

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



<b>Name of facility:</b>		Blue Ridge Regional Jail (Lynchburg Adult Detention Center)	
<b>Physical address:</b>		510 9 <sup>th</sup> Street, Lynchburg VA 24504	
<b>Date report submitted:</b>		May 29, 2015	
<b>Auditor Information</b>		<b>Jeffery L. Newton, CJM</b>	
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<b>Telephone number:</b>		757-377-6789	
<b>Date of facility visit:</b>		May 17-18, 2015	
<b>Facility Information</b>			
<b>Facility mailing address:</b>		P.O. Box 6018 Lynchburg, VA 24505	
<b>Telephone number:</b>		434-847-3100	
<b>Blue Ridge Regional Jail is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input checked="" type="checkbox"/> Other – Regional		
<b>Facility Type:</b>	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
<b>Name of PREA Compliance Manager:</b>		Michael M. Viar	<b>Title:</b> Captain
<b>Email address:</b>		<a href="mailto:mviar@brrja.state.va.us">mviar@brrja.state.va.us</a>	<b>Telephone number:</b> 434-847-1300
<b>Agency Information</b>			
<b>Name of agency:</b>		Blue Ridge Regional Jail Authority	
<b>Governing authority or parent agency: (if applicable)</b>			
<b>Physical address:</b>		510 9 <sup>th</sup> St., Lynchburg, VA 24504	
<b>Mailing address: (if different from above)</b>			
<b>Telephone number:</b>		(434) 847-3100	
<b>Agency Chief Executive Officer</b>			
<b>Name:</b>		Timothy Trent	<b>Title:</b> Administrator (Superintendent)
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<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b>		Brandon Hughes	<b>Title:</b> Sergeant
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# AUDIT FINDINGS

## **NARRATIVE:**

The audit of Blue Ridge Regional Jail, Lynchburg Adult Detention Facility (hereafter referred to as LADC) was conducted on May 17-18, 2015 by Jeffery L. Newton, Certified PREA auditor.

An entrance meeting was held with facility representatives. The following staff were in attendance: Agency PREA Coordinator Sergeant Brandon Hughes, Facility PREA Compliance Manager Captain Michael M. Viar and Facility Administrator Major Raymond Espinoza.

Following the entrance meeting I began interviewing randomly selected staff. I toured the LADC from 10:30 – 12:00. On the tour with me was, Agency PREA Coordinator Sergeant Brandon Hughes and Facility PREA Compliance Manager Captain Michael M. Viar.

I asked for an alpha listing of all inmates housed at LADC and randomly selected at least one inmate from each housing unit. I was able to interview gay/lesbian inmates, an inmate that had previously reported being sexually assaulted (not at LADC) and a non-English speaking inmate (a translator was provided from on-duty staff). There were no hearing/vision impairment inmates, transgender, intersex, gender nonconforming or juveniles (all juvenile offenders are housed at LADC – however, none were in custody at the time of the on-site audit visit) present in the facility. I also asked for a shift roster and randomly selected on-duty staff to be interviewed. Additionally, I was able to conduct an interview with a volunteer/contractor. A visually impaired inmate was being process during the last day of the on-site audit. The facility subsequently provided documentation of compliance with policy concerning notification of PREA to the visually impaired.

There were no substantiated sexual assault/harassment allegation cases reported within the past year.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The LADC is located at 510 9<sup>th</sup> Street, Lynchburg VA 24504. It is one of 5 jails within the Blue Ridge Regional Jail Authority which was established in 1998. The Blue Ridge Regional Jail Authority also operates facilities in Bedford County, Campbell County, Halifax County and Madison Heights, Virginia that services the counties of Amherst and Appomattox.

The LADC is operated under the direction of Major Raymond Espinoza. It is located in the City of Lynchburg and houses inmates of all classification levels, both male and female inmates. LADC houses pre-trial, post-trial and inmates awaiting transfer to the Virginia Department of Corrections. There are 13 housing Units including Medical, there is a mixture of Direct and Indirect Supervision. 2 of these units are on the 1<sup>st</sup> floor of the facility. One is open dorm with 30 beds the other is a celled unit with 44 beds, There are 5 units on the 2<sup>nd</sup> floor all are dorms D has 28 beds, E has 80 beds, F has 70 beds, G has 80 beds and H has 70 beds. The 3<sup>rd</sup> floor has 5 Units and they are celled units. I Unit has 24 beds, J Unit has 24 beds, K unit has 94 beds, L unit has 72 beds and M unit has 92.

In addition to the housing areas we have an Intake, Classification, Laundry, Transportation and Food Service

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 1

Number of standards met: 39

Number of standards not met: 0

Number of standards not applicable: 3

**115.11**

## Zero Tolerance

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

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

Based on review of policy 28.01 (page 4-5), the organizational structure, and interviews with the PREA Coordinator and PREA Compliance Manager.

Blue Ridge Regional Jail has a written policy that applies to the operation of the LADC mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Blue Ridge Regional Jail 's approach to preventing, detecting, and responding to such conduct.

Blue Ridge Regional Jail employs and designates an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards as well as appointing a LADC PREA Compliance Manager with sufficient time to oversee the facility's efforts of the LADC to comply with the PREA standards.

**115.12**

## Contracting with other agencies for confinement of inmates

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

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

Based on interview with PREA Coordinator, Compliance Manager, Facility Administrator and Assistant Superintendent there are no contracts for the confinement of their inmates.

**115.13**

## Supervision and monitoring

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

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

Based on policy 12.15 (page 3) and interviews with the Assistant Superintendent, PREA Coordinator, LADC PREA Compliance Manager and LADC Facility Administrator. Additionally, I

reviewed the Blue Ridge Regional Jail Authority 2015 Staffing Analysis, the LADC memorandum documenting annual review and shift rosters.

The Blue Ridge Regional Jail, LADC facility, has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse.

In circumstances where the staffing plan was not complied with, Blue Ridge Regional Jail, LADC facility, documented and justified all deviations from the plan. I reviewed shift rosters demonstrating documentation of deviations from the plan.

The Blue Ridge Regional Jail, LADC facility, completes an annual review, in consultation with the Agency PREA Coordinator required to assess, determine, and document whether adjustments are needed.

<b>115.14</b>	Youthful inmates
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 9.01 (page 2) and interviews with the Assistant Superintendent, PREA Coordinator, LADC PREA Compliance Manager and LADC Facility Administrator.

The Blue Ridge Regional Jail, LADC facility, prohibits placing youthful inmates in a housing unit in which a youthful inmate will have sight, sound or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area or sleeping quarters. The Blue Ridge Regional Jail, LADC facility, does not have a dedicated housing unit for youthful inmates; accommodations are made to ensure compliance on the rare occasion when a youthful inmate is in custody.

There were no youthful inmates housed at the LADC facility at the time of the on-site audit.

<b>115.15</b>	Limits to cross gender viewing and searches
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 12.09 (pages 2-3) and policy 12.15 (page 2) and interviews with the LADC facility PREA Compliance Manager, Facility Administrator, random staff and inmates.

The Blue Ridge Regional Jail, LADC facility, does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances.

Blue Ridge Regional Jail, LADC facility, has policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.

Blue Ridge Regional Jail, LADC facility, does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined 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.

Blue Ridge Regional Jail, LADC facility, trains female correctional staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

<b>115.16</b>	Inmates with disabilities and limited English speaking
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 6), review of Procedures for Telephone Interpreting Services for the Virginia Court System and random inmate and staff interviews. I was able to conduct an interview with limited English speaking inmate. It was clear during the course of the interview that the inmate was not able to fully understand the questions being asked. An interpreter was provided from the LADC Facility on-duty staff to facilitate the completion of the interview.

Blue Ridge Regional Jail, LADC facility, takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Blue Ridge Regional Jail 's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In the unlikely event that a visually impaired individual is admitted to the facility, staff will read the required information to the offender to ensure they understand the rules of facility, have access to information about services and understand their rights related to PREA. A English/Spanish handbook is available. Inmate video is done in English with English/Spanish subtitles, any other language barrier training is provided by the translation service.

Blue Ridge Regional Jail, LADC facility, does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. There were no reported instances in the previous 12 months where the services of a translator was required.

<b>115.17</b>	Hiring and promotion decisions
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 2.36 (page 1) and interview with the Director Administrative Services. Review of personnel files, employment applications, documentation of five-year background screenings and background screenings for contractors.

Blue Ridge Regional Jail, LADC facility, does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above.

Blue Ridge Regional Jail, LADC facility, considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Blue Ridge Regional Jail, LADC facility, performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates and performs a records check at least every five years of current employees and contractors who may have contact with inmates.

<b>115.18</b>	Upgrades to facilities and technology
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on camera schematics, Blue Ridge Regional Jail, LADC facility, tour and interviews with the Assistant Superintendent and Administrator of the LADC facility.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Blue Ridge Regional Jail, LADC facility, considers how such technology may enhance Blue Ridge Regional Jail, LADC facility's, ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities.

**Recommendation was made to add cameras to the kitchen dry storage area, loading dock, receiving hallway, inmate property room and the octagon hallway.**

**115.21** Evidence protocol and forensic medical exams

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

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

Based on policy 28.01 (pages 11-12) and interviews with PREA Coordinator, LADC PREA Compliance Manager and LADC Facility Administrator. Review of MOU between Halifax County Sheriff's Department and the Blue Ridge Regional Jail and the MOU between the Blue Ridge Regional Jail and the YWCA & Lynchburg Hospital.

To the extent Blue Ridge Regional Jail, LADC facility, is responsible for investigating allegations of sexual abuse; Blue Ridge Regional Jail, LADC facility, follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions

Blue Ridge Regional Jail, LADC facility, offers all victims of sexual abuse access to forensic medical examinations, at the Lynchburg Hospital, without financial cost, where evidentiary or medically appropriate. Such examinations are be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible.

Blue Ridge Regional Jail, LADC facility, makes available to the victim a victim advocate from the YWCA. As requested by the victim, a victim advocate, accompanies and supports the victim through the forensic medical examination process and investigatory interviews and are provide emotional support, crisis intervention, information, and referrals.

To the extent Blue Ridge Regional Jail, LADC facility, itself is not responsible for investigating allegations of sexual abuse, Blue Ridge Regional Jail, LADC facility, requests that the investigating agency follow the requirements listed above. Halifax County Sheriff's Department conducts all investigation once they are deemed criminal, based on the preponderance of the evidence.

**115.22** Referrals of allegations for investigations

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

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

Based on policy 28.01 (page 12) and interviews with the Assistant Superintendent and the Internal Affairs Lieutenant.

Blue Ridge Regional Jail, LADC facility, ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

Blue Ridge Regional Jail, LADC facility, has a policy that ensures allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Blue Ridge Regional Jail, LADC facility, documents all such referrals and has a Memorandum of Understanding with the Halifax County Sheriff's Department.

<b>115.31</b>	Employee training
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 6) and interviews with random staff the Blue Ridge Regional Jail, LADC facility, trains all employees who have contact with inmates on:

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

Officers receive 2 hours of training in the academy within their first year of employment and receive 1.5 hours during orientation (prior to having unsupervised contact with inmates) and annual training to ensure all employees remain current on their responsibilities related to ensuring inmates rights related to PREA.

Blue Ridge Regional Jail, LADC facility, documents, through employee signature, the employee's understanding of training.

**115.32**

## Volunteer and contractors training

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

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

Based on policy 28.01, review of PREA training curriculum and volunteer and contractor training records. Unfortunately, there were no volunteers or contractors available at the facility at the time of my visit. However, I was able to subsequently conduct a telephone interview with a volunteer.

Blue Ridge Regional Jail, LADC facility, ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Blue Ridge Regional Jail, LADC facility's, sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

Volunteers and contractors receive the same training as line staff. All volunteers and contractors who have contact with inmates are notified of Blue Ridge Regional Jail, LADC facility's, zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Blue Ridge Regional Jail, LADC facility, has documentation confirming that volunteers and contractors understand the training they have received. Reviewed training records on volunteers and contractors.

**115.33**

## Inmate education

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

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

Based on policy 28.01 (page 5) and interviews with random inmates and intake staff.

During the intake process, inmates receive information explaining Blue Ridge Regional Jail, LADC facility's, zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates sentenced to a term of incarceration to be served only on weekenders are processed through the same intake process as other inmates.

Blue Ridge Regional Jail, LADC facility, provides a comprehensive education to inmates through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

Blue Ridge Regional Jail, LADC facility, provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions. In the unlikely event that a visually impaired individual is admitted to the facility, staff will read the required information to the offender to ensure they understand the rules of facility, have access to information about services and understand their rights related to PREA. A English/Spanish handbook is available. Inmate video is done in English with Spanish subtitles, any other language barrier training is provided by the translation service.

**115.34** Specialized training: Investigators

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

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

Based on policy 28.01 (page 7) and review of the Internal Affairs Lieutenant training certificate from the Investigating Sexual Abuse in Correctional Settings training conducted by the Moss Group (September 30, 2013), other specialized training and interview with the Internal Affairs Lieutenant.

In addition to the general training provided to all employees Blue Ridge Regional Jail, LADC facility, ensures that the in-house investigator has received training in conducting investigations in confinement settings.

Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Blue Ridge Regional Jail, LADC facility, maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

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

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

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

Based on policy 28.01 (page 7) and review of curriculum provided based on the following resources Sexual Assault in Jail and Juvenile Facilities: Promising Practices for Prevention and Response Final Report, June 2010 Preventing and Responding to Corrections-Based Sexual

Abuse: A Guide for Community Corrections Professionals and review of training attendance rosters.

Blue Ridge Regional Jail, LADC facility, ensures that all full and part-time medical and mental health care practitioners who work regularly have been trained in how to: detect and assess signs of sexual abuse and sexual harassment; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Blue Ridge Regional Jail, LADC facility, maintains documentation that medical and mental health practitioners have received the training.

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

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

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

Does Not Meet Standard (requires corrective action)

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

Based on policy 9.01 (page 2). Blue Ridge Regional Jail, LADC facility, uses an Objective Jail Classification process an Initial Custody & Classification questionnaire and Sexual Predation and Victimization Assessment. Based on interviews with random inmates, intake staff and the LADC PREA Compliance Manager.

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

Intake screenings take place as soon as the offender is accepted into custody at Blue Ridge Regional Jail, LADC facility. The Intake Officer does an initial screening as part of the intake process. Within 72 hours (generally the same day except weekends and holidays) the Classification Officer does another screening. Blue Ridge Regional Jail, LADC facility, uses an objective screening instrument.

The intake screening considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and

(10) Whether the inmate is detained solely for civil immigration purposes.

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Blue Ridge Regional Jail, LADC facility, in assessing inmates for risk of being sexually abusive.

Within 30 days from the inmate's arrival at Blue Ridge Regional Jail, LADC facility, a reassessment of the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Blue Ridge Regional Jail, LADC facility, since the intake screening.

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

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

Blue Ridge Regional Jail, LADC facility, implements appropriate controls on the dissemination within Blue Ridge Regional Jail, LADC 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. All files are controlled by administrative personnel behind locked doors and maintained in each inmates Classification files. LADC maintains a written list of the staff specifically authorized to have access to the Classification files.

<b>115.42</b>	Use of screening information
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 9.01 (page 2-3) and interviews with the LADC PREA Compliance Manager and staff responsible for risk screening.

Blue Ridge Regional Jail, LADC facility, uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

Blue Ridge Regional Jail, LADC facility, makes individualized determinations about how to ensure the safety of each inmate.

In deciding housing and programming for a transgender or intersex inmate Blue Ridge Regional Jail, LADC facility, considers on a case-by-case basis whether the placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.

Placement and programming assignments for each transgender or intersex inmate is reassessed at least twice each year to review any threats to safety experienced by the inmate.

A transgender or intersex inmate's own views with respect to his or her own safety are to be given serious consideration.

The showers are designed in such a way that allows privacy for all inmates.

Blue Ridge Regional Jail, LADC facility, does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status.

<b>115.43</b>	Protective custody
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 9.01 (page 3) and interviews with the LADC PREA Compliance Manager, Facility Administrator and staff who supervise segregated inmates. No inmates have been placed in involuntary segregation.

Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers.

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

Blue Ridge Regional Jail, LADC facility, assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment are not ordinarily exceed a period of 30 days. If involuntary segregated housing assignment is made Blue Ridge Regional Jail clearly documents the basis for Blue Ridge Regional Jail, LADC facility's, concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. In the event an inmates was involuntarily segregated, every 30 days a review would be performed to determine whether there is a continuing need for separation from the general population.

<b>115.51</b>	Inmate reporting
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 7-8), review of Inmate Rights form, and interviews with random staff and inmates

Blue Ridge Regional Jail, LADC facility, provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmate request forms have how to report sexual abuse and the hotline number posted in close proximity to phones in the inmate housing units as a constant reminder.

Blue Ridge Regional Jail, LADC facility, provides at least one way for inmates to report abuse or harassment to the YWCA a private entity that is not part of Blue Ridge Regional Jail and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request.

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

Blue Ridge Regional Jail, LADC facility, provides a hotline for inmates to privately report sexual abuse and sexual harassment of inmates.

<b>115.52</b>	Exhaustion of administrative remedies
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

X Not applicable

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

Based on policy 28.01.

The Blue Ridge Regional Jail, LADC facility, does not accept inmate grievances in relation to sexual abuse. Inmates alleging sexual abuse must utilize reporting options delineated in Policy 28.01 Prevention and Intervention of Sexually Abusive Behavior and as outlined in the Inmate Handbook.

<b>115.53</b>	Inmate access to outside confidential support services
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on MOU with the YWCA and interviews with random inmates.

Blue Ridge Regional Jail, LADC facility, provides 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 for the YWCA. Blue Ridge Regional Jail, LADC facility, enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

Blue Ridge Regional Jail, LADC facility, informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

Blue Ridge Regional Jail, LADC facility, maintains Memorandum of Understanding with the YWCA.

**115.54** Third party reporting

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

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

Blue Ridge Regional Jail, LADC facility, has a method to receive third-party reports of sexual abuse/harassment and distributes publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. The information is publicly posted in the lobby and available on the agency webpage <http://www.brrja.state.va.us/prison-rape-elimination-act>.

**115.61** Staff and agency reporting duties

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

Based on review of policy 28.01 (page 8) and interviews with random line and supervisory staff, the LADC PREA Compliance Manager, Assistant Superintendent and medical/mental health staff.

Blue Ridge Regional Jail, LADC facility, requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Blue Ridge Regional Jail, LADC facility, 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. In the event an incident occurred that required monitoring, retaliation reviews would be documented. Reviews would be conducted for up to 90 days to ensure there have been no retaliation attempts made towards them from inmates or staff.

Apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

Blue Ridge Regional Jail, LADC facility, does not house any inmates under the age of 18.

Blue Ridge Regional Jail, LADC facility, reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to Blue Ridge Regional Jail Internal Affairs Lieutenant.

<b>115.62</b>	Agency protection duties
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on review of policy 28.01 (page 8) interviews with random line and supervisory staff, the LADC PREA Compliance Manager, LADC Facility Administrator and Assistant Superintendent.

Immediate action is taken to protect inmates when Blue Ridge Regional Jail, LADC facility, learns that an inmate is subject to a substantial risk of imminent sexual abuse

<b>115.63</b>	Reporting to other confinement facilities
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on review of policy 28.01 (page 8), interview with random line and supervisory staff, the LADC PREA Compliance Manager, LADC Facility Administrator and Assistant Superintendent.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Facility Administrator, Blue Ridge Regional Jail, LADC facility, that received the allegation notifies the head of correctional facility or appropriate office of the correctional facility where the alleged abuse occurred. Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation; all actions are thoroughly documented.

**115.64** Staff first responder duties

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

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

Based on policy 28.01 (pages 9-10) and interviews with random line and supervisory staff who are first responders.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

If the first staff responder is not a security staff member, the responder requests that the alleged victim not take any actions that could destroy physical evidence, and then notifies security staff.

**115.65** Coordinated response

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

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

Based on policy 28.01 (pages 9-12) and interviews with random line and supervisory staff who are first responders, the LADC PREA Compliance Manager, Facility Administrator and Assistant Superintendent. Blue Ridge Regional Jail, LADC facility, has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

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

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

Not applicable

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

Based on interview with the Assistant Superintendent, Virginia does not have collective bargaining agreements.

<b>115.67</b>	Agency protection against retaliation
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 9) and interviews with the LADC PREA Compliance Manager, Facility Administrator and Assistant Superintendent.

Blue Ridge Regional Jail, LADC facility, has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperates with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designate the LADC PREA Compliance Manager with monitoring retaliation. In the event an incident occurred that required monitoring, retaliation reviews would be documented. Reviews would be conducted for up to 90 days by the LADC PREA Compliance Manager.

Blue Ridge Regional Jail, LADC facility, has multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, Blue Ridge Regional Jail, LADC facility, would monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and are act promptly to remedy any such retaliation. There would be periodic status checks performed. Items Blue Ridge Regional Jail, LADC facility, monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Blue Ridge Regional Jail, LADC facility, would continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Blue Ridge Regional Jail, LADC facility, would take appropriate measures to protect that individual against retaliation.

**115.68**

## Post allegation protective custody

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

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

Based on policy 9.01 (page 4) and interviews with Blue Ridge Regional Jail, LADC PREA Compliance Manager, Facility Administrator, and Assistant Superintendent there were no inmates in segregation for risk of sexual victimization during the audit.

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

**115.71**

## Criminal and administrative agency investigation

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

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

Based on policy 28.01 (pages 12-13) and interview with Internal Affairs' Lieutenant. At the time the audit no complete reports were available for review.

The Blue Ridge Regional Jail, LADC facility, conducts investigations promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Where sexual abuse is alleged, Blue Ridge Regional Jail, LADC facility, uses investigators who have received special training in sexual abuse investigations.

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

When the quality of evidence appears to support criminal prosecution, Blue Ridge Regional Jail, LADC facility, conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. All criminal prosecution cases are referred to Halifax County Sheriff's Department.

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

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

Criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal are referred for prosecution to the Halifax County Sheriff's Department .

Blue Ridge Regional Jail, LADC facility, retains all written reports for as long as the alleged abuser is incarcerated or employed by Blue Ridge Regional Jail, LADC facility, plus five years.

The departure of the alleged abuser or victim from the employment or control of Blue Ridge Regional Jail, LADC facility, or agency does not provide a basis for terminating an investigation.

<b>115.72</b>	Evidentiary standard for administrative investigation
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- Exceed Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 12), interviews with the LADC PREA Compliance Manager and Internal Affairs's Lieutenant.

Blue Ridge Regional Jail, LADC facility, imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

<b>115.73</b>	Reporting to inmates
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 13), interviews with the LADC PREA Compliance Manager, Internal Affairs Lieutenant and Assistant Superintendent.

Following an investigation into an inmate's allegation that they suffered sexual abuse in an agency facility, Blue Ridge Regional Jail, LADC facility, informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If Blue Ridge Regional Jail, LADC facility, did not conduct the investigation, it will request the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Blue Ridge Regional Jail, LADC facility, subsequently informs the inmate (unless Blue Ridge Regional Jail, LADC facility, has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at Blue Ridge Regional Jail, LADC facility, or Blue Ridge Regional Jail, LADC facility, learns that the staff member has been indicted on a charge related to sexual abuse within Blue Ridge Regional Jail, LADC facility; or Blue Ridge Regional Jail, LADC facility, learns that the staff member has been convicted on a charge related to sexual abuse within Blue Ridge Regional Jail, LADC facility.

Following an inmate's allegation that they had been sexually abused by another inmate, Blue Ridge Regional Jail, LADC facility, subsequently informs the alleged victim whenever Blue Ridge Regional Jail, LADC facility, learns that the alleged abuser has been indicted on a charge related to sexual abuse within Blue Ridge Regional Jail, LADC facility, or Blue Ridge Regional Jail, LADC facility, learns that the alleged abuser has been convicted on a charge related to sexual abuse within Blue Ridge Regional Jail, LADC facility.

The Blue Ridge Regional Jail, LADC facility's obligation for notifications or attempted notifications are documented and discontinued if the inmate is released from custody.

<b>115.76</b>	Disciplinary sanctions for staff
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 4). Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

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

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

**115.77**

## Corrective action for contractors and volunteers

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

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

Based on policy 28.01 (page 5), interviews with the LADC PREA Compliance Manager, Facility Administrator and Assistant Superintendent.

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

Blue Ridge Regional Jail, LADC facility's, takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

**115.78**

## Disciplinary sanctions for inmates

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

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

Based on policy 28.01 (page 5), interviews with random line and supervisory staff staff the LADC PREA Compliance Manager, Facility Administrator, mental health staff and Assistant Superintendent.

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

Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

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

Blue Ridge Regional Jail, LADC facility's, assesses whether to offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, on a case-by-case basis.

Blue Ridge Regional Jail, LADC facility's, disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

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

Blue Ridge Regional Jail, LADC facility's, prohibits all sexual activity between inmates and may discipline inmates for such activity.

<b>115.81</b>	Medical and Mental health screening; history of sexual abuse
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 9.01 (page 4) and interviews with staff responsible for risk screening and medical/mental health staff

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

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

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting.

<b>115.82</b>	Access to emergency medical and mental health services
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on policy 28.01 (page 10) and interviews with medical/mental health staff.

Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

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

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

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**115.83** Ongoing medical and mental health care for sexual abuse victims

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

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

Based on policy 28.01 (page 11) and interviews with medical/mental health staff.

Blue Ridge Regional Jail, LADC facility's, offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in the jail.

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.

Blue Ridge Regional Jail, LADC facility's, provides such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexually abusive vaginal penetration while incarcerated are offered pregnancy tests. If pregnancy results, victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

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

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**115.86**

## Sexual abuse incident reviews

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

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

Based on policy 28.01 (page 11) and interviews with the PREA Compliance Manager, Facility Administrator and Assistant Superintendent. At the time of the audit no critical incident reviews had been required to be conducted.

Blue Ridge Regional Jail, LADC facility's, conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

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

**115.87**

## Data collection

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

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

Based on policy 28.01 (page 14) as well as interviews the agency PREA Coordinator, LADC PREA Compliance Manager and Assistant Superintendent.

Blue Ridge Regional Jail, LADC facility, collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually.

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

Blue Ridge Regional Jail, LADC facility, maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Blue Ridge Regional Jail, LADC facility, obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Upon request, Blue Ridge Regional Jail, LADC facility, provides all such data from the previous calendar year to the Department of Justice no later than June 30. No requests have been made.

<b>115.88</b>	Data review for corrective action
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on interview with PREA coordinator.

Blue Ridge Regional Jail, LADC facility, reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Blue Ridge Regional Jail as a whole.

Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Blue Ridge Regional Jail 's progress in addressing sexual abuse.

Blue Ridge Regional Jail, LADC facility's, report is approved by Blue Ridge Regional Jail Superintendent and made readily available to the public through its website <http://www.brrja.state.va.us/prison-rape-elimination-act>

<b>115.89</b>	Data storage, publication and destruction
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Blue Ridge Regional Jail, LADC facility, makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website <http://www.brrja.state.va.us/prison-rape-elimination-act>.

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

**AUDITOR CERTIFICATION:**

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of Blue Ridge Regional Jail, LADC.

Jeffery L. Newton, CJM  
DOJ PREA Certified Auditor

May 29, 2015