

The Auditor discussed how the facility would handle a youthful inmate if one were brought to the facility. The facility would consolidate inmates from the smaller housing units into another housing unit to ensure the youthful inmate was placed in a housing unit away from adults. The Auditor toured the facility and observed the areas in which a youthful inmate would be out of sight and sound from adult inmates. Staff informed the Auditor any youthful inmate is normally diverted to another facility and does not enter the facility booking area. Staff informed the auditor a youthful inmate has not been brought to the facility in "roughly" four or five years. A youthful inmate could only be housed in the Southside Regional Jail if the inmate was certified as an adult by the court system. The inmate would still be housed as a youthful inmate in those circumstances.

The Auditor conducted formal interviews with staff. No staff member was aware of a youthful inmate being housed in the facility during this audit period. The Auditor conducted formal interviews with intake personnel. Intake staff explained a youthful inmate is maintained away from adult inmates if they are brought to the facility. The Auditor observed the intake staff are able to keep a youthful inmate separate from adult inmates. A youthful inmate would be processed separately away from adult inmates.

The Auditor reviewed the previous 12 months of populations reports for the facility. Population reports reveal the SRJ has not housed a youthful inmate during this audit period.

**Conclusion:**

The Auditor reviewed SRJ policies and procedures, population reports, interviewed staff and made observations and determined the facility meets the requirements of this standard.

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy that prohibits staff from conducting cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical staff only. The facility has a requirement to document all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches.

Policy stipulates inmate will be allowed 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 during required security rounds. All staff are required to announce "Male on the Floor" or "Female on the Floor" anytime the opposite gender enters an inmate housing unit.

The SRJ Prison Rape Elimination Act policy prohibits staff from searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. When a staff member cannot determine the genital status of the inmate, they are directed by policy to determine through conversations with the inmate, reviewing medical records, or as part of a broader medical examination conducted in private by medical personnel.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 16, 17

Training PowerPoint

Training Rosters

Shift Rosters

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The SRJ houses both male and female inmates. The Auditor reviewed facility shift rosters. The agency maintains male and female staff on each shift to ensure inmates are searched by a staff member of the same sex. The Auditor conducted formal interviews with inmates. Female inmates were asked if they had been pat-searched or strip searched by a male staff member. No female had been strip-searched or pat-searched by a male staff member. The Auditor asked female inmates if a male staff member had ever been present during a strip-search. None could recall such a situation. No male inmate interviewed by the Auditor had

been strip searched by a female staff member. The Auditor asked if a female staff member had ever been present when a male inmate was being strip-searched. No inmate could recall such a situation. Inmates at the SRJ are pat searched by a staff member of the same sex as the inmate.

Interviews with male and female inmates reveal they are allowed to take a shower, change clothes and use the restroom without security staff of the opposite gender seeing their breast, buttocks or genitalia. Inmates informed the Auditor staff of the opposite gender announce their presence when entering living units. The Auditor conducted formal interviews with male and female staff members. Each staff member was asked if opposite gender announcements were being made in the housing units. Each staff member informed the Auditor opposite gender announcements are being made when entering any opposite gender housing unit. Interviews with staff and female inmates reveal the facility does not restrict female inmates' access to programming or other out of cell activities in order to comply with the provisions of this standard.

The Auditor conducted formal interviews with intake personnel. There are female staff assigned to the intake area. The Auditor asked how searches of females are conducted when no female staff member is on duty in intake. The Auditor was informed a female staff member from the shift reports to the intake area to conduct the search. Intake personnel were asked what they would do if they could not determine the genital status of an inmate. The Auditor was informed they would ask the inmate, review supporting documents, and if need be, call medical personnel to make the determination.

The Auditor asked random staff how facility personnel conduct searches of transgender and intersex inmates. Transgender and intersex inmates are asked what sex staff member they prefer to conduct pat down searches. Staff were asked if they had been trained to conduct pat-searches of transgender and intersex inmates. Staff had been provided such training. Staff were asked if they would conduct a strip search of an inmate if they could not determine the inmate's sex. Each staff member stated they would not conduct a strip-search of any inmate for the sole purpose of determining the inmate's sex. The Auditor was informed medical personnel were the only staff authorized to do so. Staff stated they would review documents and ask the inmate if they were unsure of the inmate's gender.

The Auditor reviewed the agency's training PowerPoint Presentation and training attendance rosters. The PowerPoint includes procedures how to conduct searches of transgender and intersex inmates and how to communicate with those inmates professionally. Training attendance rosters reveal staff had attended an initial training to conduct searches, including cross-gender searches. The Auditor reviewed the training records of every SRJ staff member. Each had been provided the training.

The Auditor conducted a detailed tour of the facility and was granted access to all inmate housing units and other support areas. The Auditor observed all shower and restroom areas in the facility. Each shower in the facility is protected from view with a shower curtain. Inmates have the ability to shower without security staff of the opposite gender seeing them fully naked. All restrooms in open style housing units offer privacy for the inmates and are protected from view with a wall. Each podular style housing unit has toilets inside the cells. The Auditor observed opposite gender announcements being made during the facility tour.

Female inmates are not denied the opportunity for work, programming or education to comply



with this standard. Each shift maintains female staff to ensure a female is available to conduct pat searches of female inmates. During interviews with randomly selected female inmates, the Auditor discovered no female had been denied access to any activity outside of their housing unit. The Auditor reviewed shift assignments and discovered each shift was assigned both male and female staff. The Auditor was informed the facility mandates a minimum of one male and one female assigned to each shift to ensure inmates can be searched by a staff member of the same sex as the inmate.

There were no transgender or intersex inmates housed at the facility at the time of the audit. The Auditor asked randomly selected inmates how staff treat them while conducting searches. Each stated staff are respectful while conducting searches.

The facility reported no incident in which a staff member conducted a cross-gender strip search in the previous 12 months.

**Conclusion:**

The Auditor conducted a review of SRJ policies and procedures, PowerPoint Presentation, training attendance rosters, shift rosters, interviewed staff and inmates and made observations. The Auditor concluded the SRJ staff had been appropriately trained to conduct cross-gender searches and how to make opposite gender announcements when entering housing units. Inmates have the ability to shower, change clothes and use the restroom with a level of privacy. Staff have been trained to treat transgender and intersex inmates respectfully and professionally in the facility. The Auditor determined the SRJ meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The SRJ has a policy that ensures inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the SRJ's efforts to prevent, detect and respond to incidents of sexual abuse and sexual harassment. The policy includes those who are deaf or hard of hearing, blind or low vision, or those who have intellectual, psychiatric, or speech disabilities. The facility provides access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessarily specialized vocabulary. Policy stipulates interpretive services are provided by a language line. The SRJ's Prison Rape Elimination Act policy provides the language line service at no cost to the inmate. The facility maintains a language line telephone in the intake and medical areas. Educational videos in English and Spanish are played each day throughout the facility and runs continuously in the intake area. The video is closed captioned and the Comprehensive Education Booklet is available in Braille.

Policy prohibits staff from using inmate interpreters except in emergency situations which could compromise the inmate's safety.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 17

Inmate Handbook

PREA Inmate Educational Booklet

PREA Newsletter

PREA Orientation Form

Inmate Records

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor reviewed the agency's Inmate Handbook. The Handbook is written in English, Spanish and Braille. Each inmate is provided a copy of the handbook during the booking process. The facility maintains PREA posters written in English and Spanish. Facility staff read the PREA information provided during intake to inmates who are blind or have low vision who cannot otherwise obtain the information. The facility maintains its Inmate Handbook in Braille for inmates who can read in Braille. Inmates who are deaf or hard of hearing can read the written information. The facility's PREA video is both verbal and closed captioned for those who are

either deaf or blind, the facility maintains the PREA video in English and Spanish. In the event the facility receives an inmate with an intellectual or cognitive disability, a staff member conducts an individual session with the inmate to ensure he/she receives an understanding of the agency's PREA information and comprehensive education. The Inmate Handbook includes the following information:

- How to make complaints
- Zero tolerance information
- Definitions
- Preventing sexual misconduct
- Reporting and procedures for dealing with sexual misconduct

Inmates who cannot read English or Spanish can benefit from the facility's PREA information through the use of the language line service. The SRJ maintains a contract with a provider for telephonic translation services. Staff read the information to the interpreter who translates the information to the inmate. Each staff member interviewed was asked if the facility relies on inmate interpreters or readers. All staff informed the Auditor they do not use inmate interpreters or readers.

The facility's comprehensive educational video is maintained on a CD. The Auditor reviewed the comprehensive educational video. The video is closed captioned for the deaf or hard of hearing. Inmates who are blind or have low vision can hear the information being played through the video. Comprehensive education is provided through televisions in the intake area and in inmate housing units. In addition to receiving the comprehensive education within 30-days of booking, the video plays every day at 2 p.m. in the housing units. Inmates who cannot otherwise benefit from the comprehensive education attend a one-on-one session with a facility staff member.

Each inmate entering the facility is provided a written copy of the PREA Inmate Educational Booklet. Inmates are required to sign receipt of the educational booklet. The facility provides the booklet during booking. Each inmate is provided a written copy of the PREA Newsletter during the booking process. Inmates sign for receipt of the newsletter.

The Auditor conducted formal interviews with inmates. At the time of the audit there were no inmates who were Limited English Proficient. The Auditor conducted an interview with one inmate who was slightly hard of hearing. The inmate was questioned about the information provided to inmates during the booking process. The inmate informed the Auditor he had no trouble obtaining the information and was able to articulate to the Auditor he had been provided the information in a manner in which he benefitted. Inmates informed the Auditor they do have a chance to ask questions if they had such.

The Auditor reviewed the records of 20 inmates. All 20 inmates had signed a Sexual Misconduct/Prison Rape Elimination Act Orientation Form denoting their attendance and receipt of the information. During interviews with inmates the Auditor determined inmates have observed the comprehensive educational video after arriving at the SRJ. Inmates informed the Auditor the video plays in the housing unit every day. While the comprehensive education video is played, there are no other options for watching television until the educational video is complete. The following information is included on the Sexual Misconduct/Prison Rape Elimination Act Orientation Form:

- Definitions
- Legal References
- Exempted Processes
- Prevention of Sexual Misconduct
- Reporting and Procedures for Dealing with Sexual Misconduct

The Auditor conducted interviews with facility staff. The Auditor asked staff to explain how blind and deaf inmates benefit from the agency's information and education. Staff stated information is read to blind inmates that is not included in the Inmate Handbook. Blind inmates can hear the video being played. Deaf inmates can read the information as it is closed captioned and information is provided in written format. Staff informed the Auditor illiterate inmates can hear the video and they read the written information to them. The Auditor was informed staff use the language line when dealing with non-English speaking inmates. The Auditor asked how staff communicate with inmates who only understand sign language. The facility would reach out to the community in an effort to obtain a person to translate through Sign Language. Each staff member was asked if inmate interpreters or inmate readers are utilized by facility staff. Each stated the facility does rely on inmate interpreters or readers.

The Auditor conducted a detailed tour of the Southside Regional Jail. Observations were made of readily available sexual abuse and sexual harassment materials and PREA posters throughout the facility, including each living unit and service areas. All posters and posted materials were written in English and Spanish. During interviews with inmates the Auditor discovered all inmates were aware of the posted materials. All inmates informed the Auditor they received the PREA material during booking and received an Inmate Handbook.

**Conclusion:**

The Auditor concluded the facility provides information that ensures equal opportunity to inmates who are disabled. The facility takes reasonable steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment are provided to inmates who are limited English proficient and those who are disabled. The Auditor conducted a thorough review of the agency's policies, procedures, newsletters, Inmate Handbook, Inmate Educational Booklet, comprehensive educational video, inmate records, conducted interviews with staff, inmates and made observations to determine the agency meets the requirements of this standard.

**115.17 Hiring and promotion decisions**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy prohibits hiring or promoting anyone or enlisting the services of any contractor, who may have contact with inmates that:

- Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution;
- Has been convicted of engaging or attempting to engage in sexual activity by overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse;
- Has been civilly or administratively adjudicated to have engaged in sexual activity.

Facility policy requires considerations of any incident of sexual harassment in determining whether to hire or promote, or enlist the services of any contractor who may have contact with inmates. The policy requires a criminal background records check be conducted before hiring new staff employees or enlisting services from contractors who may have contact with inmates. Policy also requires the facility 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, consistent with Federal, State, and local law.

The facility has a policy to conduct a criminal background records check on all current employees, volunteers, and contractors, who may have contact with inmates at least every five years. The Southside Regional Jail's policy is to ask all applicants and employees, who may have contact with inmates, directly about previous misconduct in all written applications, interviews for hiring or promotion, or during written evaluations. Policy requires employees disclose such misconduct and stipulates, "Any material omission or false information regarding misconduct will be grounds for termination."

The facility has a requirement to 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, unless prohibited by law.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 17-18

Criminal Background Check Log

Interview Questions

Sexual Misconduct Information Release

Employee Records

## Interviews with Contractors

### **Analysis/Reasoning:**

The Auditor reviewed the facility's Sexual Misconduct Information Release form. The form is completed by all staff and contractors prior to employment or enlisting services and prior to promotions. The form includes the following:

- Engaging in sexual abuse in a jail, prison, community confinement facility, juvenile facility, or other institution;
- 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;
- Civilly or administratively adjudicated to have engaged in the activity as described above; and
- Engaged in any sexual harassment incident.

The Sexual Misconduct Information Release form also states, "Refusing to disclose information on the release about past behavior at the time of employment or failing to disclose relevant information during the course of employment or at the time of promotion will constitute grounds for immediate dismissal." The form mandates material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination of employment.

The Auditor conducted an interview with the facility's Human Resource staff member. The Auditor was informed the interview team directly asks each candidate for employment questions related to previous acts of sexual misconduct during the interview. Each candidate is required to answer the questions and is asked questions related to sexual misconduct on the Sexual Misconduct Information Release form. Candidates are required to complete the Sexual Misconduct Information Release form before being hired while current employees complete the form annually. The Auditor was informed each employee is provided the Sexual Misconduct Information Release form prior to a promotion.

The Auditor conducted a review of all employee background records. The facility conducts a criminal background check of all employees every five years. The most recent background check was conducted in July 2020 of all employees. The criminal background checks are performed electronically through the Virginia Criminal Information Network and the National Crime Information Center.

The Auditor reviewed 7 employee personnel files. Personnel records reveal employees are specifically asked questions related to sexual abuse prior to employment, promotion and during their annual evaluations. Employees are asked questions related to prior acts of sexual misconduct in employment interviews. Interview questions asked include: "Have you ever been convicted of engaging 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 [and] Have you ever been civilly or administratively adjudicated for sexual misconduct?"

The Auditor conducted a review of 4 contractor records. The records revealed SRJ asks

questions related to acts of sexual abuse. Contractors complete the Sexual Misconduct Information Release form prior to performing services in the facility. Contractors also are required to print, date and sign the form. A review of the criminal background records tracking log reveals the agency performs a criminal background check on each contractor prior to providing services and every five years thereafter.

The Auditor reviewed the personnel record of a SRJ staff member who had previously been employed at another confinement facility. The Auditor did not observe evidence the facility documents its attempts to contact previous institutional employers. Facility personnel are aware of the requirement to provide information regarding substantiated allegations and resignations during a pending investigation of sexual abuse from other institutional employers prior to offering the candidate a position at the Southside Regional Jail. The Auditor asked the Human Resource representative if information related to sexual abuse investigations is provided to other institutional employers when requested by other agencies regarding a former SRJ employee. The Auditor was informed that information is provided when requested.

The Auditor conducted formal interviews with staff. Staff were asked if they were aware of the criminal background records check process. Each staff was aware the facility conducts a criminal background records check at least every five years. Staff were asked when they are asked specific questions related to sexual abuse and sexual harassment. Each staff asked informed the Auditor they answer those questions before being hired, annually and prior to promotion.

The Auditor conducted formal interviews with contractors. Contractors were asked if they were aware the agency conducts a criminal record background check. Each contractor was aware the facility conducts such checks prior to services and every five years. The Auditor asked each if they were ever questioned about prior or current acts of sexual abuse or sexual harassment. Each contractor stated they are asked those questions on the Sexual Misconduct Information Release form. Each stated they are required to sign the form.

**Conclusion:**

The Auditor concluded the Southside Regional Jail is performing appropriate practices to identify previous acts of sexual misconduct prior to hiring staff and enlisting the services of contractors, and before promoting staff members. The Auditor conducted a thorough review of the SRJ policies, procedures, employee records, contractor records, criminal background check log, and interviewed staff and contractors to determine the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to consider the effect of the design, acquisition, expansion, or modification upon the SRJ's ability to protect inmates from sexual abuse when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facility. The policy stipulates when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 18-19

Camera Location List

Interviews with Staff

Observations

**Analysis/Reasoning:**

The Southside Regional Jail has not designed or acquired any new facility or planned any substantial expansion or modification of its existing facility since its last PREA audit. The SRJ has not installed or updated its video monitoring system, electronic surveillance system, or other monitoring technologies during this audit period.

The facility has added 7 new cameras since its last PREA audit. The PREA Coordinator was involved in the decision making process to determine where to place the additional cameras. The PREA Coordinator informed the Auditor cameras were added to areas the facility considered as blind spots. The placement of cameras were made to supplement staff supervision.

The Auditor conducted an interview with the agency's PREA Coordinator. The PREA Coordinator is clear on the responsibility to consider the effects of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse when designing or acquiring any new facility and in planning any substantial expansion or modification of the existing facility. The PREA Coordinator is clear on the requirement to consider how technology installments or technology equipment updates may enhance the agency's ability to protect inmates from sexual abuse. As a member of facility management, the PREA Coordinator is included in such decisions.

The Auditor observed camera placements throughout the facility while touring.

**Conclusion:**



The Auditor conducted a review of the agency's policies, procedures, camera location list, interviewed staff and made observations to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy to follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions for all inmate-on-inmate sexual abuse or staff sexual misconduct. Policy requires inmates reporting an assault occurring within 72 hours will be sent to the Southampton Memorial Hospital for a forensic medical examination performed by a Sexual Abuse Nurse Examiner (SANE) with the Chesapeake Forensic Specialist. The examination is provided to the victim at no cost to the victim. The agency's policy is to make available, upon request, a Family/Violence Sexual Assault Unit Advocate to accompany the victim through the forensic medical exam process, investigatory interviews and provide emotional support services, crisis intervention, information and referrals.

SRJ policy requires the Superintendent or his/her designee notify the Greenville County Sheriff's Department of all instances of potential criminal sexual offenses committed by staff or inmates for prosecution and/or investigative purposes. Facility policy requires the Greenville County Sheriff's Investigator follow a uniform evidence protocol based on the most recent edition of the U.S. Department of Justice's Office on Violence against Women publication or a National Protocol for Sexual Assault Medical Forensic Examinations, Adults & Adolescents.

Facility personnel transport inmate sexual assault victims to the Southampton Memorial Hospital for a forensic examination.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 19-20

MOU with Greenville County Sheriff's Office

MOU with Family/Violence Sexual Assault Unit

Cooperative Agreement with Chesapeake Forensic Specialists

Interview with Investigator

Interview with Medical Personnel

Interview with Victim Advocate

Interview with SANE

**Analysis/Reasoning:**

The Auditor reviewed the agency's policies and procedures. The agency has included the elements of this standard in its policies and procedures. The Southside Regional Jail conducts administrative investigations of sexual abuse and sexual harassment. All criminal allegations of sexual abuse and sexual harassment are reported to the Greenville County Sheriff's Office

for criminal investigation. Facility personnel are required to preserve any crime scene until the Greenville County Sheriff's Office Investigator arrives to process physical evidence from the scene.

The Auditor reviewed the agency's Memorandum of Understanding with the Greenville County Sheriff's Office. The memorandum stipulates the following:

- The Greenville County Sheriff's Office is the chief law enforcement agency for Greenville County, Virginia and is responsible for investigating criminal complaints within its jurisdiction;
- Southside Regional Jail is located in Greenville County with a physical address of 244 Uriah Branch Way, Emporia, VA 23847;
- The PREA Hotline was installed at the Greenville County Sheriff's Office and became operational on 12/14/2012;
- The Greenville County Sheriff's Office has agreed to have a Deputy monitor the PREA Hotline, maintain a log of all calls that are received, and follow-up/investigate the complaints when necessary;
- The Greenville County Sheriff's Office also agrees to respond to the Southside Regional Jail to investigate complaints made under the Prison Rape Elimination Act when requested by the Southside Regional Jail staff; and
- The Southside Regional Jail agrees to fully cooperate with the Greenville County Sheriff's Office during investigations. All records, (paper, video, and audio) and any other information requested during an investigation will be made immediately available.

The Auditor determined the Memorandum of Understanding did not meet the requirements of this standard. This was immediately discussed with the PREA Coordinator. The PREA Coordinator developed a revised Memorandum of Understanding with the Greenville County Sheriff's Office. The memorandum was signed on September 29, 2020. The revised Memorandum of Understanding now stipulates the Greenville County Sheriff's Office agrees:

- To follow a uniform evidence protocol that maximizes the potential for obtaining usable evidence for criminal prosecution;
- That the evidence collection protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, or similarly comprehensive and authoritative protocols developed after 2011;
- To utilize only investigators who have received special training in sexual abuse investigations;
- To gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; and
- To interview alleged victims, suspected perpetrators, and witnesses, and review prior complaints and reports of sexual abuse involving the suspected perpetrator.

The current Memorandum of Understanding includes the PREA Hotline information, the cooperation of the Southside Regional Jail during criminal investigations, and requires the Greenville County Sheriff's Office to allow the presence of a victim advocate, upon request during investigatory interviews.

The facility's Memorandum of Understanding with the Family Violence Sexual Assault Unit was signed by a FVSAU representative and the facility's Superintendent. The MOU was signed August 2, 2016 and remains in effect to date. The Auditor conducted an interview with a representative from the FVSAU. The interview was conducted by telephone. The representative confirmed the FVSAU provides victim advocacy for inmate victims of sexual abuse. The Auditor asked if a representative has attended a forensic examination in the previous 12 months. The advocate stated it has been years since they were asked to accompany a victim during a forensic examination. She could recall only one instance that occurred. The advocate stated if requested the advocate would also accompany the victim during investigatory interviews. The Auditor asked who contacts FVSAU following a sexual abuse. The representative stated they would either be notified by the hospital or the law enforcement officer. Emotional support services are provided on site or by telephone with inmates if determined. The Southside Regional Jail does not use staff to perform the services of victim advocacy.

The facility has entered a Memorandum of Understanding with the Chesapeake Forensic Specialists for forensic services. The most recent copy of the MOU was signed on February 10, 2020. The agreement is effective until either party terminates in writing. The agreement may be amended, modified, expanded, etc. as mutually agreed upon by the parties in writing. The MOU requires a biannual review by the parties. The MOU stipulates the Chesapeake Forensic Specialists agrees to the following:

- Provide SANE services 24-hr per day, 7 days per week (on-call SANE);
- Provide evidence collection kits;
- Provide collection of a physical evidence recovery kit (PERK); whether through anonymous report or authorized by law enforcement or investigating agency;
- Provide a competent and consistent forensic/medical examination in accordance with the American Nurses Association (ANA) and International Association of Forensic Nurses educational guidelines;
- Provide testing for pregnancy and sexually transmitted diseases as indicated by circumstances;
- Provide recommendations for prophylactic medications and emergency contraception for the patient as indicated to Southampton Memorial Hospital medical staff;
- Provide consistent evidence collection from perpetrators. Exams conducted at Southampton Memorial;
- Maintain chain of custody of forensic evidence until transferred to law enforcement; and
- Coordinate the sexual assault forensic exam with SRJ staff and the emergency department at Southampton Memorial Hospital.

The MOU stipulates the SRJ will:

- Train staff on sexual violence and services available to detained victims;
- Educate detainees on the availability of services for victims of sexual violence;
- Notify CFS to coordinate a forensic exam for detained victims within the appropriate evidentiary window (24 hours for penile-oral penetration; 48 hours for digital-anal and/or digital-vaginal penetration; 72 hours for penile-anal penetration; 120 hours for penile-vaginal penetration); and
- Provide accompaniment security to the exam site and remain with the victim/suspect

while the exam is completed.

The Auditor conducted a telephone interview with the Sexual Assault Nurse Examiner. The SANE explained her organization reports to the Southampton Memorial Hospital to conduct the forensic examination. The SANE explained the Memorandum of Understanding with the Southside Regional Jail. The Auditor asked the SANE if a victim advocate is allowed to accompany the victim during the forensic examination. The SANE informed an advocate is allowed to accompany the victim if the victim requests the accompaniment.

The Auditor conducted a formal interview with a medical practitioner. The Auditor asked if medical personnel conduct forensic examinations at the facility. The medical practitioner stated they do not conduct forensic examinations at the Jail. The Auditor was informed forensic examinations are conducted at the Southampton Memorial Hospital by a certified SANE with the Chesapeake Forensic Specialists.

The Auditor conducted a formal interview with an agency investigator. The investigator was asked to explain the process when investigating allegations of sexual abuse. The Investigator stated as soon as it is determined evidence supports prosecution, the Greenville County Sheriff's Office is notified. The Auditor was informed criminal investigations of sexual abuse are conducted by the Greenville County Sheriff's Office. The Auditor asked how evidence collection occurs at the facility. The Investigator explained a Sheriff's Office Investigator responds to the facility and collects evidence from the crime scene. The Southside Regional Jail staff preserve the crime scene until the Sheriff's Office Investigator arrives to process and collect the evidence.

The facility reported no instance that required an inmate be transported to the Southampton Memorial Hospital for a forensic examination in the previous 12 months.

**Conclusion:**

The SRJ is utilizing an appropriate uniformed evidence protocol to maximize the potential for usable evidence. The facility makes victim advocates available to victims of sexual abuse and ensures access to a forensic examination performed by a certified Sexual Abuse Nurse Examiner. The Auditor reviewed the SRJ policies, procedures, Memorandums of Understanding, and conducted interviews with staff, SANE and Victim Advocate. The Auditor determined the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to ensure an administrative and/or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. The SRJ policy is to refer criminal allegations of sexual abuse to the Greenville County Sheriff's Office. The Greenville County Sheriff's Office has the legal authority to conduct criminal investigations in the facility.

SRJ policy requires the Superintendent or designee refer all potential criminal allegations of sexual abuse to the Greenville Sheriff's Office. Policy stipulates the facility has an agreement with the Greenville County Sheriff's Office for conducting criminal investigations for complaints of sexual assaults and sexual harassment. The Greenville County Sheriff's Office coordinates prosecution with the Commonwealth Attorney's Office.

The Southside Regional Jail maintains a Memorandum of Understanding with the Greenville County Sheriff's Office to investigate criminal allegations of sexual abuse and sexual harassment.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 20-21

MOU with Greenville County Sheriff's Office

Investigative Records

Interview with Investigator

**Analysis/Reasoning:**

The Auditor reviewed the Southside Regional Jail's website. The SRJ website includes a link to access the agency's policy regarding the conduct of investigating allegations of sexual abuse and sexual harassment. The link is titled, "Allegations of Sexual Assault and/or Sexual Harassment." The information informs administrative investigations will be conducted by the Southside Regional Jail while criminal allegations of sexual abuse will be referred to the Greenville County Sheriff's Office.

The Auditor conducted a formal interview with a facility Sexual Abuse Investigator. The Auditor asked the investigator to explain the process once an allegation appears to be criminal in nature. The investigator stated the Greenville County Sheriff's Office is notified immediately to conduct a criminal investigation. The referral to the Sheriff's Office is documented by the Investigator. The Southside Regional Jail has fifteen (15) staff members who have received training to conduct administrative investigations in the facility. The facility maintains a Memorandum of Understanding with the Greenville County Sheriff's Office. The Sheriff's Office has agreed to conduct criminal investigations of sexual abuse that occur in the Southside Regional Jail. The investigator has determined no allegation received in the

previous 12 months appeared to be criminal in nature and therefore did not refer an allegation to the Sheriff's Office.

The facility reported 2 allegations of sexual abuse and sexual harassment were received within the previous 12 months. None of the allegations required referral to the Greenville County Sheriff's Office. The Auditor reviewed both investigative records. The allegations reported by the facility were incidents that did not occur at the facility. In both instances, an inmate notified the SRJ they had been sexually abused at another facility. One of the notifications was beyond the previous 12 month period preceding the audit. In both instances, the facility notified the other agency in accordance with PREA standard 115.63 Reporting to Other Confinement Facilities. The facility has not received an allegation that an inmate had been sexually abused at the Southside Regional Jail during this audit period.

No department of justice component is responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in the Southside Regional Jail.

**Conclusion:**

The Auditor concluded the Southside Regional Jail appropriately refers criminal allegations of sexual abuse and sexual harassment to the local Sheriff's Office with the legal authority to conduct criminal investigations. The Auditor observed evidence the facility is investigating all allegations of sexual abuse and sexual harassment. After reviewing agency policies, procedures, website, MOUs, investigative records and interviewing staff and inmates, the Auditor determined the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy stipulates all employees who may have contact with inmates will receive training to comply with PREA standards. The facility provides refresher information to all employees every year to ensure they know the department's most current sexual abuse policies and procedures. The facility requires training employees immediately following any updates to policy. All newly hired persons are required to receive training during their orientation. The training provided is not tailored specifically to male or female inmates as the facility houses both. Policy requires the facility maintain written documentation showing employee signatures verifying employees understand the training they received. SRJ policy requires all employees who have contact with inmates be trained on the following:

- The jail's zero-tolerance policy for sexual abuse and sexual harassment;
- The employees' responsibilities under the Jail's sexual abuse and sexual harassment policies and procedures;
- Inmates' rights to be free from sexual abuse and sexual harassment;
- The rights of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- The dynamics of sexual abuse and sexual harassment in a jail setting such as: creating substitute families, power domination through aggression, and a young inmate being at risk for violent assault;
- The common reactions of sexual abuse and sexual harassment victims such as: hostility, withdrawal, denial, fear of sexual transmitted diseases, and fear of staff;
- How to detect and respond to signs of threatened and actual sexual abuse such as to ensure safety, stabilizing the situation, securing the scene, separating the ones involved, asking the basic questions, and reporting of the incident to a Supervisor;
- How to avoid inappropriate relationships with inmates;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or other nonconforming inmates; and
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

All facility security staff are trained on the Southside Regional Jail's policy for conducting proper pat down searches of inmates.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 21-22

PowerPoint Presentations

Training Records

Attendance Rosters



Interviews with Inmates

**Analysis/Reasoning:**

The Auditor reviewed the agency's PowerPoint Presentations utilized to train staff. The SRJ lesson plans include all training topics as bulleted above. The SRJ instructor teaches from the PowerPoint Presentation to train all staff. Each new staff member is provided the training during their orientation when they are initially hired. The facility provides PREA training to all staff annually. The training provided to employees is not tailored to any gender as the facility houses male and female inmates.

The Auditor reviewed the SRJ staff training records. Training records reveal all staff are provided the PREA training. The Auditor reviewed training records for the previous 12 month period. All staff had been provided refresher training and reviewed the facility's policy within the previous 12 months. The agency utilized the PREA Refresher training course on the PREA Resource Center's website. At the conclusion of the refresher training, staff are required to pass a test. Each employee signs for receipt of training provided by the agency. The policy review roster states, "I have reviewed the current Southside Regional Jail's Sexual Misconduct/Prison (P.R.E.A.) Manual." In the past 12 months the facility has trained 66 staff and contractors. Staff are trained and provided the agency's policy to review on an annual basis. Employees sign receipt of the policy and training annually.

The Auditor conducted formal interviews with specialized and randomly selected staff. Each was asked about the training provided by the agency. All staff interviewed had been provided the training and informed the Auditor they receive training annually. The Auditor asked each to explain the topics provided by the agency during their annual training. Staff were able to articulate the above listed topics. The Auditor determined staff were knowledgeable and retained the information provided in the training.

The Auditor conducted formal interviews with randomly selected and specifically targeted inmates. The inmates interviewed articulated staff appropriately respond to incidents, take sexual abuse and sexual harassment seriously and had confidence in staff's abilities. The inmates' collective responses allowed the Auditor to determine staff had received PREA training and apply appropriate responses when responding to such.

**Conclusion:**

The Auditor concluded the facility has appropriately trained its staff and documented the training as required by this standard. Facility staff interviewed by the Auditor were knowledgeable in the training topics mandated in PREA standard 115.31. The Auditor reviewed agency policy, procedures, training attendance records, PowerPoint Presentations, conducted interviews with staff and inmates and determined the facility meets the requirements of this standard.

The Auditor recommended the agency consider updating the statement on the attendance roster that would denote the employee's receipt and understanding of the training and policy being reviewed. The Auditor determined the facility currently complies with this element of the standard as employees are required to pass the test following the agency's training.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy that requires all contractors and volunteers who have contact with inmates receive training on their responsibilities under the department's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers and contractors is based on the services they provide and the level of contact they have with inmates. All volunteers and contractors who have contact with inmates must be notified of the department's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. Policy requires the facility maintain written documentation showing the volunteers and contractor's signature verifying they understand the training and materials they have received.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 22

Volunteer and Contractor Comprehensive Educational Booklet

Training Records

Interview with Contractors

**Analysis/Reasoning:**

The Auditor reviewed the agency's Volunteer and Contractor Comprehensive Educational Booklet. Each volunteer and contractor receives training through the educational booklet. Contract personnel who work regularly in the facility receive the same training as provided to all agency personnel. Contractors are required to read and sign for policies and training provided. After attending training, contractors and volunteers who work regularly in the facility are required to pass the test.

The Auditor observed the following in the agency's Volunteer and Contractor Comprehensive Educational Booklet:

- History of PREA
- Definitions
- Zero-tolerance policy
- Reporting
- Victim Response
- Inmate Rights
- Responsibilities
- First Responder Duties
- Corrective Actions
- Vulnerable Populations
- Signs of Sexual Abuse

- Common Reactions of Victims
- Red Flag Indicators
- Signs of Staff-on-Inmate Sexual Abuse
- Prevention Strategies

The Auditor reviewed signed contractor training acknowledgements. The form requires the volunteer and contractor to print and sign their name and include the date of acknowledgement. The Auditor did not observe a statement of understanding of the training received.

The facility reported 19 contractors and volunteers were authorized to perform services in the facility and have contact with inmates. The Auditor reviewed the training records that reveal the facility has trained all contractors within the previous 12 months. Volunteer services have been suspended due to COVID-19 restrictions. Due to such restrictions the facility has been unable to train volunteers during this year. All contractors and volunteers have received the facility's PREA training prior to providing services at the facility.

The Auditor conducted formal interviews with contract personnel. Each contractor interviewed verified they had been provided training related to the agency's PREA policies prior to beginning services. The Auditor asked each specific questions related to the facility's policy's and procedures for reporting allegations of sexual abuse and sexual harassment. Each contractor understood their requirements for reporting allegations, information and knowledge related to such. Each was asked to explain their responsibilities under the SRJ polices related to sexual abuse. Each contractor provided responses that reveal they understand their rights and responsibilities according to the agency's policies and procedures. All contractors were aware the SRJ maintains a zero-tolerance policy towards acts of sexual abuse and sexual harassment.

The Auditor could not conduct an interview with a volunteer as the facility has suspended volunteer services to mitigate the risk of COVID-19.

**Conclusion:**

The Auditor concluded the facility is appropriately training volunteers and contractors and staff ensures documentation of training is maintained. The Auditor determined through a review of agency policies, procedures, training curriculum, acknowledgement forms and by interviewing contract personnel the facility meets the requirements of this standard.

The Auditor recommended the facility consider revising the training acknowledgement form to document receipt and understanding of the training provided by the facility. Volunteers and contractors were required to pass a test at the conclusion of training to acknowledge understanding.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

It is the policy of the Southside Regional Jail to provide each inmate with a PREA Orientation Sheet explaining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The PREA Orientation Sheet is available in English, Spanish and Braille. Policy requires an informational video regarding ways to prevent sexual abuse and sexual harassment and how to report it, is continuously played at intake as part of the orientation process. An educational video regarding the inmate's rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents are played daily throughout the facility. The facility provides a comprehensive education within 30 days of booking.

Policy stipulates inmate education will be provided in formats accessible to all inmates in accordance with Title II of the Americans with Disabilities Act, 42 U.S.C., including those who are limited English proficient, hearing or visually impaired, or otherwise disabled, as well as inmates who have limited reading skills. Policy requires the SRJ to maintain written documentation of inmate participation in education sessions.

SRJ policy requires key information will continually be made readily available and/or visible to inmates through posters, inmate handbooks, videos or other written formats.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 22-23

Inmate Handbook

Inmate Newsletter

Inmate Comprehensive Educational Booklet

Sexual Misconduct/Prison Rape Elimination Act Orientation (P.R.E.A.) Form

Inmate Records

Interviews with Inmates

Interviews with Staff

**Analysis/Reasoning:**

Each inmate is provided an Inmate Handbook upon arrival at the Southside Regional Jail. The Auditor reviewed the SRJ Inmate Handbook. The following information is included in the SRJ Inmate Handbooks:

- Zero-tolerance;

- Definitions;
- Legal References;
- Prevention of Sexual Misconduct;
- Reporting and Procedure for Dealing with Sexual Misconduct;
- Discipline; and
- Hotline Information.

Each inmate is provided an Inmate Newsletter upon arrival to the facility. The information is provided by the Intake Officer and the Inmate signs for receipt of such. The Auditor reviewed the Inmate Newsletter and observed the following topics:

- History of PREA
- Department Mandate (zero-tolerance)
- Inmate Education
- What is Sexual Assault
- Definitions
- Facts Related to Sexual Assault
- Reporting Sexual Assault
- Investigations
- Post Investigation Reporting
- Exhaustion of Administrative Remedies
- Department and Staff Reporting Duties
- Reports of False Allegations
- Disciplinary Sanctions for Inmates
- What Happens After an Assault
- Help is Available from an Outside Source
- Health Care for Victims
- Will I Ever Get Over It
- If You Are The Inmate That Assaults Another Inmate

Each inmate is provided an Inmate Comprehensive Educational Booklet. The booklet is provided by the Intake Officer and inmates sign for receipt of the booklet. The Auditor observed the following topics in the booklet:

- Introduction
- History
- Definitions
- Procedures
- Services
- Points to Remember

Each inmate is provided a Sexual Misconduct/Prison Rape Elimination Act Orientation (P.R.E.A.) Form upon booking. The Intake Officer provides the form to each inmate. The Auditor observed the following information on the form:

- Definitions
- Legal References
- Prevention of Sexual Misconduct

Each inmate that arrives at the facility are provided the above listed information and educational items. Each inmate signs receipt of understanding for such items. All above listed items are maintained in English and Spanish. The Inmate Handbook is maintained in Braille. Intake Officers make individual arrangements to ensure those with disabilities or are Limited English Proficient can understand and benefit from the information.

The Southside Regional Jail utilizes a video to supplement educational efforts. The video closed captioned in English and Spanish and titled "What You Need To Know." The video plays on a continual loop while inmates are in the intake area, in English and Spanish. Each inmate watches the video while in the intake area. In addition, the video plays on a daily basis at 2 p.m. in all inmate housing units. Inmates are given an opportunity to ask questions about the facility's information and comprehensive education with the Intake Officer. Intake Officers meet with each inmate individually and in private. Inmates are provided a verbal briefing of the PREA information. The agency operates one facility and is not required to educate inmates before transfer to another facility.

The Auditor reviewed 20 inmate records. A review of inmate records revealed each inmate signed for receipt of the Inmate Handbook, Newsletter, Comprehensive Educational Booklet and the Sexual Misconduct/Prison Rape Elimination Act Orientation (P.R.E.A.) Form. The comprehensive education was provided within 30-days of each inmates arrival at the facility. The Auditor was able to determine by a review of a relevant sample of inmate files the inmate population receives a comprehensive education. While interviewing inmates the Auditor was informed they received an Inmate Handbook and other information during the booking process. The Inmate Handbook includes the agency's sexual abuse and sexual harassment information.

The Auditor conducted a formal interview with an inmate who was slightly hard of hearing. The inmate was able to read the informational sheets provided during the intake process. The inmate informed the Auditor he could hear the video and read the closed captioning on the PREA comprehensive educational video. The inmate understood how to report allegations of sexual abuse. He was familiar with the agency's policies and procedures for prevention, detection and response to sexual abuse and sexual harassment.

There were no inmates at the facility who were identified as Limited English Proficient. The Auditor asked an Intake Officer how inmates who are Limited English Proficient benefit from the information and education. The Intake Officer stated the information and video is maintained in Spanish. Inmates who speak a language other than English or Spanish are provided the information by use of the language line or an interpreter.

There were no inmates at the facility who were identified with a cognitive disability at the time of the audit. The Auditor asked the Intake Officer how those inmates benefit from the information and education. The Intake Officer stated the information and comprehensive education would be provided on a one-on-one basis in an attempt to inform and education the inmate. The Intake Officer stated the facility makes individual determinations based on a disability to ensure each inmate benefits from the facility's information and education.

At the time of the audit there were no inmates who were blind or deaf. The Auditor was informed PREA information can be read by those who are deaf and is read to those who are

blind. Blind inmates who can read Braille are provided an inmate handbook in Braille. Deaf inmates can read the closed captioning on the educational video while blind inmates can hear the audio. The Auditor was informed the agency contracts for telephonic language line service to interpret for inmates who do not speak English.

While touring the facility the Auditor observed key information readily available in the form of PREA posters and postings throughout the facility. Each inmate is provided written information that is always accessible to the inmate. The facility maintains PREA materials written in English and Spanish. During interviews with inmates and staff the Auditor was informed the educational video plays everyday in all housing units. The Auditor observed the comprehensive educational video being played while new inmates were in the intake area.

**Conclusion:**

The Auditor concluded the inmate population at the Southside Regional Jail have been appropriately educated in the facility's zero-tolerance policy, how to report allegations, rights to be free from sexual abuse, sexual harassment, retaliation, and the agency's policies and procedures for responding to such. The facility maintains appropriate documentation of such in each inmate's record. The Auditor reviewed the agency's policies, procedures, inmate records, Inmate Handbook, Newsletter, comprehensive education booklet, orientation form, orientation video, interviewed staff, inmates and made observations to determine the facility meets the requirements of this standard.

**115.34 Specialized training: Investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires investigators receive specialized training to conduct sexual abuse investigations in confinement settings prior to conducting such investigations. Policy requires investigators receive the general training provided to all employees, in addition to specialized training. The policy requires specialized training include the following information:

- Interviewing sexual abuse victims;
- Proper use of Miranda warning;
- Proper use of Garrity warning;
- Sexual abuse evidence collection in confinement settings; and
- The criteria and evidence required to substantiate a case for administrative action or prosecution referral.

Facility policy requires the PREA Coordinator maintain written documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 23-24

Training Curriculum

Training Records

Interview with Investigator

**Analysis/Reasoning:**

The SRJ utilized the National Institute of Corrections, "PREA Investigating Sexual Abuse in a Confinement Setting" course to train its investigators. The training includes interviewing victims, Miranda and Garrity Warnings, evidence collection, and criteria and evidence to substantiate a case. At the time of the audit the facility had 15 trained sexual abuse investigators. The Auditor reviewed the training record of each investigator. A review of training records revealed each investigator received the specialized training for investigators. The training records revealed each investigator received the same training offered to all SRJ employees.

The Auditor formally interviewed a SRJ Sexual Abuse Investigator. The Auditor asked the investigator to explain the topics included in the specialized training he received. The investigator articulated the topics as bulleted above in this standard. The Auditor asked the investigator to explain the process he uses when conducting investigations. His responses indicate he had been trained to conduct sexual abuse investigations in confinement settings.



The investigator discussed interviewing techniques, Miranda and Garrity warnings, evidence collection and the criteria and evidence to support administrative and prosecutorial referral. The investigator attended training on May 20, 2017. The training attended was conducted online and presented by the National Institute of Corrections. The training is titled, "PREA: Investigating Sexual Abuse in a Confinement Setting."

No department of justice component is required to investigate sexual abuse allegations in the Southside Regional Jail.

**Conclusion:**

The Auditor concluded the facility has provided appropriate training to its Sexual Abuse Investigators. The Auditor conducted a review of policies, procedures, training curriculum, training records and conducted an interview with a facility investigator to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to provide all full-time and part-time medical and mental health care practitioners who work regularly in the facility with specialized training on working with victims of sexual abuse and sexual harassment. Policy requires the training include the following topics:

- How to detect and assess signs of sexual abuse and sexual harassment;
- How to preserve physical evidence of sexual abuse;
- How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- How to and whom to report allegations or suspicions of sexual abuse and sexual harassment.

Policy requires the PREA Coordinator maintain documentation that medical and mental health practitioners have received the specialized training. The facility requires all medical and mental health care practitioners receive the same training as all other institutional staff.

The facility's policy prohibits medical staff employed by the SRJ from conducting forensic examinations.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 24

Training Curriculum

Training Records

Interviews with Medical Professional

**Analysis/Reasoning:**

Medical and mental health services at the Southside Regional Jail are conducted by Mediko INC and by SRJ medical personnel. The agency employs three (3) full time medical personnel. Mediko provides a part-time physician who reports to the facility one time every two weeks or as needed. Mental health is provided by a Mediko Qualified Mental Health Practitioner. Mediko and facility nursing staff are required by the SRJ policy to complete specialized medical training. The Auditor reviewed the records of all medical and mental health practitioners. Records reveal each had attended the specialized medical training. The facility documents attendance in specialized medical training. In addition to the specialized medical training, the Auditor verified each medical and mental health practitioner had been provided the training offered to all SRJ staff members.

Specialized medical training is provided to medical and mental health practitioners utilizing the

National Institute of Corrections, "PREA Medical Health Care for Sexual Assault Victims in a Confinement Setting." The specialized training includes detecting and assessing signs of sexual abuse and sexual harassment, preserving physical evidence, responding effectively and professionally to victims, and how to report allegations or suspicions of sexual abuse and sexual harassment. Each medical and mental health professional is provided the specialized training during their orientation and prior to performing services in the facility.

The Auditor conducted a formal interview with a medical practitioner. The employee informed the Auditor she had received both specialized training and the training offered to all SRJ employees. The Auditor was informed the training was provided during her orientation to the facility. The Auditor questioned the medical practitioner about the training topics as required by this standard. The Auditor was informed how SRJ nursing staff treat victims while preserving physical evidence. Medical professionals have been educated regarding the requirements of this standard. The medical professional informed the Auditor nursing staff have to review the agency's policies and attend the PREA refresher training each year.

Neither Mediko nor SRJ medical personnel conduct forensic examinations in the facility. Forensic examinations are performed by a Sexual Abuse Nurse Examiner at a local hospital.

**Conclusion:**

The Auditor concluded medical and mental health professionals at the Southside Regional Jail have been appropriately trained. The facility maintains documentation that medical and mental health professionals have received specialized medical training and the same training offered to all SRJ staff. The auditor conducted a review of SRJ policies, procedures, training curriculum, training records and interviewed a medical professional and determined the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires an assessment of each inmate's risk of being sexually abused by other inmates or sexually abusive toward other inmates during the intake screening process. Policy requires the screening take place within 72 hours of arrival and is conducted using an objective screening instrument. The SRJ intake screening minimally considers the following criteria to assess inmates for risk of sexual victimization:

- Whether the inmate has a mental, physical, or developmental disability;
- The age of the inmate;
- The physical build of the inmate;
- If the inmate has previously been incarcerated;
- If the inmate's criminal history is exclusively nonviolent;
- If the inmate has prior convictions for sex offenses against an adult or child;
- If the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- If the inmate has previously experienced sexual victimization;
- The inmate's own perception of vulnerability; and
- If the inmate is detained solely for civil immigration purposes.

The facility is required by policy to reassess the inmate's risk of victimization or abusiveness no later than 14 days from the inmate's arrival. The agency's policy requires an inmate's risk level be reassessed due to a referral, request, reported incident or sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Facility staff are prohibited from disciplining an inmate for refusing to answer, or for not disclosing complete information in response to the risk screening. The facility policy requires management implement appropriate controls on the dissemination of information or responses to questions asked pursuant to victimization or abusiveness in order to ensure sensitive information is not exploited to the inmate's detriment by staff or other inmates. Responses to questions or other information may only be disseminated on a need-to-know basis and only through the Superintendent/designee or Health Services Administrator to ensure sensitive information is not exploited to the inmate's detriment by staff or other inmates.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 24-25

Risk Screening Tool

Medical Records

Inmate Records

## Interviews with Inmates

### **Analysis/Reasoning:**

The Auditor reviewed the agency's risk screening tool. The questionnaire includes all information as required by this standard. The questionnaire allows the staff member to input information whenever an inmate answers "yes" to any question on the questionnaire. The questionnaire has a "notes" section where the staff member inputs information. Staff input their own observations of the inmate being assessed. The Classification tool is an objective tool that is based on a scoring system.

Each inmate that arrives at the Southside Regional Jail is screened by a security staff member, a nurse and a mental health practitioner. Each meet with inmates in private upon arrival. Every inmate is asked questions from the classification tool, medical summary and mental health assessment tool. All screenings occur in a private area normally within hours of the inmate's arrival to the facility. When inmates arrive on Friday evenings or weekends, they are screened by the mental health practitioner on the following business day. The Auditor conducted a review of 20 inmate records. Each record included a completed Classification Questionnaire, mental health assessment and medical summary. Each inmate had been appropriately screened within 72 hours of their arrival. The Auditor discovered the following determinations within the 20 records:

- 9 inmates who reported current or previous mental illness diagnosis;
- 1 inmates who reported a physical disability;
- 1 inmates who had current or previous charges of a sexual nature;
- 4 inmates who reported suffering sexual victimization; and
- 2 inmates who identified as gay/lesbian/bisexual.

While reviewing inmate records, the Auditor observed each file included an initial and reassessment of each inmate's level of risk for sexual victimization or abusiveness. Each reassessment was conducted within 30 days of the inmate's arrival. Reassessments were conducted by the Classification Officer. Further review revealed each inmate that reported suffering sexual victimization was screened by a mental health professional within 14 days.

The Auditor conducted a formal interview with Classification and Intake Officers. The Auditor discussed the risk screening process with each. Each staff member was asked if they use their professional judgement when determining an inmate's risk level. The Auditor was informed professional judgements are used when conducting a risk screening and assessment of each inmate that enters the facility. Staff were asked if they had received a request or referral to conduct a reassessment of an inmate. The intake personnel do not conduct such assessments. Reassessments are conducted by the Classification Officer. The Classification Officer stated she had not been requested to conduct an assessment based on a request or referral. The Classification Officer was asked if she had conducted reassessments of inmates following an allegation of sexual abuse. The Auditor was informed there have been no incidents that have required her to conduct a reassessment following an incident of sexual abuse.

The Auditor asked intake and classification personnel what they do if an inmate refuses to

answer questions related to sexual abuse during the screening process. The Auditor was informed the individual is not housed until such information can be obtained. Any decision would be made in determination with the Classification Officer's professional judgement. Intake and classification personnel were asked if they discipline an inmate for refusing to answer questions related to sexual abuse during the risk screening. Each staff member stated they are prohibited from disciplining inmates for refusing to answer those questions.

The Auditor conducted formal interviews with staff. Staff were asked if they had access to the information obtained from the risk screening conducted during the booking process. The Auditor determined those who make decisions had access and those who were not in a position to inform housing, work, education and programming decisions did not have access to the information. Each agency staff member is issued a unique username and password with select access to information maintained by the agency. Security staff have access to information as they have authority to change room and bed assignments. Staff review the information prior to changing a housing assignment to ensure the protection of the inmate population.

The Auditor conducted formal interviews with inmates. All inmates targeted for interviews and randomly chosen for interviews were asked if they had been asked questions as previously listed during the intake process. Inmates stated they had been asked such questions during the booking process. Some inmates could not remember all of the questions asked during the booking process. The Auditor asked each inmate if anyone at the facility had asked them the same questions after being booked into the facility. Inmates stated they had not been questioned again. Several inmates informed the Auditor they have been incarcerated in the facility multiple times and were questioned in booking each time. A majority of inmates interviewed informed the Auditor they are confident in staff's ability to maintain confidentiality with their information.

The facility does not conduct a reassessment of vulnerability and aggressiveness upon transfer to another facility as the Southside Regional Jail Authority operates only one facility.

At the time of the Audit there were no inmates detained solely for immigration purposes.

**Conclusion:**

The agency's classification staff is attempting to discover inmates' level of risk of sexual victimization or sexual abusiveness during the booking process and within 30 days of an inmate's arrival based upon additional information, incidents and referrals. The Auditor reviewed the agency's policies, procedures, inmate records, and interviewed staff and inmates to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to use information received from the risk screening to determine housing, bed, work, education, and program assignments to prevent inmates with the high risk of being sexually victimized from contact with those at the risk of being sexually abusive. Policy requires individualized determinations be made to ensure the safety of each inmate.

The SRJ policy stipulates transgender or intersex inmates will be assigned to male or female blocks on a case-by-case basis and based on the health and safety of the inmate, as well as the security needs of the Jail. Staff are required to seriously consider a transgender and intersex inmate's own views with respect to their own safety.

Staff are required to reassess placements of each transgender or intersex inmate to review any threats to safety experienced by the inmate at least twice each year. Policy requires transgender and intersex inmates be given the opportunity to shower separately from other inmates. Policy prohibits placing lesbian, gay, bisexual, transgender, or intersex inmates in dedicated units based solely on their identification or status, unless in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmate.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 25-26

Screening Tool

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor reviewed 20 inmate classification records. Of the records reviewed there were no inmates who identified as transgender or intersex and 2 who identified as lesbian and bisexual. The classification records reveal facility staff made individualized considerations when determining their housing, bed, work and other assignments to ensure each inmate was maintained safely in the facility. The assessment form considers an inmate's own views of their safety when determining assignments. The Auditor observed classification staff is utilizing information obtained from the risk screening to assign facility housing, bed, and work assignments to ensure those inmates are protected. When inmates submit a request to attend programs and educational classes the Classification Officer ensures those at risk of victimization are not placed in a program with those identified as potential abusers.

Classification staff considers an inmate's own perceptions of their safety before making

classification decisions. The screening tool includes sections where the Classification Officer documents his/her own perceptions of the inmate. The Auditor conducted a formal interview with inmates who identified as lesbian and bisexual. Each was asked if they were housed in a unit that is designated for LGBTI inmates. None were housed in a unit designated as such.

The Auditor formally interviewed classification staff. The Auditor discussed the classification process with classification personnel. Classification informed the Auditor they ask transgender and intersex inmates questions regarding their own perception regarding their safety in the facility. The Auditor asked classification if they meet with transgender and intersex inmates at least two times each year to assess their placements. The Auditor was informed classification meet with those inmates more than 2 times each year to check on their status. The Auditor asked how classification document their meetings with the inmate. Formal meetings with the inmate are documented in the inmate's electronic record.

The auditor observed all housing units in the facility during a detailed tour. While touring, the Auditor observed all shower and restroom areas. Transgender and intersex inmates have the opportunity to change clothes and use the restroom without staff of the opposite gender seeing them fully naked. Transgender and intersex inmates have the opportunity to shower separately from other inmates.

At the time of the audit the Southside Regional Jail was not under a consent decree, legal settlement, or legal judgement for the purpose of protecting lesbian, gay, bisexual, transgender or intersex inmates.

**Conclusion:**

The Auditor concluded classification staff is making individualized determinations when assigning inmates housing, bed, work, programming and education assignments. The agency has appropriate policies, procedures and practices in place to protect those identified at high risk of victimization. Transgender and intersex inmates can shower separately from other inmates. The Auditor conducted a thorough review of policies, procedures, inmate records, made observations and interviewed staff and inmates to determine the facility meets the requirements of this standard.



**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail prohibits placing inmates at high risk of sexual victimization in involuntary segregated housing unless other alternatives are not available. Staff are required to clearly document the basis for the facility's concern for the inmate's safety and the reason why no alternative means of separation can be arranged. SRJ policy requires inmate access to programs, privileges, education, and work opportunities to the extent possible for those placed in involuntary segregated housing who have been identified at risk of sexual victimization. At risk inmates in involuntary segregated housing will be reviewed at least every 30 days to determine whether there is a continuing need for separation from the general population.

The facility requires documentation if access to programs, privileges, education or work opportunities are restricted to inmates placed involuntarily in protective custody for the protection from sexual abuse. Facility staff are required to document:

- The opportunities that have been limited;
- The duration of the limitation; and
- The reasons for such limitations.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 26-27

Housing Records

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The facility reported no inmate was placed in involuntary segregated housing for his/her protection as a result of being identified as high risk of sexual victimization. The Auditor reviewed housing and classification records and discovered no evidence an inmate had been identified at high risk of sexual victimization and placed in involuntary segregated housing as a result of such identification.

The Auditor conducted formal interviews with a Classification Officer. The Auditor discussed the process of placing an inmate identified at high risk of sexual victimization in involuntary segregated housing. The Classification Officer informed the Auditor an immediate assessment is conducted to view available housing alternatives prior to placing the inmate in segregated housing. The Auditor was informed the Southside Regional Jail has multiple male and female

housing units and therefore can separate those identified at high risk of sexual victimization without resorting to involuntary segregated housing. The Auditor asked if an inmate was placed in involuntary segregated housing if they have the opportunity to attend programs, education, work and/or receive other privileges. The Auditor was informed inmates in segregated housing receive privileges as long as no security concerns exist. The Classification Officer conducts a weekly review of all inmates in segregated housing. The Classification Officer was also aware the requirement to document restrictions on education, work, programs and privileges.

The Auditor asked the Classification Officer when the last time an inmate was placed in involuntary segregated housing for the protection from sexual abuse. The Auditor was informed the facility has not had a need to place an inmate for such reason. The Classification Officer informed the Auditor a recommendation could be made to transfer an inmate to another facility if the inmate could not be housed safely in the Southside Regional Jail. The facility could request another facility hold the inmate as a "courtesy hold."

The Auditor conducted a formal interview with an officer who supervises inmates in segregated housing. The officer was asked if inmates in segregated housing receive access to programs, privileges, work and education. The Auditor was informed inmates in segregated housing receive privileges. The officer was asked if restrictions are documented. The Auditor was informed restrictions to work, education, programs and privileges are documented and forwarded to the housing unit for staff to follow the restrictive order. The officer stated any restrictions made that aren't previously determined are noted in the housing unit logbook. The Auditor asked the officer if he has supervised an inmate in segregated housing who had been identified at high risk of sexual victimization and placed in segregated housing for his/her protection. The officer was unaware of such. The officer informed the Auditor he had been working in the segregated housing unit for roughly two years.

The Auditor conducted a detailed tour of the facility. Observations were made of each inmate housing unit. The Auditor observed numerous areas which can house inmates to ensure those identified at high risk of sexual victimization are protected from sexual abusers and without placing the inmate in involuntary segregated housing.

There were no inmates housed at the time of the audit who filed an allegation of sexual abuse. The Auditor interviewed inmates who had been previously victimized by sexual abuse. The Auditor asked each if he/she had been placed in segregated housing. None had been housed in segregated housing. The Auditor conducted formal interviews with inmates who identified as gay and lesbian. Each was asked if they had ever been placed in segregation involuntarily. None of the inmates had been placed in segregation against his/her request. After interviewing inmates, the Auditor discovered none had been placed in involuntary segregated housing.

The Auditor conducted a review of 20 inmate records. A review of records show none had been placed in involuntary segregated housing for protection from sexual abuse.

**Conclusion:**

The facility has appropriate procedures in place to ensure inmates identified at high risk of sexual victimization who are placed in involuntary segregated housing receive appropriate placement, reviews and other privileges. The Auditor reviewed SRJ policies, procedures,

documentation records, reading records, made observations and interviewed staff and inmates to determine the SRJ meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to provide inmates with multiple internal ways to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmates at the Southside Regional Jail may report in the following manners:

- Written reports
- Verbal reporting
- PREA Hotline
- Third-party reporting

Facility staff are required to accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports. The SRJ provides staff the option of privately reporting sexual abuse and sexual harassment of inmates verbally or in writing to any of the Shift Supervisors or Captain, Major, Assistant Superintendent or Superintendent.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 27

Inmate Comprehensive Educational Booklet

Inmate Handbook

Inmate Newsletter

MOU with the Greenville County Sheriff's Office

MOU with the Meherrin River Regional Jail

Photographs

Agency Website

Inmate Handbook

Facility Posters

Staff Training Records

Interviews with Staff

Interviews with Inmates

#### Analysis/reasoning.

The Auditor reviewed the agency's Inmate Handbook, Comprehensive Educational Booklet and Inmate Newsletter. Inmates are informed they may report sexual harassment, sexual abuse, retaliation by staff or other inmates for reporting sexual harassment or sexual abuse, and neglected by staff in responding. Inmates are informed they may report allegations:

- Verbally to a staff member, volunteer, contractor, vendor, visitor or any other governmental employee
- In writing to a staff member volunteer, contractor, vendor, visitor or any other governmental employee
- PREA Hotline
- Families/Associates

The Auditor reviewed the Memorandum of Understanding with the Greenville County Sheriff's Office. The Greenville County Sheriff's Office provides a 24-hour hotline for inmates and public to report allegations of sexual abuse and sexual harassment. The Auditor recognized the Greenville County Sheriff's Office is part of the Southside Regional Jail Authority (agency). The Auditor immediately addressed the concern with the PREA Coordinator. The PREA Coordinator was able to obtain a Memorandum of Understanding with another agency that is not part of the SRJ.

The Meherrin River Regional Jail, who is not part of the agency, has agreed to accept and immediately report allegations of sexual abuse made by inmates through a hotline, allowing the inmate to remain anonymous upon request. The new memorandum was signed on October 1, 2020 by both Superintendents.

The Auditor reviewed the Memorandum of Understanding with the Meherrin River Regional Jail. The MOU is a mutual agreement to provide an avenue for SRJ inmates to report allegations of sexual abuse. The MOU states the Meherrin River Regional Jail agrees to:

- Monitor the PREA Hotline for any complaints received;
- Except all PREA complaints and notify the Southside Regional Jail's PREA Coordinator immediately upon receipt of a complaint; and
- To keep all persons anonymous upon request.

The PREA Coordinator created a poster to place in each housing unit next to inmate telephones. The poster informs inmates "The Meherrin River Regional Jail has agreed to receive reports via the PREA Hotline or at Phone Number (Auditor redacted telephone number) and forward them to the facility head, except when an inmate requests confidentiality." The poster also informs inmates they may report an allegation to the Greenville County Sheriff's Office through the Greenville County Sheriff's Office PREA Hotline (number provided). The Auditor requested photographs of the posters next to inmate telephones. The PREA Coordinator sent such to the Auditor verifying the facility notified inmates of the new reporting avenue.

The Auditor participated in a detailed tour of the Southside Regional Jail. The tour included all inmate housing units and support areas. Observations were made of posters and postings throughout the facility that inform inmates about the agency's zero-tolerance to sexual abuse

and sexual harassment and how to report allegations of sexual abuse and sexual harassment. The postings include the agency's available hotline number to the Greenville County Sheriff's Office. Inmates are not required to input a designated PIN number to dial either hotline number.

The Auditor reviewed staff training records. The facility's training includes the reporting avenues available to the inmate population. All staff are provided the training in orientation and during their annual in-service training. Staff are informed of their avenue for privately reporting allegations of sexual abuse and sexual harassment in the agency's policy. Staff may report to a Shift Supervisor or any other person higher in the chain of command. Staff informed the Auditor they are required to accept and report anonymous and third-party reports of sexual abuse and sexual harassment.

The Auditor reviewed the Southside Regional Jail website. The website includes a link to access its PREA information. The public has access to the SRJ reporting avenues. The public is informed how to make an allegation on behalf of an inmate. The telephone number for reporting such is included on the website. The public is informed they can report directly to the PREA Coordinator or the Greenville County Sheriff's Office. The contact information is provided on the website.

The Auditor conducted formal interviews with randomly chosen staff. Each staff member was asked if he/she is required to accept any and all reports of sexual abuse, sexual harassment, retaliation and staff neglect. Staff informed the Auditor they are required to accept such reports. Staff stated they are required to report allegations immediately to the Shift Commander and include the information on a written Incident Report. Each staff member was asked how they would privately report an allegation. The Auditor was informed staff would report to their supervisor or the next highest person in the chain of command.

The Auditor conducted formal interviews with randomly chosen and specifically targeted inmates. Inmates were asked to explain how they would report an allegation of sexual abuse, sexual harassment, retaliation, or staff neglect. Most inmates informed the Auditor they would tell a staff member. Most inmates interviewed have confidence staff would handle the allegation appropriately. The inmates understood the available reporting avenues and are aware of the hotline, anonymous reporting and third-party reporting. Each inmate understood they could make an allegation through the formal grievance mechanism.

At the time of the Auditor there were no inmates detained solely for civil immigration purposes.

**Conclusion:**

The Southside Regional Jail provides multiple ways for inmates to report allegations of sexual abuse and sexual harassment, including a public office that is not part of the agency who can immediately forward reports of sexual abuse and sexual harassment to the SRJ. The facility requires staff to accept, report and document all allegations of sexual abuse and sexual harassment. The Auditor reviewed the agency's policies, procedures, Inmate Handbook, Newsletter, Comprehensive Educational Booklet, postings, photographs, agency website, MOUs, training records, interviewed staff and inmates and determined the facility meets the requirements of this standard.

**115.52 Exhaustion of administrative remedies**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail is not exempt from this standard as it maintains procedures to address inmate grievances alleging sexual abuse. Facility policy does not impose a time limit on any portion of a grievance alleging sexual abuse and does not impose a time limit when an inmate may file a grievance alleging sexual abuse. Inmates are not required to exhaust informal means or attempt to resolve with staff an alleged incident of sexual abuse. Inmates are not required to submit a grievance to a staff member who is the subject of complaint and the facility is prohibited from referring a grievance to a staff member who is the subject of complaint.

SRJ policy requires a final decision on the merits of any portion of a grievance alleging sexual abuse be rendered within 90 days of the initial filing. Policy allows for an extension up to 70 days to respond if the normal response time is insufficient to render an appropriate decision. The inmate must be notified in writing of any extension and provide a date by which a decision will be made. The Southside Regional Jail allows third parties to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of the inmate. The facility requires the alleged victim agree to have the request filed on his/her behalf, and requires the alleged victim to pursue any subsequent steps in the administrative remedy process. If the inmate declines third-party assistance in filing the grievance, facility personnel are required to document the inmate's decision to decline.

SRJ policy stipulates all grievances, Incident Reports, or verbal complaints alleging an inmate is subject to a risk of imminent sexual abuse will be deemed an emergency grievance and forwarded immediately to the Shift Commander or their designee for investigation. The Shift Commander or designee is required to take immediate action and issue an initial response within 48 hours. A final decision is required to be provided within five calendar days. The initial response and final agency decision shall document the Jail's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the grievance. A copy of the inmate complaint and all responses will be forwarded to the PREA Coordinator.

Staff are prohibited from disciplining an inmate for filing a grievance alleging sexual abuse unless the inmate filed the grievance in bad faith.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 28-29

Inmate Newsletter

PREA Inmate Comprehensive Educational Booklet

Interviews with Staff

**Analysis/Reasoning:**

The Auditor reviewed the SRJ Inmate Newsletter and Comprehensive Educational Booklet. Both include statements informing inmates they can report allegations by submitting a grievance.

The Auditor conducted formal interviews with inmates. Inmates were asked to explain the various ways of reporting sexual abuse allegations. The majority of inmates asked were aware the facility accepts allegations of sexual abuse through the grievance mechanism. None of the inmates interviewed by the Auditor had filed a grievance alleging sexual abuse or alleging an imminent risk of sexual abuse. Inmates were aware they could file a grievance to report sexual abuse anonymously.

The Auditor conducted interviews with facility staff. Staff were asked if inmates could submit a grievance alleging sexual abuse and/or alleging an imminent risk of sexual abuse. Each staff member was aware inmates could file such grievances. Supervisors interviewed by the Auditor explained their responsibilities in responding to grievances alleging an imminent risk of sexual abuse. Supervisors informed the Auditor they take immediate action to ensure the inmates safety. The Auditor was informed an initial response is provided to the inmate within 48 hours and a final decision within 5 days. The Auditor asked what is included in the final written response. The Auditor was informed they include whether the inmate is at risk and the supervisor's actions taken in response to the allegation.

The Southside Regional Jail reported no inmate submitted a grievance alleging sexual abuse or an imminent risk of sexual abuse within the previous 12 months.

**Conclusion:**

The Auditor determined the SRJ has appropriate policies and procedures in place for addressing inmate grievances alleging sexual abuse and emergency grievances alleging an imminent risk of sexual abuse. Facility staff understand the agency's procedures and the inmate population is aware they can submit grievances alleging sexual abuse and/or risk of imminent sexual abuse. The Auditor reviewed the agency's policies, procedures, Inmate Newsletter, Comprehensive Educational Booklet and conducted interviews with staff and inmates to determine the facility meets the requirements of this standard.



**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy to offer and provide inmates with access to outside victim advocates for emotional supportive services related to sexual abuse. Inmates are provided mailing addresses and hotline number for outside emotional support services related to sexual abuse. The facility ensures reasonable communications between inmates and outside advocacy groups in as confidential manner as possible. The policy requires staff inform the inmates to the extent such communications will be monitored and reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

The SRJ has a Memorandum of Understanding with The Family Violence and Sexual Assault Unit to provide support, advocacy and education for inmate victims who are affected by domestic violence and stalking. A representative with the Family Violence and Sexual Assault Unit will make referrals for assistance when returning to the community.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 29-30

Inmate Comprehensive Educational Booklet

Inmate Newsletter

MOU with Family/Violence Sexual Assault Unit

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor reviewed the agency's Memorandum of Understanding with The Family/Violence Sexual Assault Unit. The MOU stipulates The Family/Violence Sexual Assault Unit agrees to the following:

- Assess the situation from calls received to determine if it is a sexual assault call. If it is not it is to be rerouted back to Southside Regional Jail;
- In the event there is a sexual assault call, the FVSAU will gather the information and advise the caller that a Release of Information form has to be signed so the FVSAU can discuss their situation with the Jail to determine if their services are needed;
- When appropriate the licensed clinical social worker, will be contacted. She will determine if she can counsel the individual by phone, or she will come to the Jail to see the inmate; the Jail will provide a private area for the call. The FVSAU will pay for the counseling.

Each inmate is issued a Comprehensive Educational Booklet. The booklet includes the

address and telephone number to the Family/Violence Sexual Assault Unit. The booklet informs inmates communications with the Family/Violence Sexual Assault Unit will be maintained in a confidential manner as possible. The services provided by the FVSAU are included in the booklet. Inmates are informed information will be released to authorities in accordance with mandatory reporting laws. The Inmate Newsletter informs inmate communications with the Family/Sexual Violence Assault Unit are private, confidential, and privileged to the extent allowable by Federal, State, and local laws. The booklet states outgoing and incoming mail to the address will be treated as privileged mail. The address and telephone number are provided.

The Auditor conducted formal interviews with inmates who reported suffering sexual victimization in the community. Each was asked if they were aware of confidential support services. Each inmate who had been victimized was aware of confidential supportive services. Most had utilized community services prior to being incarcerated. Inmates were asked if they were provided information upon their arrival in the booking area. They were provided the Comprehensive Educational Booklet. The Auditor asked randomly selected inmates if they were aware of confidential supportive services. Most inmates were aware the facility makes confidential support services available. Those that were not aware had seen the information.

The Auditor conducted an interview with an advocate from Family/Violence Sexual Assault Unit. The advocate was asked to discuss the services provided to victims of sexual abuse at the Southside Regional Jail. The advocate discussed the items agreed to in accordance with the MOU with the SRJ. The advocate was asked if any inmate has contacted her agency within the previous 12 months to request services. The advocate was unaware of an inmate who attempted such.

The Auditor conducted an interview with a facility investigator. The investigator was asked if inmate victims have access to confidential support services. The investigator stated victims are informed of the Family/Violence Sexual Assault Unit services following an incident of sexual abuse. The facility's medical and mental health practitioners also discuss services with the inmate victim. The investigator stated the FVSAU is contacted immediately following an incident of sexual abuse as they provide support during the forensic examination.

At the time of the audit there were no inmates detained solely for civil immigration purposes.

**Conclusion:**

The facility maintains documentation it provides emotional support services for sexual abuse victims through written agreements. Contact information with the organization is provided by intake personnel in the Inmate Newsletter and Comprehensive Educational Booklet. The Auditor reviewed the SRJ policies, procedures, Memorandum of Understanding, Inmate Newsletter, Comprehensive Educational Booklet and interviewed staff, inmates and victim advocate to determine the SRJ meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

It is the policy of the Southside Regional Jail to accept reports of sexual abuse and sexual harassment from third parties. Third-parties may make reports of sexual abuse or sexual harassment to the Greenville County Sheriff's Office via the 24-hour PREA Hotline. The policy states, "The SRJ publicly distributes information on how to report inmate sexual abuse or sexual harassment on behalf of its inmates on the agency's website."

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg 30

Facility Website

Inmate Handbook

PREA Inmate Comprehensive Educational Booklet

Posted PREA Materials

Interviews with Investigator

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor conducted a review of the agency's Inmate Handbook. The handbook includes a section titled, "Reporting and Procedure for Dealing with Sexual Misconduct." This section of the handbook includes information regarding the agency's policies towards sexual abuse and sexual harassment. The handbook informs inmates they may report allegations through a family member or associate. The Comprehensive Educational Booklet states inmates may report allegations through a third-party to include family, friend or another inmate. Each inmate is provided an inmate handbook and Comprehensive Educational Booklet upon booking at the facility.

The Auditor reviewed the agency's website. The website includes a link to the agency's Prison Rape Elimination Act information. The website directs the public to call or write the PREA Coordinator of Greenville County Sheriff's Office to make a third-party report of sexual abuse or sexual harassment. The address and telephone number for both are provided.

The Auditor participated in a detailed tour of the Southside Regional Jail. During the tour the Auditor observed PREA materials posted in all housing units and service areas. The SRJ materials provided to and for inmates inform they may have a third party make an allegation of sexual abuse and sexual harassment on their behalf.

The Auditor conducted formal interviews with staff. Staff were asked about accepting reports of sexual abuse and sexual harassment. Each staff member stated they were required to accept all reports of sexual abuse and sexual harassment, including third party reports. Staff stated they immediately report the allegation to their supervisor and document the information on an Incident Report.

The Auditor conducted formal interviews with inmates. Each inmate was asked what avenues were available for making an allegation of sexual abuse or sexual harassment. The inmates stated they could tell a staff member, submit a request or grievance, call the hotline, or have another person make the allegation on their behalf. Each inmate understood how to have a third party file an allegation on their behalf.

The Auditor conducted a formal interview with a facility investigator. The investigator was asked in what ways he has received reports of sexual abuse and sexual harassment. The investigator explained he has not received an allegation from a third-party.

**Conclusion:**

The Auditor determined the facility accepts all reports, including third party reports of sexual abuse and sexual harassment. The public is informed through the facility's website how to make a third party report on behalf of inmates. The Auditor reviewed agency policy, procedures, website, posted PREA materials, Inmate Handbook, Comprehensive Educational Booklets, interviewed staff and inmates, made observations and determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

All SRJ staff are required to immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in the facility, whether or not it is part of SRJ, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. The policy prohibits staff from revealing any information related to a sexual abuse report to anyone except designated supervisors, officials who are responsible for treatment, investigations and other security and management decisions.

Medical and mental health practitioners are required to report sexual abuse and are required to inform inmates of their duty to report and the limitations of confidentiality at the initiation of services. The facility is required to ensure an allegation of an alleged victim under the age of 18 or an inmate considered a vulnerable adult under state or local vulnerability statute, is reported to the appropriate State or local services agency under applicable mandatory reporting laws.

The facility's policy required allegations of sexual abuse and sexual harassment, including third-party and anonymous reports to the Greenville County Sheriff's Office. During the audit, the facility revised the policy to read, "SRJ shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the Facility Investigator.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 30-31

Training Records

Interviews with Medical Practitioners

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor conducted formal interviews with randomly selected and specifically targeted staff at the Southside Regional Jail. Each staff member was asked if they were required to report any and all knowledge, suspicion or information related to sexual abuse or sexual harassment. The Auditor was informed staff are required to report the information immediately to a supervisor. The Auditor asked each staff member if they were required to report knowledge, suspicion or information related to retaliation, staff neglect or a violation of duties which may have contributed to sexual abuse or sexual harassment. All staff informed the Auditor they were required to report such. Staff informed the Auditor they were required to document such allegations on an Incident Report. Staff informed the Auditor they submit incident reports promptly after an allegation

During interviews with staff the Auditor questioned staff to gain an understanding of staff's ability to maintain confidentiality with any reported information obtained related to sexual abuse or sexual harassment. The Auditor asked staff to explain who they report or discuss details of a sexual abuse or sexual harassment allegation with. Staff informed the Auditor they only discuss details with supervisors, medical/mental health practitioners and investigators. Staff understood the agency's policy requiring them to discuss information with those who can make treatment, medical and housing decisions.

The Auditor conducted a formal interview with a medical practitioner. She was asked if medical and mental health personnel are required to report information, knowledge, or suspicions of sexual abuse, sexual harassment, retaliation, staff neglect or violations of responsibilities which may have contributed to an incident of sexual abuse. The Auditor was informed they are required to report such immediately. The Auditor asked how they would report the information. The practitioner informed the Auditor they immediately report the information to the Shift Commander and submit a report regarding the information. The practitioner stated they are required to inform inmates of their duty to report and the limitations on confidentiality at the initiation of services. Inmates are provided a consent form at the initiation of services.

The Auditor asked who medical reports information related to a sexual victimization that occurred in a community setting to. Medical and mental health practitioners do not report community victimization without obtaining written informed consent from the inmate. The Auditor asked if there has been a situation where medical had to report sexual victimization that occurred in a community setting. The Auditor was informed there has not been a need to report such information. The medical practitioner informed the Auditor medical and mental health practitioners are mandatory reporters for youthful inmates and of victimization that occurred in a confinement setting. There is not a different consent form for youthful inmates and the facility does not house youthful inmates.

The Auditor conducted formal interviews with a facility investigator. The Auditor asked the investigator if he had conducted investigations of allegations that were reported by third parties. The investigator stated he has not conducted such investigations that were reported by a third-party. The Auditor asked if he has conducted investigations that were made anonymously. The investigator has not conducted anonymously reported investigations. The investigator stated he would conduct a full investigation regardless of how the allegation is made. The investigator was asked if he attempts to discover if staff actions or lack thereof, contributed to an incident of sexual abuse. The Auditor was informed the investigator does attempt such.

The Auditor conducted formal interviews with randomly selected and specifically targeted inmates. Each inmate was asked if they were confident in staff's ability to maintain confidentiality of an allegation of sexual abuse after learning of a reported incident. Most inmates stated the staff are professional and felt confident the staff would maintain confidentiality of the information. There were no youthful inmates housed at the facility for the Auditor to interview at the time of the audit.

The Auditor reviewed facility training curriculum. Training curriculum for staff, volunteers and contractors includes reporting of sexual abuse and sexual harassment allegations. Each is required to read the agency's policies and sign receipt for such. The Auditor verified through training records each staff member, contractor and volunteer had received training

and read the policies how to report sexual abuse and sexual harassment information.

The Auditor was not able to interview a facility volunteer as volunteer services have been canceled to comply with facility operational changes due to COVID-19 mitigation practices. The Auditor did observe each volunteer had received training in their reporting requirements.

**Conclusion:**

The Auditor concluded staff, volunteers and contractors are aware of the SRJ requirement to report any knowledge, suspicion or information related to sexual abuse and sexual harassment. Staff understands the requirement to maintain confidentiality with the information obtained of an allegation. Interviews with a medical practitioner revealed medical understands the requirements for reporting sexual abuse that occurred in a community setting and for youthful inmates. The Auditor reviewed agency policies, procedures, training records and conducted interviews with staff, contractors and inmates to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires facility staff take immediate action to protect an inmate after learning an inmate is subject to a substantial risk of imminent sexual abuse. The SRJ assesses each inmate for potential vulnerabilities and tendencies for perpetrating sexual abuse within 72 hours of arriving at the facility. The facility's Classification Officers ensure inmates identified at a substantial risk of sexual abuse are housed safely in the facility.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 31

Classification Records

Inmate Records

Interviews with Staff

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The facility reported one instance in the previous 12 months where facility personnel learned an inmate was identified at a substantial risk of imminent sexual abuse. There was no inmate who alleged an imminent risk of sexual abuse in the previous 12 months. The Auditor reviewed the records of the inmate who was identified at a substantial risk of imminent sexual abuse. There is no inmate in the facility who had been identified at high risk of sexual abusiveness. The inmate had been housed safely in the facility.

The Auditor conducted a formal interview with the inmate identified at substantial risk of imminent sexual abuse. The inmate was housed in general population at the time of the audit. The interview with the inmate verified he had been housed safely in the facility. The inmate had informed the facility he had been sexually abused at another facility when he arrived at the Southside Regional Jail. The inmate stated he feels safe in the facility.

The Auditor conducted formal interviews with inmates who previously suffered sexual abuse. Each of those inmates were asked if they have been in contact with a potential sexual abuser. None of the inmates were aware of having contact with a potential sexual abuser. Inmates informed the Auditor facility staff respond appropriately to incidents in the facility and they are confident in their abilities to ensure their protection. None of the previous victims were placed in segregated housing as a result of their previous victimization.

The Auditor conducted formal interviews with facility supervisors. Supervisors were asked to explain what steps are taken to protect an inmate after learning the inmate is at a substantial



risk of imminent sexual abuse. The Auditor was informed the potential victim and potential aggressor would be separated from one another. The facility investigator would immediately be notified so an investigation could begin to determine the risk. Randomly selected staff were interviewed by the Auditor. Each was asked what steps they would take after learning an inmate was at imminent risk of substantial sexual abuse. Each informed the Auditor they would immediately notify their supervisor and stay with the inmate.

The Auditor conducted formal interviews with randomly selected and specifically targeted inmates. The Auditor asked each if he/she felt safe in the facility. All inmates stated they felt safe in the facility. The Auditor asked each if they felt confident in staff's ability to maintain their safety. A majority of inmates were confident in staff's ability to maintain their safety in the facility.

The Auditor participated in a detailed tour of the Southside Regional Jail. The Auditor observed multiple housing units that provide an opportunity to ensure inmates who are identified at a substantial risk of imminent sexual abuse could be housed safely from a potential aggressor. The facility has the option to transfer inmates to another facility as a "courtesy hold." if the inmate could not be housed safely in the facility.

**Conclusion:**

The Auditor concluded the SRJ takes immediate and appropriate actions to ensure the protection of inmates who are identified at a substantial risk of imminent sexual abuse. The Auditor reviewed agency policy, procedures, classification records, inmate records, conducted interviews with staff and inmates, made observations and determined the SRJ meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The SRJ policy requires the Superintendent or his/her designee to notify the facility head of the agency where an alleged sexual abuse occurred upon receiving an allegation that an inmate was sexually abused while confined at another facility. Policy requires the notification be made no later than 72 hours after receiving the notification. The SRJ staff is required to document the notification. The SRJ policy is to ensure an allegation received from another agency is investigated in accordance with SRJ policy.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 31

Report to Another Facility

Incident Report

Interviews with Staff

**Analysis/Reasoning:**

The Southside Regional Jail reported there was one allegation received that an inmate had allegedly been sexually abuse while confined at another facility. The facility reported there were no notifications received from another facility that a former SRJ inmate alleged sexual abuse while incarcerated at the Southside Regional Jail.

The Auditor conducted formal interviews with SRJ staff. Each staff member was asked what actions they take if an inmate alleges to have been sexual abused while confined at another facility. Each staff member stated they would immediately report the allegation to their supervisor and submit an Incident Report including the details of the allegation as reported to them. The Auditor asked facility supervisors what their actions would be after receiving such information. The Auditor was informed the agency investigator would immediately be notified. The investigator stated he would ensure the superintendent is notified so proper notification could be made in a timely manner. The investigator stated he would conduct an investigation into the allegation.

The Auditor reviewed an Incident Report submitted by a staff member who received an allegation that an inmate reported suffering sexual abuse at another confinement facility. The staff member immediately reported the allegation to the Shift Commander. Both staff members submitted an Incident Report regarding the allegation. The Shift Commander reported the allegation to the other facility. The other facility was notified the same day the allegation was received by the Southside Regional Jail.

The agency's command staff are aware of the notification and investigatory requirements of this standard. Notifications are made by telephone and through email.

**Conclusion:**

This standard requires the head of the facility notify the other facility after receiving an allegation that an inmate was sexually abused at another facility. The Auditor addressed this requirement with the PREA Coordinator and the Assistant Superintendent. Both were informed of the direct requirement and avenues to ensure compliance. The Assistant Superintendent and PREA Coordinator both understand the requirement for the Superintendent to inform the other facility. The Auditor reviewed the agency's policies, procedures, Incident Reports and conducted interviews with agency staff and determined the facility has appropriate procedures in place to comply with this standard. The Auditor determined the facility clearly understands the requirements of this standard and will do so in the future. The Auditor determined the facility meets the requirements of this standard.

**115.64 Staff first responder duties**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail maintains a policy that requires the first security staff member to respond to an alleged sexual abuse perform the following steps:

- Separate the alleged victim and abuser;
- Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; and
- If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

SRJ policy requires if the first responder is not a security staff member, the responder is required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify a security staff member.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 31-32

Coordinated Response Plan

Training Records

Interviews with Security First Responders

Interviews with Non-Security Staff

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor conducted interviews with security and non-security staff first responders. All security first responders were asked to explain the actions they take when responding to a sexual abuse incident. First responders stated they would maintain separation of the victim and abuser and immediately notify the Shift Commander. Security staff stated they would request the victim and ensure the abuser not shower, eat, use the restroom, brush their teeth, drink or take any actions that could destroy physical evidence. The Auditor asked each what action they take regarding the crime scene. Staff stated they ensure the crime scene is secured. The Auditor asked each if they knew who would be allowed in the crime scene to process the evidence. Staff understood the Greenville County Sheriff's Office would process evidence from the crime scene. Although agency policy does not inform staff to ensure the abuser not take actions that would destroy physical evidence, interviews with staff reveal they are clear on the requirement to ensure the abuser not destroy physical evidence.

The Auditor reviewed the SRJ Coordinated Response Plan. The Coordinated Response Plan includes the required actions of security and non-security first responders to incidents of sexual abuse. The Auditor observed the bulleted items above listed in the SRJ Coordinated Response Plan. The Coordinated Response Plan does not include a response for staff to ensure the abuser does not take actions that would destroy physical evidence. The Auditor reviewed the agency's training records. Training curriculum includes first responder duties of both security and non-security personnel. The Auditor observed all staff, contractors and volunteers have been trained to appropriately respond to incidents of sexual abuse.

The Auditor conducted formal interviews with non-security first responders. Non-security first responders informed the Auditor they would immediately notify a security member and ask the victim not take actions that would destroy physical evidence. The Auditor asked non-security first responders if they know what actions would lead to the destruction of forensic evidence. Each were aware that brushing teeth, using the bathroom, bathing, eating and drinking could potentially destroy physical evidence. When asked, non-security first responders stated they would stay with the alleged victim until security staff arrived.

Each staff member interviewed by the Auditor was asked how they preserve evidence of a crime scene. Staff informed the Auditor a cell door would be locked if the incident occurred in a cell. Staff stated a security member would be posted in an area if the alleged incident occurred in an area outside of a cell. Staff stated the population would be locked down following an incident until the evidence could be processed. The Auditor asked how they document their actions. Each staff member stated they are required to submit an Incident Report and required to include information in the unit logbook. The Auditor asked who would be allowed into the crime scene. Staff were aware the Greenville County Sheriff's Office collects evidence from the crime scene. Staff were clear on their duties to ensure the crime scene remained preserved until such time.

The Auditor conducted a formal interview with a medical practitioner. The practitioner has been trained to treat an inmate while preserving physical evidence. The Auditor was informed medical staff immediately treat any life threatening injuries. If the victim has no life threatening injuries medical personnel collect the inmate's vital signs and speak to the victim until transported to the hospital for a forensic examination. The Auditor was informed any clothing or other evidence removed from the victim while treating a life threatening injury would be provided to the Sheriff's Office investigator. The medical practitioner stated medical personnel attempt to preserve the evidence while treating the victim.

The SRJ reported no allegations of sexual abuse were received within the previous 12 months. There were no instances that required a security staff member or non-security staff member follow the first responder duties as required by this standard. Interviews with staff reveal they are aware of the requirements as a first responder following an incident of sexual abuse.

At the time of the audit there were no inmates at the facility who made an allegation of sexual abuse. The Auditor interviewed one inmate who stated an allegation had recently been made by another inmate. The Inmate stated staff responded quickly and treated the allegation seriously. The inmate stated "they handled it quietly." The Auditor discussed the allegation with the PREA coordinator. The incident the inmate was referring to was not a sexual abuse or sexual harassment allegation. The Auditor discussed the details of the incident with the inmate as the inmate was a witness to the alleged incident. After listening to the inmate

explain the situation, the Auditor determined the incident did not appear to be related to sexual abuse or sexual harassment.

**Conclusion:**

The Auditor observed the facility's policy did not include a provision to ensure an alleged abuser not take actions to destroy physical evidence. During the Audit the facility updated its policy to include first responder duties of ensuring an alleged abuser not take actions to destroy physical evidence. The revised policy statement reads, "If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and ensure the abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating."

The Auditor determined both security and non-security staff are knowledgeable in their duties as first responders to incidents of sexual abuse. The Auditor reviewed agency policy, procedures, coordinated response plan, training records, interviewed staff, inmates and determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The agency's policy includes a written institutional plan to coordinate the actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 32

Coordinated Response Plan

Training Records

Interviews with Staff

Interviews with Inmates

**Analysis/Reasoning:**

The Southside Regional Jail has developed a written Coordinated Response Plan. The SRJ Coordinated Response Plan includes actions required of the following personnel:

- Volunteers;
- Contractors;
- Support Staff;
- Security Staff First Responders;
- Shift Commander/Supervisor;
- Medical and Mental Health Staff;
- Agency Investigators;
- Criminal Investigators;
- Chief of Operations (PREA Coordinator); and
- Facility Leadership.

The Auditor conducted formal interviews with staff listed in the agency's Coordinated Response Plan, excluding a volunteer. Support Staff, Security Staff, Supervisors, Medical Personnel, Investigators and Facility leadership were asked questions related to their specific duties in response to a sexual abuse incident. Each person interviewed was knowledgeable regarding their specific duties as required in the SRJ Coordinated Response Plan. The Auditor determined the facility has prepared its staff to take appropriate actions in response to sexual abuse. The Auditor found facility staff, volunteers and contractors have been trained in their responsibilities in response to an allegation of sexual abuse. The agency's training includes elements of its coordinated response plan. The Auditor verified all agency personnel, volunteers and contractors had received the training.

The Auditor conducted formal interviews with inmates. Inmates were asked if they feel staff are confident in staff's abilities to respond to incidents of sexual abuse. Most inmates interviewed stated they are confident in staff's abilities. Inmates informed the Auditor staff are helpful and respectful to the population. The Auditor asked each inmate if they had ever heard of or seen an incident of sexual abuse occurring at the facility, none had.

There were no inmates incarcerated at the time of the audit who filed an allegation of sexual abuse. The facility reported no allegations of sexual abuse were received in the past 12 months. Through interviews the Auditor determined staff understand they are required to immediately ensure the safety of each inmate who alleges sexual abuse. There were no incidents that required staff implement first responder duties as required by this standard.

**Conclusion:**

The Auditor observed the first responder duties in the agency's Coordinated Response Plan did not include actions required of staff to ensure an alleged abuser not take actions that would destroy physical evidence. The agency revised its Coordinated Response Plan to read, "If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure the alleged abuser and request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate: Not to shower or clean themselves in any way; Not to brush their teeth; Not to change clothes; Not to use the restroom; Not to eat or drink anything; [and] Not to do anything which may destroy evidence of the assault."

The Auditor determined the facility maintains an appropriate response plan that coordinates the actions of personnel following an incident of sexual abuse and trained its personnel to follow such plan. Based on a review of the agency's policies, procedures, coordinated response plan, training records, and interviews with staff and inmates, the Auditor determined the SRJ meets the requirements of this standard.



**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy that prohibits the agency from entering into a collective bargaining agreement that limits 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. The agency's policy stipulates, "Nothing in this standard shall restrict the entering into or renewal of agreements that govern: The conduct of the discipline process, as long as such agreements are not inconsistent with the provisions of the SRJ Policies and Procedures governing discipline and investigations; or Whether a 'no-contact assignment' that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file, following a determination that the allegation of sexual abuse is not substantiated."

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 32

Code of Virginia

Interviews with Staff

**Analysis/Reasoning:**

Virginia Code 40.1-57.2 stipulates, "No state, county, municipal, or like governmental officer, agent or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any public officers or employees, or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment or service."

The Southside Regional Jail has not entered into any agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. There were no allegations of sexual abuse against a staff member alleged during the previous 12 months.

Interviews with staff reveal they do not participate with or are members of any organization or agency responsible for collective bargaining on their behalf.

**Conclusion:**

The Auditor concluded the SRJ has not entered into any collective bargaining that would restrict its ability to remove staff sexual abusers from contact with inmates. The Auditor determined the facility meets the requirements of this standard.

**115.67 Agency protection against retaliation****Auditor Overall Determination:** Meets Standard**Auditor Discussion****Auditor Discussion:**

The Southside Regional Jail policy is to ensure the protection of inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other staff or inmates. The agency requires the following protection methods in its policy:

- Housing changes;
- 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 members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with an investigation.

The Southside Regional Jail has designated the Chief of Security or his/her designee responsible for monitoring for acts of possible retaliation. The agency's policy requires monitoring the conduct and treatment of inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff. The Chief of Security or designee is required to monitor for at least 90 days following a report of sexual abuse. If the monitor determines a need to continue monitoring, the policy requires the monitoring period continue beyond the 90 days. The staff member is required by policy to act promptly to remedy any retaliation. The items monitored by the Chief of Security/designee include the following:

- Discipline reports
- Housing changes
- Program changes
- Negative performance reviews
- Reassignments of staff

Policy requires the monitoring of staff and inmates to include periodic status checks and the monitoring will terminate if the agency determines the allegation is unfounded by the agency investigator. The SRJ is required to take appropriate action if any other individual who cooperates with the facility investigator expresses a fear of retaliation.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 32-33

Retaliation Monitoring Form

Interviews with Staff

Interviews with Inmates

#### Analysis/Reasoning.

The Southside Regional Jail has an appropriate policy to ensure inmates and staff are monitored and protected from acts of retaliation by staff or other inmates. The SRJ has designated the Chief of Security or his/her designee responsible for monitoring for acts of retaliation. The Auditor conducted a formal interview with Chief of Security. The Auditor asked the Captain to explain how retaliation monitoring is conducted at the facility. The retaliation monitor explained she reviews disciplinary charges, housing changes, program changes, grievances, Incident Reports, classification actions, evaluations and shift assignments. The Auditor asked if she initiates the contact with the inmate or staff member being monitored. The monitor stated she initiates meetings with the person being monitored.

The Auditor asked the monitor how often meetings with the staff member or inmate occur. The Auditor was informed she periodically meets with the person and the frequency of meetings is dependent upon the situation. The monitor explained some persons being monitored may require more frequent meetings than others. The Auditor asked the retaliation monitor if she would stop monitoring if the inmate or staff member requested her to do so. The monitor stated she would not stop monitoring until at least 90 days have transpired. The monitor explained she would find less intensive ways to monitor such as in written form and watching the individual on camera or from a distance.

The retaliation monitor was asked how she is notified when an inmate or staff member requires monitoring. As the Chief of Security she is immediately notified by the investigator. The Auditor asked what actions are taken to ensure the protection of an inmate. The Auditor was informed housing, program and work changes would be made. When staff are being retaliated against, the Chief of Security may limit staff from contact with an inmate, adjust their shift assignment, or take any other relevant disciplinary actions up to termination.

The retaliation monitor was asked if the facility was currently monitoring any inmates or staff for retaliation. There were no inmates or staff being monitored. The facility was not required to monitor any staff member or inmate for retaliation in the past 12 months. A review of records reveal the facility has not received a sexual abuse or sexual harassment allegation during this three year audit period.

The Auditor observed the facility had no formal process for documenting retaliation monitoring. Once discussed with the PREA Coordinator the facility developed a formal retaliation monitoring form. The form will be completed by the staff member monitoring inmates or staff for retaliation. The Auditor reviewed the newly created monitoring form. The form includes:

- Inmate's Name
- Monitor Assigned
- Reason for Monitoring
- Comments
- Monitoring Actions

The monitoring form includes sections in which the periodic status check is documented. The monitor is required to check a box that denotes one or all of the following actions, review of disciplinary reports, program changes, housing changes, performed interview with inmate, reviewed staff/inmate assignments, and reviewed grievances. The conclusion section of the

form denotes if retaliation was found, not found, a need for continued monitoring and monitoring complete. There is an additional comments section for the monitor to include a reason for his/her finding. The monitor signs and dates the form.

**Conclusion:**

The Auditor determined the facility has appropriate policies and practices in place to ensure staff and inmates are protected from retaliation. The Auditor reviewed the SRJ policies, procedures, conducted interviews with staff and inmates and determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail requires any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of PREA Standard 115.43. The SRJ policy stipulates segregated housing may only be used when no other alternatives are available, and ensure that the inmate will have access to programs, privileges, and education and work opportunities, to the extent possible. The housing assignment will be reviewed at least every 30-days to determine if there is a continuing need for separation from the general population.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 33

Interviews with Segregation Housing Staff

Interviews with Staff

Interviews with Inmates

Classification Records

Observations

**Analysis/Reasoning:**

The Auditor reviewed the SRJ's Prison Rape Elimination Act policy. The SRJ policy is not to place inmates in involuntary segregated housing for the protection from sexual abuse unless no other available alternatives of housing exist. The policy allows such inmates access to programs, privileges, education and work opportunities to the extent possible. Agency policy requires a review every 30 days to determine whether there is a continuing need for separation from the general population.

The Auditor conducted a formal interview with a staff member who supervise inmates in the segregated housing unit. The Auditor asked if staff supervised an inmate who has been placed in segregated housing after allegedly suffering sexual abuse for their protection. The staff member informed the Auditor he had not supervised an inmate in the segregated housing area strictly for the protection from sexual abuse. The staff member was asked how long he had been working in the segregated housing unit. The staff member stated he has been assigned to that housing unit for several years. The Auditor asked if inmates in the segregated housing have access to programs, privileges, education and work opportunities. The Auditor was informed inmates have access to privileges while in the segregated housing unit. The Auditor was informed the segregated housing unit is normally used for inmates with disciplinary problems.

The Auditor conducted formal interviews with supervisors. The Auditor asked if the reasons for

restrictions of programs, privileges, education and work of inmates in segregated housing are documented. Supervisors informed the Auditor every aspect of the inmate's placement in segregation is documented, including any restrictions that may apply. Written documentation is placed in the inmate's file. Any restrictions are forwarded to the housing unit so staff supervising the inmate are aware of the restriction. The Auditor was informed an inmate's status in segregation is reviewed every 7 days by classification personnel.

Facility supervisors informed the Auditor an inmate at risk of sexual abuse can normally be housed in a different housing unit without resorting to a segregation placement. The Auditor asked classification staff, supervisors, PREA Coordinator, line staff, Captains and the Assistant Superintendent if an inmate was ever placed in segregated housing for the protection from sexual abuse. None could recall such a placement.

There were no inmates housed at the facility who made an allegation of sexual abuse in the previous 12 months. The facility reported receiving no allegations of sexual abuse in the previous 12 months. The Auditor interviewed inmates who had reported suffering sexual abuse in the community. None had been placed in segregation for their protection. The facility reported one inmate was identified at high risk of sexual abuse in the previous 12 months. The inmate was housed in a general population housing unit. The Auditor interviewed the inmate. The inmate had not been placed in segregated housing. The Auditor reviewed the inmate's classification record. The record revealed the inmate had been placed in general population housing since his arrival at the facility.

The Auditor conducted a detailed tour of the Southside Regional Jail. The Auditor observed numerous housing units available for the facility to house inmates without having to place them in involuntary segregated housing. The agency has the option to transfer inmates to another facility as a "courtesy hold" if the inmate cannot be housed safely in the facility.

**Conclusion:**

The agency's policy includes the elements of PREA standard 115.43 to ensure sexual abuse victims receive privileges, programs, education and work opportunities if a victim is placed in segregated housing for the protection from sexual abuse. The Auditor reviewed the agency's policies, procedures, classification records, interviewed staff and inmates, made observations and determined the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The facility conducts administrative investigations of sexual abuse and sexual harassment. All criminal allegations of sexual abuse and sexual harassment are referred to the Greenville County Sheriff's Office. The SRJ has a Memorandum of Understanding with the Greenville County Sheriff's Office to conduct criminal investigations into allegations of sexual abuse in the Southside Regional Jail. The SRJ policy is to ensure all allegations of sexual abuse and sexual harassment are investigated promptly, thoroughly, and objectively. The SRJ requires its investigators receive specialized training to conduct sexual abuse investigations in a confinement facility. Any substantiated allegations that appear to be criminal in nature are referred for prosecution.

Southside Regional Jail investigators are required to gather and preserve direct and circumstantial evidence, available physical and DNA evidence, and available electronic monitoring data. Policy requires the investigator interview alleged victims, suspected perpetrators, and witnesses and will review prior complaints and reports of sexual abuse involving the suspected perpetrator. Policy prohibits compelled interviews until consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

Investigators are required to assess the credibility of an alleged victim, suspect, or witness on an individual bases and may not determine credibility on the person's status as an inmate or staff member. Agency policy prohibits requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation. When conducting administrative investigations, investigators must attempt to determine if staff actions or failures to act contributed to the abuse.

Policy requires the following be documented in administrative investigation reports:

- Description of the physical and testimonial evidence;
- The reasoning behind credibility assessments; and
- Investigative facts and findings.

All written reports retained by the facility will be kept for as long as the alleged abuser is incarcerated or is employed by the agency, plus five (5) years. Policy requires the SRJ to cooperate with outside investigators and remain informed about the process of the investigation. The facility's policy stipulates an investigation will not be terminated just because the alleged abuser or victim departs from employment or control of the Jail.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 33-35

Training Records

Interview with Investigator

Interviews with Inmates

Observations

**Analysis/Reasoning:**

The Auditor conducted a review of the Memorandum of Understanding with the Greenville County Sheriff's Office. The memorandum stipulates the Greenville County Sheriff's Office agrees to conduct criminal investigations of sexual abuse in the Southside Regional Jail. The memorandum stipulates the Southside Regional Jail will fully cooperate with the Greenville County Sheriff's Office during investigations and provide all records (paper, video, and audio) and any other information requested during an investigation.

The Auditor conducted a formal interview with an agency investigator. The investigator discussed the procedures utilized when conducting sexual abuse investigations. The process starts by interviewing the alleged victim. During the investigation he interviews the alleged victim, perpetrator and all witnesses, including staff witnesses. The Auditor asked what information is reviewed concerning the victim and abuser. The Investigator stated he reviews criminal and institutional history, grievances, discipline history, Incident Reports, Request Forms, video footage, telephone records and any other relevant information. The investigator was asked how he determines the credibility of a victim, abuser and witnesses. The Auditor was informed credibility is not based solely on a person's status and is based on a review of documents, information, video footage, phone records, and statements made during the interview and subsequent interviews.

The Investigator was asked if he attempts to determine if staff actions or failure to act may have contributed to an incident of sexual abuse. The Investigator stated he does attempt to determine if staff actions or lack thereof contributed to the incident. The Auditor asked the Investigator what types of evidence he attempts to gather. The Auditor was informed the Investigator gathers staff reports, housing records, log books, video footage, telephone records, grievances, discipline records, testimonial evidence, physical evidence and any other relevant documents or information. The Investigator was asked when he begins investigative efforts. The Auditor was informed the Investigator begins efforts as soon as he is notified. The Auditor asked how investigations are conducted when he is not on site. The Auditor was informed each facility supervisor has been trained to conduct sexual abuse investigations, therefore an investigator is always on site.

The Auditor toured the area where investigative records are maintained. Agency Investigators submit all investigative documents and reports to the PREA Coordinator. The PREA Coordinator maintains these records securely from other staff in his office. Electronic data is securely maintained on individual computers that require an individual username and password. The PREA Coordinator was asked how long he maintains investigative records. The Auditor was informed the data is maintained for 5 years after the abuser has either been released or is no longer employed by the SRJ. The Investigator was asked if he requires the victim to submit to a polygraph examination. The Auditor was informed the SRJ does not polygraph alleged victims or use any other truth telling devices.



The Auditor asked the agency Investigator if he has conducted an investigation that was reported anonymously or by third-party. The Investigator has not conducted such investigations. When asked how he would conduct those types of investigations the Investigator stated he attempts to investigate every allegation to the fullest extent regardless of how it is reported. The Investigator was asked to explain the investigative process if an inmate is released or a staff member terminates employment. The Investigator stated he continues with the investigation as normal and will attempt to call a former staff member at their residence. He stated the facility would send an investigator to another facility if an inmate is transferred to another facility. If the inmate has been released or a staff member was no longer employed the Investigator stated the Greenville County Sheriff's Office would be notified in an effort to speak to the alleged victim or abuser.

The Auditor discussed the criminal investigative process in the facility. The Investigator was asked to explain his role when the Greenville County Investigator conducts investigations in the facility. The Investigator stated he coordinates efforts with the Sheriff's Office and assists when asked to do so by the Sheriff's Office Investigator. The Auditor was informed the facility has a working relationship with the Greenville Sheriff's Office and remains informed during the criminal investigative and prosecutorial efforts. The facility Investigator stated all facility evidence, to include video and telephone records are turned over to the Sheriff's Office during criminal investigations.

There were no allegations of sexual abuse or sexual harassment reported during this three year audit cycle. As such, there were no investigative reports for the Auditor to review. The Auditor discussed the requirements mandated to be included in the Administrative reports. The investigator was knowledgeable regarding these requirements. The investigator stated those reports would include physical and circumstantial evidence and document the investigator's interviews with alleged victims, perpetrators and witnesses. Investigative records will include a review of video monitoring when applicable and include efforts to reveal if staff actions or lack thereof, contributed to an incident of sexual abuse or sexual harassment. The Auditor determined the investigator is clear that investigations must be conducted promptly, objectively and thoroughly.

The Auditor conducted a review of the Southside Regional Jail training records. Records reveal the agency's Investigators have received specialized training to conduct sexual abuse investigations in a confinement setting. When the Auditor asked the investigator what his actions are when he determines the evidence appears to support prosecution. The Investigator stated the administrative investigation is stopped and the Greenville Sheriff's Office is notified. The Investigator was asked if he then goes back and continues interviews. The Auditor was informed administrative efforts would not be completed until notified to do so by the Sheriff's Office.

The Auditor conducted formal interviews with inmates. There were no inmates who made an allegation of sexual abuse or sexual harassment at the facility for the Auditor to interview. The Auditor did interview one inmate who claimed an allegation was reported a couple weeks prior to the Auditor's arrival at the facility. The Auditor determined the allegation was not related to sexual abuse or sexual harassment. The inmate did inform the Auditor when facility staff responded to the incident the facility staff handled the allegation "professionally." The inmate stated the matter was kept quiet by the facility Investigator and witnesses were interviewed in private.

No department of justice component is responsible for conducting investigations in the Southside Regional Jail.

The facility received no allegations that were referred for criminal investigation in the previous 12 months.

**Conclusion:**

The Auditor determined the Southside Regional Jail has appropriate policies to ensure investigations are conducted appropriately, objectively and thorough. Each facility Investigator has received appropriate training to conduct sexual abuse and sexual harassment investigations in a confinement setting. Facility investigators are aware all criminal allegations must be referred to the Greenville County Sheriff's Office for criminal investigation. The Auditor reviewed agency policy, procedures, training records, Memorandum of Understanding, made observations, interviewed staff and inmates to determine the facility meets the requirements of this standard.

**115.72 Evidentiary standard for administrative investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy that imposes no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The policy states, "The Jail will not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated."

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 35

Interview with Investigator

**Analysis/Reasoning:**

The Auditor conducted a formal interview with an agency sexual abuse investigator. The investigator informed the Auditor the agency's policy requires the use of preponderance as the standard of evidence to substantiate an allegation of sexual abuse or sexual harassment. The Auditor asked the investigator what is the meaning of preponderance. The Investigator explained a preponderance is more evidence than not to support the allegation.

The facility received no allegations of sexual abuse or sexual harassment during this audit period.

**Conclusion:**

The Auditor was able to determine the Investigator understands preponderance as the basis for determining investigative outcomes. The Auditor reviewed the agency's policies, procedures, and interviewed the agency Investigator and determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires inmates be notified whether a sexual abuse allegation has been determined to be substantiated, unsubstantiated or unfounded following an investigation. Policy requires following an allegation that a staff member has committed sexual abuse against an inmate (unless the allegation is unfounded), the facility shall inform the inmate whenever:

- The staff member is no longer posted within the inmate's housing unit;
- The staff member is no longer employed at the Jail;
- The Jail learns that the staff member has been indicted on a charge related to sexual abuse within the Jail; and
- The Jail learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

SRJ policy requires following an allegation that another inmate has sexually abused them, the SRJ will inform the alleged victim whenever:

- The Jail learns that the alleged abuser has been indicted on a charge related to sexual abuse within the Jail; and
- The Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the Jail.

Facility policy stipulates the facility will document its attempted notifications to inmates. The SRJ's obligation to report shall terminate upon an inmate's release from the Jail's custody.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 35

Interview with Investigator

**Analysis/Reasoning:**

The Auditor conducted a formal interview with an agency Sexual Abuse Investigator. The Investigator informed the Auditor each Investigator makes the notification to the inmate victim at the conclusion of an investigation. The Auditor asked the Investigator who notifies the inmate following an indictment and/or criminal charges placed against an inmate or staff member. The Investigator stated the PREA Coordinator obtains that information from the Greenville County Sheriff's Office and makes the notification to the inmate. The Auditor asked the PREA Coordinator if notifications to inmates are documented by the facility. The Auditor was informed all notifications are documented.

The PREA Coordinator informed the Auditor the facility has a working relationship with the

Greenville County Sheriff's Office and therefore would be able to obtain information as a report to the inmate could be made following an indictment or criminal charges.

The facility received no allegations of sexual abuse or sexual harassment in the past several years. There was no inmate housed at the facility who made an allegation of sexual abuse or sexual harassment.

**Conclusion:**

The Auditor concluded the Southside Regional Jail understands the requirement and has appropriate procedures in place to notify inmates of investigative results at the conclusion of an investigation. The Auditor reviewed agency policy, procedures and interviewed staff and determined the agency meets the requirements of this standard.

**115.76 Disciplinary sanctions for staff**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail staff are subject to disciplinary sanctions up to and including termination for violating the agency's sexual abuse or sexual harassment policies. The SRJ makes termination the presumptive disciplinary measure for those who have engaged in sexual abuse. Policy requires disciplinary sanctions for violation of agency policies related to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with:

- The nature and circumstances of the acts committed;
- The staff member's disciplinary history; and
- The sanctions imposed for comparable offenses by other staff with similar histories.

It is the policy of the Southside Regional Jail to notify the Greenville County Sheriff's Office of terminations for violations of sexual abuse or sexual harassment policies, and of resignations by staff who would have been terminated if not for their resignation, unless the activity was clearly not criminal.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 36

Interviews with Staff

**Analysis/Reasoning:**

The Auditor conducted formal interviews with SRJ staff. The Auditor asked if staff were aware of the disciplinary actions for violating the agency's sexual abuse policies. Staff informed the Auditor they would be terminated for participating in an act of sexual abuse. Staff were also aware the SRJ reports criminal violations to the Greenville Sheriff's Office. The agency's command staff has a zero-tolerance approach and disciplines staff for violating the agency's sexual abuse and sexual harassment policies. Command staff interviewed by the Auditor stated any employee who violates sexual abuse and sexual harassment policies are disciplined quickly and appropriately. Disciplinary recommendations for violating sexual harassment policies are dependent upon the circumstances of the violation. The Auditor was informed by command staff that an employee who commits an act of sexual abuse will be terminated.

The Auditor conducted a formal interview with an agency Investigator. The Investigator informed the Auditor if the act was criminal in nature the investigator would contact the Greenville County Sheriff's Office for a criminal investigation. Agency Investigators immediately cease efforts once a determination is made that sufficient evidence appears to support criminal activity. The investigator coordinates with the Greenville Sheriff's Office Investigator and assists in their efforts when requested. The Auditor asked how the investigation is handled if the act was not criminal in nature. The Investigator continues the

investigation until a determination is made. The results of the investigation are shared with command staff so appropriate discipline against a staff member can be sanctioned if warranted.

The Auditor observed the agency's policy included a provision to notify the Greenville County Sheriff's Office of criminal violations of sexual abuse and no provision for notifying relevant licensing bodies. The Auditor discussed the requirements of this standard to notify relevant licensing bodies. The PREA Coordinator was informed of an example of such. The Auditor explained if a licensed staff member such as a nurse committed a criminal act of sexual abuse against an inmate, the facility would be required to notify the Virginia Department of Health Professionals Board of Nursing of the violation. Nurses in Virginia are licensed by the Virginia Department of Health Professionals Board of Nursing. The Auditor discussed the requirement for the agency to notify relevant licensing bodies with the facility's command staff. Command staff are clear on the requirement.

The Southside Regional Jail reported no staff member had been found in violation of agency sexual abuse or sexual harassment policies in the past 12 months. The SRJ Superintendent has the authority to discipline staff, including suspension and termination.

**Conclusion:**

The Auditor made a recommendation for the facility to consider adding the requirement to notify relevant licensing bodies for criminal violations of the agency's sexual abuse policies to its current policy. The Auditor determined the agency has appropriate policies and practices in place to ensure staff are disciplined for violating the agency's sexual abuse and sexual harassment policies. The agency makes termination the presumptive discipline measure for engaging in acts of sexual violence. Facility command staff do report violations of sexual abuse to the local law enforcement agency. The Auditor reviewed the agency's policies, procedures, and conducted interviews with staff and determined the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has a policy that mandates contractors and volunteers who engage in sexual abuse are prohibited from contact with inmates and will be reported to the Greenville County Sheriff's Office, unless the activity was not criminal. SRJ policy requires in case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, the Jail will consider whether to prohibit further contact with inmates.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 36

Training Records

Interviews with Contractors

Interviews with Staff

**Analysis/Reasoning:**

The Southside Regional Jail reported there were no incidents in which a volunteer or contractor engaged or was alleged to have engaged in sexual abuse or sexual harassment in the previous 12 months. The Auditor conducted formal interviews with contract personnel. Contractors were asked what actions would be taken against them for violating sexual abuse or sexual harassment policies. Contractors informed the Auditor they would not be allowed back into the facility. The Auditor asked if contractors are aware they would be reported to the Greenville County Sheriff's Office if found to have committed a criminal act of sexual abuse. Contractors are aware the facility reports criminal violations of sexual abuse policies to the appropriate law enforcement agency.

Volunteers and contractors are made aware of the SRJ sexual abuse and sexual harassment policies during their initial training and prior to providing services in the facility. Each volunteer and contractor attends training and signs a form of receipt of such. All volunteers and contractors are also required to read the agency's policies and procedures related to sexual abuse and sexual harassment and sign a receipt after doing so. The Auditor verified through training records each volunteer and contractor in the facility had received training and reviewed the policies. The Auditor was unable to interview a facility volunteer as the SRJ has made adjustments to its operational procedures to mitigate risks of COVID-19.

The SRJ command staff are aware of the requirement to notify the Greenville County Sheriff's Office following a contractor or volunteer's participation in a criminal act of sexual abuse. Command staff informed the Auditor a contractor or volunteer would be prohibited from inmate contact pending the results of the investigation. The Auditor was informed the SRJ does not notify the Sheriff's Office if the act was clearly not criminal. Command staff were asked if a contractor or volunteer had been disciplined within the previous 12 months for



violating the SRJ sexual abuse or sexual harassment policies and procedures. The Auditor was informed no contractor or volunteer had been found in violation of those policies.

The Auditor discovered the agency's policy did not include a provision to notify relevant licensing bodies following a clear criminal violation of the agency's sexual abuse and sexual harassment policies. The Auditor discussed the observation with the facility's command staff.

**Conclusion:**

The Auditor made a recommendation for the facility to consider adding the requirement to notify relevant licensing bodies following a finding that a volunteer or contractor committed a criminal act of sexual abuse. The SRJ maintains appropriate policies to ensure contractors and volunteers at the SRJ are removed from inmate contact after committing an act of sexual abuse or sexual harassment of an inmate. The Auditor reviewed the agency's policies, procedures, training records and conducted formal interviews with staff and contractors to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The SRJ policy is to subject inmates to disciplinary sanctions after an administrative finding that the inmate engaged in an act of inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmate disciplinary sanctions are pursuant to a formal disciplinary process. Policy prohibits disciplining an inmate for sexual contact with a staff member if the staff member consented to a sexual act with the inmate. The SRJ policy requires discipline sanctions consider the following:

- The nature and circumstances of the abuse committed;
- The inmate's disciplinary history;
- The sanctions imposed for similar offenses by other inmates with similar histories; and
- The inmate's mental disabilities or mental illness.

The SRJ contracts medical and mental health services with Mediko. Mediko mental health practitioners offer therapy, counseling, and other interventions designed to address and correct underlying reasons or motivations for abuse. The SRJ considers whether to require the inmate's participation in such interventions as a condition of access to programming or other benefits.

SRJ staff are prohibited from disciplining an inmate for falsely reporting an incident of sexual abuse made in good faith and based on a reasonable belief the incident occurred, even if the investigation does not establish sufficient evidence to substantiate the allegation. Sexual activity between inmates at SRJ is prohibited. Inmates found to have participated in sexual activity (even consensual) are subject to disciplinary action. If sexual activity between inmates is found to have been consensual the sexual activity between the inmates may not be considered as an act of sexual abuse if it was not coerced.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 36-37

Inmate Records

Interviews with Staff

**Analysis/Reasoning:**

The Auditor conducted a formal interview with an agency Investigator. The Investigator informed the Auditor disciplinary charges are placed following a substantiated administrative allegation and/or following a criminal finding of guilt. The Investigator does not place charges on an inmate if the investigative determination is unfounded or unsubstantiated. The investigator was asked if charges are placed on inmates if an act is consensual. The Auditor was informed disciplinary charges are placed on inmates for participating in sexual activity. Inmates who participate in a consensual sex act are not charged for sexual abuse.

The Auditor conducted a formal interview with a medical health practitioner. The Auditor asked what services are offered to inmates. Inmates are offered counseling, therapy and other interventions and treatments to inmates. The Auditor asked if inmates are required to participate in any meetings or sessions. The Auditor was informed inmates are not forced to participate in any mental health service offered at the facility. Medical and mental health services are offered to inmates and inmates are provided services after requesting such.

There were no inmates at the facility who had filed an allegation of sexual abuse in the previous 12 months. No inmate had been found to have participated in an act of sexual abuse. The facility reported there was no inmate disciplined for making an allegation of sexual abuse in bad faith during the previous 12 months. The facility reported no inmate has been found guilty of a criminal charge of sexual abuse and no allegation had been referred to the Sheriff's Office in the previous 12 months. The Auditor reviewed the records of inmates and did not discover evidence an inmate had been disciplined for making an allegation of sexual abuse.

**Conclusion:**

The Auditor discovered the agency maintains policies that align with PREA standard 115.78 Discipline Sanctions for Inmates. Facility personnel ensure the policy is applied when choosing whether to discipline an inmate for reporting or participating in an act of sexual abuse. The Auditor reviewed the facility's policies, procedures, inmate records and interviewed staff. The Auditor determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires an inmate be offered a follow-up meeting with a medical or mental health practitioner that must occur within 14 days of arriving at the facility to any inmate who informs staff he/she experienced sexual abuse in an institutional setting or in the community. The agency's policy stipulates information related to sexual victimization and abusiveness that occurred in an institutional setting be strictly limited to medical, mental health, and other staff on a need-to-know basis.

Medical and mental health practitioners at the Southside Regional Jail are required to 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.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 37

Inmate Records

Interviews with Staff

Interviews with Inmate

**Analysis/Reasoning:**

The Auditor reviewed the records of 20 inmates. Of the 20 records reviewed the Auditor discovered 4 inmates reported suffering sexual abuse during their initial risk assessment in booking. The Auditor reviewed the records of the inmates who reported suffering sexual victimization. A review of records reveal they were offered a follow-up with a mental health practitioner. Each who accepted the meeting was seen within 14 days of booking. The Qualified Mental Health Practitioner screens all inmates upon arrival at the facility. Each inmate is typically screened within 72 hours of arrival.

The Auditor conducted a formal interview with a medical health practitioner. Medical practitioners meet with every inmate who enters the facility during the booking process. The Auditor asked if inmates are offered a follow up with the mental health professional when they report previously suffering sexual abuse. The Auditor was informed they do meet with the Mental Health Professional as every inmate is screened by the OMHP. The medical practitioner was asked who medical and mental health share their information with. The Auditor was informed they only discuss the information they learn with those who have a need to know. The Auditor asked medical and mental health practitioners if they obtain written informed consent prior to sharing information related to sexual victimization. The Auditor was informed if the victimization occurred in a community setting then written informed consent would be obtained prior to reporting. No medical or mental health practitioner has had a need to report such victimization.

The Auditor asked the medical health practitioner who information regarding a sexual victimization or abusiveness that occurred in an institutional setting is reported to. The Auditor was informed that information is reported to the Shift Commander. The Auditor asked who has access to an inmate's medical and mental health record. Only medical and mental health practitioners have access to an inmate's medical and mental health records.

The Auditor conducted a formal interview with a Classification Officer. The officer was asked if inmates are offered a follow up meeting with a medical or mental health practitioner if an inmate reports previously suffering sexual victimization during the booking process. The Auditor was informed every inmate that enters the facility meets with the QMHP. When asked how long it generally takes for the meeting to occur the Auditor was informed the QMHP generally meets with the inmate within 72 hours. The Classification Officer was asked who has access to the information obtained on the screening questionnaire. The Auditor was informed that information is accessible to all security personnel.

The Auditor discussed the authority level of all security personnel with the PREA Coordinator. After questioning the PREA Coordinator to determine the authority level of security staff the Auditor determined facility security personnel have the authority to move inmates from one cell to another in the event needed. Access to the information is provided so the facility ensures security staff safely move inmates when needed. Security staff review information maintained in an inmate's file to ensure a victim or a high risk inmate is not placed in a cell with an abuser or an inmate at high risk of abusiveness. The PREA Coordinator stated security staff have a "need to know."

The Auditor conducted formal interviews with inmates who reported suffering sexual abuse. Each was asked if they were offered a follow-up with a medical or mental health practitioner. Each inmate informed the Auditor they did meet with the QMHP. The Auditor asked how quickly they met with the QMHP after informing staff they had suffered sexual abuse. The longest time that had transpired before a QMHP met with a previous victim was a couple days.

**Conclusion:**

The Auditor concluded inmates are offered a follow-up with a medical or mental health practitioner after reporting they have suffered sexual victimization. Medical and mental health practitioners inform only those with a "need to know" of information related to sexual victimization. The Auditor reviewed the agency's policies, procedures, inmate records and conducted interviews with staff and inmates. After a thorough review the Auditor concluded the agency meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The SRJ medical and mental health practitioners are required by policy to offer timely information and access to emergency contraception and sexually transmitted infections prophylaxis in accordance with professionally accepted standards of care, where medically appropriate to inmate victims of sexual abuse.

The SRJ policy states, "All treatment services are provided without any financial cost to the victim, and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 38

MOU with Family/Violence Sexual Assault Unit

MOU with Chesapeake Forensic Specialists

Inmate Records

Staff Training Records

Interviews with Staff

Interviews with Inmates

Interview with Victim Advocate

Interivew with SANE

**Analysis/Reasoning:**

The Auditor conducted a formal interview with a medical health practitioner. The Auditor asked if she feels medical and mental health services offered at the facility are consistent with a community level of care. The medical health practitioner feels the services offered at the facility are consistent with those offered in the community. The Auditor was informed medical services are provided Monday through Friday from 5:30 a.m. to 11 p.m. At times when there are no medical staff onsite, there is a nurse who is on-call. The Shift Commander contacts the oncall nurse and 911 in the event emergency medical services are required for an inmate when no medical staff are on site.

The Auditor reviewed security staff training records. Security staff are provided training in CPR and first aid in the event first responder treatment is needed. The Auditor conducted formal interviews with security staff. Each informed the Auditor they take immediate steps to ensure

victims are protected and receive emergency medical care in the event needed. Security staff immediately notify their supervisor and medical personnel following an incident of sexual abuse. Security supervisors were asked what actions they take to ensure the safety of the inmate following a sexual abuse incident. The Auditor was informed the inmate is immediately escorted to the medical area.

The medical practitioner informed the Auditor inmates receive timely, unimpeded access to emergency medical treatment and crisis intervention services. Crisis intervention services are offered by the QMHP and through the Family/Violence Sexual Assault Unit. The Auditor asked nursing staff if they offer timely information and access to sexually transmitted infection prophylaxis to inmates who are victimized by sexual abuse. Nursing staff informed the Auditor inmates do receive such. Nursing staff informed the Auditor sexually transmitted infection prophylaxis is offered during the forensic examination and at the facility. Nursing staff stated if an inmate refuses a forensic examination they will offer the sexually transmitted infection prophylaxis as ordered by the physician.

The medical practitioner was asked if inmates are charged a fee for treatment services related to a sexual abuse victimization. The Auditor was informed all services related to sexual abuse victimization are free to the victim. Each inmate interviewed by the Auditor was aware treatments related to sexual victimization are provided at no cost to the victim. The Auditor reviewed inmate records to verify no inmate who reported previously suffering sexual abuse was charged a fee for mental health related services. The Auditor observed no evidence an inmate paid for such services.

The Auditor reviewed the SRJ Memorandum of Understanding with the Family/Violence Sexual Assault Unit. The memorandum stipulates the Family/Violence Sexual Assault Unit agrees to offer counseling services to inmate victims of sexual abuse. The services offered are determined by the Licensed Clinical Social Worker with the FVSAU. The Auditor conducted a telephone interview with a victim advocate from the Family/Violence Sexual Assault Unit. The Auditor discussed the Memorandum of Understanding with the victim advocate. The advocate explained the crisis intervention services offered to inmate victims at the facility. The victim advocate was unaware of an inmate who has requested crisis intervention services in the previous 12 months. The FVSAU has received one telephone call in the previous 12 months that was an inmate who made a complaint unrelated to victimization.

The Auditor conducted formal interviews with inmates. The Auditor discovered some inmates were aware of crisis intervention services and others were not aware. Each was asked if they were provided an Inmate Handbook, Inmate Newsletter and Comprehensive Educational Booklet. All informed the Auditor they had received those items. The provided items include contact information to the Family/Violence Sexual Assault Unit. Each inmate was asked if they were aware services related to sexual abuse are free to the inmate victim. Each was aware those services are free.

The Auditor reviewed the Memorandum of Understanding with the Chesapeake Forensic Specialists. The MOU stipulates the SANE will provide testing for pregnancy and sexual transmitted diseases. The Auditor conducted a telephone interview with the Sexual Assault Nurse Examiner. The SANE was asked if she provides pregnancy testing, emergency contraception and sexually transmitted disease infection prophylaxis. The SANE informed the Auditor inmates are offered such and do not pay a fee for the forensic examination or tests.

The agency has not sent an inmate for a forensic examination in the previous 12 months.

**Conclusion:**

The Auditor determined the facility provides inmates access to timely and unimpeded access to emergency medical services. Medical practitioners provide inmate victims with sexually transmitted infections prophylaxis. The Auditor reviewed the agency's policies, procedures, inmate records, MOUs, and interviewed staff, inmates, counselor and SANE. The Auditor determined the agency meets the requirements of this standard.



**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The SRJ policy is to offer medical and mental health evaluations and treatment services to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. SRJ evaluations and treatments of such victims include:

- Follow-up services;
- Treatment plans; and
- Referrals for continued care following their transfer or release from custody.

Facility medical and mental health care is required to be provided consistent with the community level of care. The agency's policy requires Mediko personnel offer pregnancy tests for sexually abusive vaginal penetration and comprehensive information about lawful pregnancy-related medical services. The SRJ offers inmate victims of sexual abuse tests for sexually transmitted infections as medically appropriate. All medical and mental health treatment services are provided to inmate victims of sexual abuse without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 38-39

MOU with Chesapeake Forensic Specialist

Medical Records

Interviews with Staff

Interview with SANE

Interviews with Inmates

**Analysis/Reasoning:**

The Auditor conducted a review of the Memorandum of Understanding with the Chesapeake Forensic Specialist. The memorandum stipulates the Chesapeake Forensic Specialist provides testing for pregnancy and sexually transmitted diseases as indicated by circumstances and will provide recommendations for prophylactic medications and emergency contraception for the patient as indicated to Southampton Memorial Hospital medical staff.

The Auditor conducted a formal interview with a medical health practitioner. Medical practitioners do not stipulate a minimum or maximum time they meet with victims of sexual abuse. The mental health practitioner meets with victims and abusers if the victim or abuser requests such meeting or if medically necessary. Treatments and evaluations occur as needed or until treatment plans determine a need no longer exists. The Auditor asked the

medical practitioner what services are offered to victims of sexual abuse. The Auditor was informed counseling sessions, referrals if appropriate and follow-up services, if needed. Medical and mental health practitioners create and follow treatment plans.

The Auditor asked the medical practitioner if she felt services offered at SRJ are consistent with a community level of care. The Auditor was informed the services offered at SRJ are consistent with community level services. The Auditor discussed the practice of offering sexually transmitted infection prophylaxis and pregnancy tests. The Auditor was informed they are offered at the time of the forensic examination and at the facility. The Auditor asked what the cost of services are for victim services related to a sexual abuse. The Auditor was informed there are no costs for evaluations and treatments related to sexual victimization.

The medical practitioner was asked to discuss the process if a sexual abuse of a female inmate results in pregnancy. The medical practitioner stated female inmates are offered a pregnancy test. When sexual abuse of a female inmate results in pregnancy the female inmate is offered information and access to lawfully related pregnancy services.

The Auditor conducted interviews with inmates who have previously suffered sexual abuse in the community. Those inmates were asked if they have met with a mental health practitioner. Each had met with the mental health practitioner upon arriving at the facility. The inmates were asked if they were charged a fee for the services. No inmate had been charged a fee for meeting with the mental health practitioner. Each was asked how many times they have met with the mental health practitioner. Some have seen the mental health practitioner multiple times while others have refused services. The Auditor reviewed their record and observed the facility documented the meeting with the mental health practitioner.

The Auditor conduct a telephone interview with the SANE from the Chesapeake Forensic Specialists. The SANE explained victims are offered sexually transmitted disease testing and pregnancy testing. The SANE offers female victims timely information and timely access to lawfully pregnancy related services. The Auditor asked how much do the SANE services cost an inmate. The SANE does not charge the inmate a fee for services.

**Conclusion:**

The facility's medical and mental health practitioners offer counseling, treatment, sexually transmitted infection prophylaxis and make referrals for continued care when necessary. The services provided to inmate victims are consistent with a community level of care. The Auditor reviewed policies, procedures, medical records, MOU, interviewed inmates, SANE and medical practitioners to determine the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy is to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated. The team is not required to conduct a review if the investigation determination is unfounded. The policy requires the team will conduct a review within 30 days of the conclusion of the investigation. The SRJ policy requires the review team consist of the following personnel:

- Upper-level management officials
- Supervisors
- Investigators
- Medical/mental health personnel

The SRJ has a policy that requires the review team consider the following:

- If there is a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- If the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, perceived status, gang affiliation;
- If the examination of the area in the Jail where the incident allegedly occurred indicates whether physical barriers in the area may have enabled the abuse;
- The adequacy of staffing levels in that area during different shifts;
- The efficiency of monitoring technology and whether it should be deployed or augmented to supplement supervision by staff.

Policy requires the review team to prepare a report of its findings, determinations, and any recommendations for improvement and submit the report to the Superintendent and the PREA Coordinator. The SRJ policy requires the Jail implement the review team's recommendations for improvements, or will document the reasons for not doing so.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 39-40

Sexual Abuse or Sexual Harassment Incident Review Report

Interviews with Staff

Interview with Inmates

**Analysis/Reasoning:**

The facility reported no allegations of sexual abuse and sexual harassment during the

previous 12 months. The Auditor determined the facility was not required to conduct an incident review as there were no investigations required. The Auditor conducted formal interviews with inmates. Each was asked if they had ever seen or heard of an incident of sexual abuse or sexual harassment occurring in the facility. One inmate reported to the Auditor there was a recent incident. After obtaining the details from the inmate and discussing the incident with the PREA Coordinator the Auditor observed the incident was not related to sexual abuse or sexual harassment.

The Auditor conducted a review of the agency's Sexual Abuse or Sexual Harassment Incident Review report. The Sexual Abuse or Sexual Harassment Incident Review report includes the following personnel attendance: PREA Coordinator, PREA Coordinator's Assistant, Investigator, Shift Commander, Medical and Mental Health. All team members are required to sign and date the form. The form includes a section for submission to the PREA Coordinator and Superintendent. The Auditor observed the following considerations in the Sexual Abuse or Sexual Harassment Incident Review Report:

- Need to change policy or practice to better prevent, detect or respond to sexual abuse;
- Motivation of the incident by, race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, gang affiliation, or other group dynamic;
- Assessment of the physical location of the incident;
- Staffing level assessment;
- Assessment of monitoring technology;
- Determinations by team; and
- Recommendations for improvement.

The Sexual Abuse or Sexual Harassment Incident Review report also includes considerations of the following: classification, stature of the victim, mental illness, reason for credibility assessments, investigative facts and findings, disciplinary actions, staff actions or lack thereof, criminal charges, notifications made to inmate, identification of problem areas, and corrective actions made.

The Auditor conducted a formal interview with a staff member who serves on the Incident Review Team. The staff member discussed the process of the review team with the Auditor. The staff member explained the team discusses the allegation. The team member informed the Auditor the team follows a formatted form to ensure all elements of this standard are considered. The team member stated the team does discuss recommendations for improvement and include those recommendations on the final report. The Incident Review Team Member was asked when the team meets following an investigation. The Auditor was informed the team would normally meet the next business day after the investigation was concluded. The Auditor asked what is the maximum amount of time that would transpire before the team would meet. The team member stated they are required to conduct a review within 30 days of the conclusion of the investigation.

**Conclusion:**

The Auditor determined the facility understands the requirement to conduct an incident review within 30 days of the conclusion of each substantiated and unsubstantiated sexual abuse investigation. The Incident Review Team documents the performance of each incident review.

The Auditor reviewed the CNA policies, procedures, Sexual Abuse or Sexual Harassment Incident Review report and conducted interviews with staff and determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires the Jail will collect accurate, uniform data for every allegation of sexual abuse necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The Jail is required to provide all such data from the previous calendar year to the Department of Justice no later than June 30, upon request of the D.O.J.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 40

Survey of Sexual Violence

Data Collection Tool

Annual Report

Agency Website

Interview with Staff

**Analysis/Reasoning:**

The Auditor reviewed the agency's Data Collection Tool. The Auditor compared the agency's Data Collection Tool with the U. S. Department of Justice's, Survey of Sexual Violence. The agency's Data Collection Tool includes all questions asked on the U. S. Department of Justice's, Survey of Sexual Violence. The Data Collection Tool is completed by a facility annual review team. Each team member is required to sign and date the Data Collection Tool. The definitions used by staff are in the agency's policy but not included on the Data Collection Tool. The Auditor reviewed the agency's policy. The Prison Rape Elimination Act policy includes definitions of the following:

- Sexual Abuse
- Voyeurism
- Sexual Harassment

The Auditor reviewed the agency's annual report published on its website. The annual report included information that was aggregated from January 1, 2019 to December 31, 2019. The report includes sexual abuse data collected during the 2019 calendar year. The website included annual reports of data collected during 2016, 2018 and 2019. The U. S. Department of Justice did not request sexual abuse data from the Southside Regional Jail during this audit period. Facility personnel understand the deadline for submission of the Survey of Sexual Violence when requested to report such data to the U. S. Department of Justice.

The Auditor interviewed the staff member responsible for obtaining and maintaining sexual

abuse data at the facility. All data is derived from investigative reports, incident reviews, and all supporting documents in investigative records. The PREA Coordinator is responsible for compiling the annual data. The PREA Coordinator maintains all data in a file in his locked office. All electronic data is maintained on his computer that requires a unique username and password for access.

**Conclusion:**

Although the facility uses a standardized set of definitions, the Auditor recommended the facility include those definitions on its Data Collection Tool. The Auditor recommended the facility consider using the definitions from the Survey of Sexual Violence on the tool. The Auditor observed evidence the facility is collecting and aggregating sexual abuse data annually. The reported data utilizes a standardized set of definitions. The Auditor reviewed the agency's policies, procedures, website, annual report, Data Collection Tool, Survey of Sexual Violence and interviewed staff and determined the facility meets the requirements of this standard.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail policy requires data be collected and aggregated in order to assess and improve the effectiveness of the agency's sexual abuse prevention, detection and response policies, practices and training. The data review is conducted to:

- Identify problem areas;
- Take corrective actions on an ongoing basis; and
- Prepare an annual report of findings and corrective actions for the facility.

The agency's annual report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse. The policy requires the annual report be approved by the Superintendent and made readily available to the public on the agency's website. The SRJ may redact specific material from the annual report when publication would present a clear and specific threat to the safety and security of a facility. Any redacted material from the report must include the nature of the material redacted.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 40-41

Agency Website

Annual Reports

Interviews with Staff

**Analysis/Reasoning:**

The Auditor reviewed the Southside Regional Jail website. The agency maintains annual reports that include its findings and corrective actions for the Southside Regional Jail. Each report is accessible through the "PREA" link. After opening this link the public can gain access by clicking the "PREA Yearly Review Report [specific year]" link. The agency's website includes annual reports published from 2016, 2018 and 2019. The Auditor observed there is no report for the 2017 calendar year. This was addressed with the PREA Coordinator.

A review of the facility's annual reports reveals the agency attempts to discover problem areas within the facility based on a review of data collected. The facility's annual report includes any corrective actions taken by the SRJ. The 2019 annual report included a statement the facility concluded no problem areas were identified and no corrective measures were required. The annual report states, "Southside Regional Jail makes every effort for reducing and/or eliminating sexual abuse and sexual harassment. This will be done by continuous inmate education along with staff training." The Auditor reviewed the previous PREA Annual Reports and observed there were no reported allegations during those years. The annual report does



not include a comparison of the current year's data with previous years. It should be noted the previous years data included no allegations to compare. This requirement was addressed with the PREA Coordinator. The PREA Coordinator compiles the data for the annual reports. The PREA Coordinator is clear of the requirement to compare the data. The Auditor was informed by the PREA Coordinator how he will compare such in the next annual report.

The Auditor discussed the annual reporting process with the PREA Coordinator. The information for the annual report is derived from investigative reports, Incident Reviews and other relevant documents included in investigative records. Corrective actions are implemented when needed as the Incident Review Team recommends corrective actions when warranted following the incident review. Any corrective actions taken will be documented in the agency's annual report. When problem areas are discovered, the Incident Review Team recommends a solution to address the problem area and include the specifics in the annual report.

The Superintendent approves the agency's annual report prior to publishing the report on the agency's website. The Auditor did not observe any redacted materials from any of the SRJ published reports. Each annual report includes the signature of the PREA Coordinator and the Superintendent.

**Conclusion:**

The Auditor concluded the facility completes an annual review of collected and aggregated sexual abuse data. The annual report addresses problem areas and corrective actions taken and is approved by the Superintendent prior to publishing on the agency's website. The Auditor reviewed the agency's policies, procedures, website, Annual Reports and interviewed staff to determine the facility meets the requirements of this standard.

**115.89 Data storage, publication, and destruction**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional jail policy is to ensure all data collected is securely retained for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise. The SRJ policy is to make its annual report readily available to the public through the facility's website.

**Evidence Relied Upon:**

Policy - Prison Rape Elimination Act, pg. 41

Agency Website

Annual Report

Interviews with Staff

Observations

**Analysis/Reasoning:**

The Auditor conducted a formal interview with the PREA Coordinator. The PREA Coordinator is responsible for maintaining facility data. Information for the agency's annual report is compiled from investigative files and reports. Agency data is maintained electronically on a computer that requires a username and password to gain access to the data. The PREA Coordinator maintains the electronic data on his computer and other relevant printed documents and materials in his locked office, in a locking cabinet.

The Auditor reviewed the agency's website. The website included annual sexual abuse data collection in an annual report. The Auditor observed data collected from 2016, 2018, and 2019 included in the agency's reports. There was no 2017 annual report published on the agency website. There were no personal identifiers included in any agency annual reports. The Auditor was informed sexual abuse and sexual harassment data is maintained by the PREA Coordinator for a minimum of 10 years after collection. A username and password are required to gain access to the computer used by the PREA Coordinator. All investigative data used to compile the data is maintained in the PREA Coordinator's locked office and on his computer that requires a username and password. Investigative reports are maintained on Investigator's computers that require a username and password. The Auditor observed the PREA Coordinator's office.

**Conclusion:**

The Auditor informed the PREA Coordinator of the missing 2017 audit report. The Auditor reviewed the facility's website, collected data, made observations and interviewed staff to determine the agency meets the requirements of this standard for this review period.

**115.401 Frequency and scope of audits**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail Authority operates one facility, the Southside Regional Jail. The facility was last audited in June 2017.

**Evidence Relied Upon:**

Previous PREA audit report

Facility Tour

Interactions with Staff

**Analysis/Reasoning:**

The facility conducted this audit during the second year of the current audit cycle. The Auditor was provided and reviewed the relevant policies, procedures, documents and other applicable reports to assist with rendering a decision on the agency's level of compliance with relevant standards. The Auditor reviewed a relevant sampling of documentation from the previous 12 month period. The facility allowed the Auditor to conduct formal interviews with inmates and staff. Agency personnel provided the Auditor with a detailed tour, allowing the Auditor access to all areas in the facility.

During the audit the facility provided additional documents that were requested by the Auditor to aid in a determination of the facility's level of compliance. The Auditor requested and was provided a random selection of video footage of several inmate areas. The inmate population was allowed to correspond confidentially with the Auditor prior to the Auditor's arrival.

The Auditor reviewed the agency's previous PREA audit report and observed the facility complied with all standards without the requirement of corrective action. The facility allowed access to all areas, interviews with staff and inmates and provided facility documents during the previous audit. During the previous PREA audit the facility allowed inmates to confidentially correspond with the Auditor.

The Auditor communicated with a victim advocate with the Family/Violence Sexual Assault Unit and the Sexual Assault Nurse Examiner with the Chesapeake Forensic Specialists to gain an understanding of services offered through the Memorandum of Understandings with the Southside Regional Jail.

On August 13, 2020 the Auditor sent a letter to be posted in all inmate living areas in the Southside Regional Jail. The notice included the Auditor's address for written correspondence. The Auditor sent the agency an English and Spanish version of each notice. The Auditor did not receive a correspondence from an inmate prior to arriving on site for the audit. The Auditor observed the confidential correspondence notices posted in all inmate housing units. The PREA Coordinator confirmed in an email the notices were posted and the Auditor confirmed all notices were posted on August 13, 2020 during the facility tour. The

notices were posted for 3 weeks prior to the audit.

The U.S. Department of Justice did not send a recommendation to the Southside Regional Jail for an expedited audit of the facility during this audit period.

**Conclusion:**

The Auditor concluded the SRJ meets the requirements of this standard.

**115.403 Audit contents and findings**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

**Auditor Discussion:**

The Southside Regional Jail has published its previous PREA audit report on the agency's website.

**Evidence Relied Upon:**

Agency Website

Previous PREA Audit Report

**Analysis/Reasoning:**

The Auditor reviewed the Southside Regional Jail's website. The website includes a link to access its previous PREA audit final report. The report is easily accessible through a "drop-down" menu on the "Inmate Information" tab. The report is hyperlinked and titled, "June 2017 PREA Audit Report." The facility was last audited in June 2017.

**Conclusion:**

The Auditor determined the facility meets the requirements of this standard.

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	na
	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.)	na
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na
<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for	yes

	adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	
	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

<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	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



<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	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
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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.)	yes
	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.)	yes
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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)?	yes

<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
<b>115.16 (a)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all 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	yes

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

<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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

<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes



<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	no
	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?	no
<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

<b>115.33 (a)</b>	<b>Inmate education</b>	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	no
<b>115.33 (d)</b>	<b>Inmate education</b>	
	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

<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	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
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.35 (a)	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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



<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

<b>115.42 (a)</b>	<b>Use of screening information</b>	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.42 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	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

<b>115.42 (d)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	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

<b>115.43 (c)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (d)</b>	<b>Protective Custody</b>	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
<b>115.43 (e)</b>	<b>Protective Custody</b>	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no

<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	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

<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	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
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	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
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes

<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

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

<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	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



<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	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

<b>115.73 (d)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes

<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes

<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes



<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	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
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	no
	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.)	na
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes