

PREA Facility Audit Report: Final

Name of Facility: Bedford County Adult Detention Center

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/10/2020

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Darlene M. Baugh	Date of Signature: 09/10/2020

AUDITOR INFORMATION	
Auditor name:	Baugh, Darlene
Email:	piltsbaugh@gmail.com
Start Date of On-Site Audit:	08/11/2020
End Date of On-Site Audit:	08/12/2020

FACILITY INFORMATION	
Facility name:	Bedford County Adult Detention Center
Facility physical address:	1000 Broad Street , Bedford, Virginia - 24523
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Brandon Hughes
Email Address:	bhughes@brrja.state.va.us
Telephone Number:	5405879282

Warden/Jail Administrator/Sheriff/Director	
Name:	Tim Trent
Email Address:	ttrent@brrja.state.va.us
Telephone Number:	4348471300

Facility PREA Compliance Manager	
Name:	Brandon Hughes
Email Address:	bhughes@brrja.state.va.us
Telephone Number:	O: (540) 587-9282 ext.

Facility Health Service Administrator On-site	
Name:	Kim Rodgers
Email Address:	kr Rodgers@brrja.state.va.us
Telephone Number:	4348471300

Facility Characteristics	
Designed facility capacity:	99
Current population of facility:	70
Average daily population for the past 12 months:	95
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	36
Facility security levels/inmate custody levels:	Min/Med/Max
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	35
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	6

AGENCY INFORMATION	
Name of agency:	Blue Ridge Regional Jail Authority
Governing authority or parent agency (if applicable):	
Physical Address:	510 Ninth Street, Lynchburg , Virginia - 24504
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Debbie Dews	Email Address:	ddews@brrja.state.va.us

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.

AUDIT FINDINGS

Auditor: Darlene Baugh

Population: 81

Cameras: 49

Mission Statement: The primary mission of the Blue Ridge Regional Jail Authority is to support the criminal justice system by operating its centers in a manner that produces a safe and secure environment for the public, staff, and inmates.

The Authority, by primarily using direct supervision techniques, will provide for basic inmate needs and make available programs and services that promote self-responsibility and development, and have the goal of returning to the community more productive citizens.

Audit Narrative:

The Auditor arranged to meet the PREA Coordinator, Sgt. D. Dews at the Blue Ridge Regional Jail Authority offices in Lynchburg, VA on Monday, August 10, 2020 at 11:00 a.m. Several interviews were arranged for that day including the agency's: Qualified Mental Health Practitioner, PREA Coordinator, Personnel Specialist (HR), Assistant Administrator (Administrator's Designee), Director of Nursing and the Internal Affairs Investigator. Additionally, the auditor reviewed personnel files of staff at both the Bedford and Campbell facilities.

The PREA Auditor arrived at the Bedford Adult Detention Center at 9:00 a.m. on Tuesday, August 11, 2020. An entrance meeting was held with the following in attendance: Site Administrator/Captain Mark Cahow (Bedford), Site Administrator/Captain Sears (Campbell), PREA Coordinator/Sgt. Dews and Auditor Darlene Baugh. After a short discussion on the process of the audit, a walk-through of the facility occurred.

Activities of day one (1) at the facility, Tuesday, August 11, 2020 included: walk through of facility, staff and inmate interviews.

The focus of day two (2), Wednesday, August 12, 2020 was review of inmate files, unannounced rounds documentation, and review of the facility classification board.

An Exit Meeting was held on Wednesday, August 12, 2020 with the following present: Site Administrator Captain Cahow, PREA Coordinator Sgt. Dews and auditor Darlene Baugh.

Discussion and Recommendations:

The facilities initial PREA Assessment focuses on potential victims. Reasoning for this is to identify and house these individuals from problems areas. When the inmate meets with Classification either the same day as arrival or shortly thereafter a full assessment is completed in detail. The Classification Officer keeps a housing board within her officer. After reviewing the inmate's files (assessments), the auditor found three (3) individuals who had been noted as "potential aggressor" who were not noted on the Housing Board. This was immediately changed.

(Note: It should be noted that the classification meeting is conducted quickly as it is also utilized for determining security level and housing assignment. Reassessment notations were clear, concise and showed that time was taken to ensure all information was gathered.

The Agency reassessment was found to have formatting issues, which made its review initially confusing. That problem was addressed.

Other items discussed:

- There is confusion with staff on Intersex. Recommend additional training.
- Unannounced Rounds are consistent and documented well.
- There is confusion regarding the sexual abuse hotline. Many staff as well as inmates believe this phone contact is anonymous, it is not. An inmate must put in their I.D. number. There are other means by which the inmate or staff can make anonymous reports (spelled out in the handbook, brochure and via booking information).
- Cameras: Those areas identified by the auditor have been noted by the Site Administrator. He was able to share the areas discussed with the auditor before the site review occurred. Those areas include: Indoor and Outdoor Recreation (each has only one). The kitchen, kitchen entry and kitchen sally port. (There is one camera in the kitchen. Several blind areas.) Each housing area has only one (1) camera. A second camera would enhance observations. The final area would be booking. One (1) camera addition would enhance its security

Note: The Assistant Site Administrator/PREA Manager was unavailable for an interview.

Pre-Audit Activities

Notice of PREA Audit:

The notice of the upcoming PREA audit was forwarded to the facility on June 7, 2020 to be posted at least six weeks prior to the on-site audit. The facility was asked to post the notices in areas where it would be visible to staff, inmates, contractors, volunteers, and visitors. The auditor did not receive pictures of the posted notices due to cameras not being allowed in the facility. The auditor was provided information when the notices were posted. The purpose of the Notice is to allow any individual, including a third party, with a PREA concern or issue, to include an allegation of sexual abuse or sexual harassment, to correspond confidentially with the PREA Auditor. The auditor did not receive any correspondence as a result of that posting.

These posters were also viewed while the auditor was on site.

Pre-Audit Discussion:

Due to the facility being unable to conference call with their Central Office, conversations were held separately with the agency PREA Coordinator and the facility PREA Manager/Assistant Site Administrator. The initial call with this facility was held on Tuesday, June 16, 2020. Prior to the call the auditor provided a "On-Site List" which was discussed on the call. (This list contains a request for contact names and telephone numbers, interview lists, file access/reviews and others.) Other items discussed included the completion of the Pre-Audit Questionnaire on OAS, supplemental lists, on-site audit interviews and other miscellaneous items. The auditor also provided an Issues Log to the facility. All areas of the Log were addressed.

The facility provided all information, files, documentation and feedback that the auditor requested.

Outreach to Outside Advocates:

On Wednesday, August 5, 2020, the auditor spoke with the Director Sherell Smith and Advocacy Services Coordinator Amber Blair of the Sexual Assault Response Program (SARP), YWCA, of Central Virginia. SARP provides advocacy services to inmates during their forensic examination. If an inmate receives injuries that necessitate continued medical care, the inmate will be seen at the hospital by the same SANE/SAFE staff and the same advocate. If requested by the inmate, the advocate will continue providing services.

There is one population that this program cannot serve; those inmates who are being held for sexual related crimes. This prohibition is noted within their grant. (Conflict is between providing services to victims of sexual abuse and those being held on those charges.)

Ms. Blair noted that their program information is posted within the facility (viewed by auditor) and that they do receive letters from inmates.

On Thursday, August 6, 2020, a conversation was held with April Rasmussen, Sexual Assault Response Program, Forensic Nurse Examiner Manager. Ms. Rasmussen stated that a contact to their office comes in two ways; a call from the facility or upon arrival at the hospital, the hospital will call. Services are provided at two locations, Lynchburg General Hospital or Gretna Emergency Room (a free-standing facility). Their format is to first ensure the patients safety before taking him into an emergency room bay. They get written and verbal permission for the examination from the patient. Lynchburg General Hospital uses the SARP, YWCA of Lynchburg for advocacy services. Currently, Gretna Emergency does not have an advocate available, but that problem is being worked on.

Ms. Rasmussen states that there have been no problems/issues with working with the jail. She also stated that a physician is always present for the examination.

On-Site Audit Activities

Site Review:

The auditor conducted a site review of the entire facility, along with Captain Sears and Sgt. Dews. Areas reviewed included: Intake, Sally ports, Medical, Storage, Holding Cells, Multipurpose Rooms, Dormitory, Indoor Recreation, Outdoor Recreation, Kitchen, Kitchen Sally port, Housing Units, and Office Areas. (Two Floors)

Selection of Staff and Residents for interviews:

Upon arrival at the arrival at the facility, the auditor was provided a list of staff and inmates (including specialized populations). The auditor randomly chose names from the lists for interviews. During the entrance meeting, the auditor provided the random list to those present to prepare for the interviews.

Inmate Interviews: (16)

Caucasian/Male: 7

African American/Male: 1

Caucasian/Female/Bi-Sexual: 1

African American/Female/Lesbian/Prior Sexual Abuse: 1

African American/Female/Bi-Sexual/Prior Sexual Abuse: 1

African American/Female/Transgender/Prior Sexual Abuse: 1

Hispanic/Male/LEP: 1

Caucasian/Male/ADHD/Depression/ Prior Sexual Abuse: 1

Caucasian/Male/Transgender/Prior Sexual Abuse: 1

Caucasian/Male/Autistic/Asperger's/Bi-Polar/ADHD/Transgender: 1

Staff, Contractors, and Volunteer Interviews: (15)

Agency:

Assistant Administrator (Administrator's Designee)

Qualified Mental Health Practitioner

Personnel Specialist (HR)

Director of Nursing

Internal Affairs Investigator

PREA Coordinator

Facility:

Site Administrator (Captain)

Shift Supervisor (Sargent)

Corporal: 2

Classification Officer: 1

Officers: 4

Note: Facility staff interviews covered both shifts.

Note: Since the onset of COVID-19, the facility has cancelled all programming and volunteer ran events. Therefore, no contractors or volunteers were interviewed. In addition, because of the size of the facility there may be only four (4) staff working at any time. Their scheduling sequence did not allow for many staff interviews.

Facility Staff Plan Annual Review:

This annual review is addressed in detail within this report.

Shift Reports Documenting Unannounced PREA Rounds:

The auditor reviewed months of Logbooks checking the times and dates of supervisory unannounced rounds. It was extremely rare to find a single notation missing.

Certificates of Training / PREA Acknowledgment Statements / Staff / Volunteer:

PREA training sign-off sheets for the last year was reviewed by the auditor. Staff, volunteer and medical personnel were present.

MOU with Contact Rape Crisis Center:

As noted earlier in this report, the agency has a contract with the Sexual Assault Response Program (SARP), YWCA, of Central Virginia.

Victimization / Aggressor Assessments and Reassessments: (16)

The auditor reviewed files for those individuals interviewed. All individuals had timely PREA sign-off sheets, initial assessments and reassessments.

Incident Reports/Investigations:

The facility has not had an allegation/investigation for sexual abuse or sexual harassment within the past twelve (12) months.

Notifications to Inmates:

As the facility has not had an allegation/investigation for sexual abuse or sexual harassment within the past twelve (12) months, there has not been a need to notify inmates of a conclusion.

Coordinated Response Plan:

When the auditor initially reviewed the OAS, the Coordinated Response Plan was in agency policy only. After discussion, the agency has completed an individual plan (including checkoffs, date, times, and person) to be used by the facility.

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.

BLUE RIDGE REGIONAL JAIL AUTHORITY

The Blue Ridge Regional Jail Authority was created in November 1994 by Member Jurisdictions for the purpose of developing and operating a regional jail system; which was established by acquiring, renovating, and expanding existing jail facilities and constructing additional jail facilities. Member Jurisdictions were faced with increasing jail populations resulting in the need for additional capacity, which was exacerbated by the poor physical condition of many of the existing facilities. Until 2007, the Member Jurisdictions were the Cities of Bedford and Lynchburg and the Counties of Bedford, Campbell, and Halifax. Faced with similar problems of overcrowding and deteriorating physical structures, the Counties of Amherst and Appomattox joined the Authority in 2007. In July 2013, the City of Bedford reverted to Town status and subsequently withdrew from the Authority. The Authority is governed by a Board made up of 12 members, including the Sheriff of each jurisdiction as required by the Code of Virginia.

The BRRJA assumed operation of the jail facilities on July 1, 1998. Christopher R. Webb served as the Authority's first Administrator until his retirement. Elton W. Blackstock was selected to serve as Administrator in February 2009. Timothy E. Trent has served as Administrator since October 2012 following Mr. Blackstock's retirement. Matthew C. Marsteller was selected as Assistant Administrator also in October 2012. In August 2016, Mr. Marsteller became Assistant Administrator of Inmate Services and Support, and E. Chad Lipscomb took over the position in February 2019. Joshua L. Salmon joined the Authority as Assistant Administrator of Security in August 2016. The BRRJA operates five facilities. It was the first multi-site regional jail in the Commonwealth of Virginia. Four of the five original facilities currently in operation are the Bedford Adult Detention Center, the Campbell County Adult Detention Center, the Halifax County Adult Detention Center, and the Lynchburg Adult Detention Center. The recently constructed Amherst County Adult Detention Center opened in December 2011. The Moneta Adult Detention Center was closed and demolished after construction of the Amherst facility.

The Authority employs 410 persons and has an average daily inmate population in excess of 1100. In July 2016, the BRRJA achieved 18 years of providing for public safety in a humane and fiscally responsible manner.

Bedford Adult Detention Center

The BADC is located at 1000 Broad St. Bedford, Virginia 24523. It is one of 5 jails within the Blue Ridge

Regional Jail Authority which was established in 1998. The physical building was built in 1965. The BADC is operated under the direction of the Site Administrator Captain Mark O. Cahow. and employs 37 staff members.

It is located in the Town of Bedford, but houses inmates for both the Town and County of Bedford. It houses inmates of all Security/Classification levels, both male and female inmates, pre-trial as well as convicted inmates sentenced to confinement in the Virginia Prison System.

The jail does not hold youthful offenders. It has a total of 9 inmate housing units. Additionally, there are three restrictive housing cells.

Prisoner intake is located on the main level and is comprised of four intake holding cells designed for single occupancy and temporary holding. The housing units are a combination of indirect podular observation and linear design. One unit is an open dorm. There are designated housing units for the purpose of holding females, male inmate workers, community workforce inmates as well as males assigned to work release.

Overall, the operational philosophy, based upon an objective review of the Center, is one that encourages mutually respectful communication between staff and prisoners. The prisoners are observed on a twice hourly basis by the staff and provided necessities, as well as access to the facility's services as appropriate.

There were private areas available to conduct searches, medical examinations, mental health screenings, and PREA risk assessments. There were private areas available to conduct classification screenings.

The walk through the facility showed it to be quiet, clean and interactions between staff and inmates' cordial.

Note: Due to COVID-19, all programing at the facility has been shut down.

The auditor would like to thank the Site Administrator, Assistant Site Administrator/PREA Manager, Agency PREA Coordinator, and facility staff for making this audit a smooth process. Information and responses were immediate and cordial.

AUDIT FINDINGS	
<p>Summary of Audit Findings:</p> <p>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.</p>	
Number of standards exceeded:	0
Number of standards met:	45
Number of standards not met:	0
<p>Number of Standards Exceeded: 0</p> <p>Standards Exceeded: n/a</p> <p>Number of Standards Met: 45</p> <p>Standards Exceeded: 115.11, 115.12, 115.13, 115.14, 115.15, 115.16, 115.17, 115.18, 115.21, 115.22, 115.31, 115.32, 115.33, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.88, 115.89</p> <p>Number of Standards Not Met: 0</p> <p>Standards Not Met: n/a</p>	

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Blue Ridge Regional Jail Authority / Bedford County Adult Detention Center Organizational Chart</p> <p>Blue Ridge Regional Jail Authority Organization Chart</p> <p>Interview with Site Administrator</p> <p>Website</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>PURPOSE:</p> <p>To provide guidance for the BRRJA relating to the Prison Rape Elimination Act (PREA) of 2003 in accordance with other BRRJA policies and procedures to enable the BRRJA to comply with the standards set forth in the PREA, and to establish a zero tolerance culture towards any forms of sexual abuse, misconduct, and harassment.</p> <p>POLICY:</p> <p>It is the policy of the BRRJA to comply with all standards within the Prison Rape Elimination Act (PREA). The BRRJA has established a zero-tolerance policy for all forms of sexual misconduct, incidents involving inmate-on-inmate sexual violence, and all forms of staff sexual misconduct / harassment towards inmates regardless of consensual status. The BRRJA considers any form of sexual misconduct by staff an abuse of power. This policy addresses the prevention, detection, and response to such incidents.</p> <p>II. ZERO TOLERANCE:</p> <p>A. The BRRJA prohibits and will not tolerate any sexual misconduct or abuse defined in section I by staff, contractors, or volunteers with inmates, or between inmates. The BRRJA takes a pro-active approach to prevent, detect, report, and respond to any violation.</p> <p>B. Any staff member violating this policy is subject to disciplinary action up to and including dismissal under S.O.P. 2.11, with dismissal being the presumptive disciplinary sanction for staff who has engaged in sexual abuse.</p> <p>Disciplinary action for violations of agency policies relating 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</p>

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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

C. Any contractor or volunteer engaging in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The BRRJA shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies.

D. Any behavior of a sexual nature between inmates is prohibited regardless of consent. Inmates shall be subject to disciplinary action in accordance with S.O.P. 13.01 if it is found that the inmate engaged in inmate-on-inmate sexual acts. If any such acts are determined to be criminal in nature the incident shall be reported to law enforcement agencies.

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

2. The disciplinary process shall consider 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.

3. If applicable the BRRJA will consider whether the inmate should attend mental health therapy, and or counseling designed to address and correct any underlying reasons or motivations for the abuse.

4. The BRRJA may discipline an inmate for sexual contact with staff, contractors, or volunteers only upon a finding that the staff, contractor, or volunteer did not consent to such contact.

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

6. Although all sexual behavior between inmates is prohibited within the BRRJA, the BRRJA will not deem such activity to constitute sexual abuse if the activity is not coerced.

III. PREA COORDINATOR / MANAGERS:

A. The BRRJA has designated an agency wide PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA Standards in all of its facilities.

B. The BRRJA has designated a PREA Compliance Manager at each individual facility with sufficient time and authority to coordinate and oversee agency efforts to comply with the PREA Standards at each respective facility.

IV. PREVENTION:

A. Inmate Education

When an inmate enters a BRRJA facility, during the initial Intake/Booking process, the inmate will be given information explaining the BRRJA zero tolerance policy regarding sexual abuse and misconduct, and how to report incidents or suspicions of sexual abuse or harassment to include the toll-free PREA Report Line number and information on how to give a report to an independent agency. This information will also be verbally explained to the inmate by the Booking Officer.

Within 10 days of Intake, the inmate will receive additional, more comprehensive PREA related training in the form of the video "Speaking Up: Discussing Prison Sexual Assault", or other similar information will be presented and explained to the inmate regarding PREA. All attempts will be made to have the video presented to the inmate during the Classification process and prior to being given a housing unit assignment.

a. PREA information will also be readily available throughout all BRRJA facilities in the form of posters in each housing unit as well as in the Inmate Handbook that will be issued to each inmate. The Inmate Handbook includes information on the BRRJA zero tolerance policy, BRRJA response procedures, the inmate's rights to be free from sexual abuse and harassment, reporting procedures available, and that an inmate will be free from retaliation for reporting such incidents.

b. The BRRJA shall make arrangements for inmates that speak languages other than English or Spanish, and with inmates who are deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills to receive training and materials in a language understood by the inmate.

- For inmates with disabilities and inmates who are limited English proficient the BRRJA shall take appropriate steps to ensure that 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 the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

- Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

- In addition, the BRRJA shall 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, limited reading skills, or who are blind or have low vision.
 - The BRRJA is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of service, program, or activity, or in any undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.
 - The BRRJA shall take reasonable steps to ensure meaningful access to all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
 - The BRRJA shall 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, the performance of first-response duties under this policy, or the investigation of the inmate's allegations.
- c. The BRRJA shall maintain documentation of inmate participation of these education sessions during intake, upon watching the video, and having received an inmate handbook.

B. Staff, Volunteer, and Contractor Training

All BRRJA employees and Volunteers will receive training on:

- a. The BRRJA zero tolerance policy;
 - b. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
 - c. Inmates' right to be free from sexual abuse and sexual harassment;
 - d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
 - e. The dynamics of sexual abuse and sexual harassment in a confinement;
 - f. The common reactions of sexual abuse and sexual harassment victims;
 - g. How to detect and respond to signs of threatened and actual sexual abuse;
 - h. How to avoid inappropriate relationships with inmates;
 - i. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
 - j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
- This training will be conducted during orientation for new employees as well as new volunteers.

- Training for employees will take place on an annual basis in conjunction with other annual training.
- The BRRJA shall document that employees and volunteers understand the training they have received.

All contractors will receive training on their responsibilities under the BRRJA PREA Policy, and be notified of the zero tolerance policy regarding sexual abuse and sexual harassment and be informed on how to report such incidents.

- This training will be given in the form of a flyer and further explanation by staff if needed.
- The BRRJA shall document that contractors understand the training information they have received.

C. Specialized Training

Investigations:

- In addition to the general training provided to all employees, the BRRJA shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.
- Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
 - The BRRJA shall document that such training has been completed.

Medical and Mental Health:

- The BRRJA shall ensure that all full-time 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;
 - How to preserve physical evidence of sexual abuse;
 - How to respond effectively and professionally to victims of sexual abuse and sexual harassment;
 - How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
 - The BRRJA shall document that such training has been completed.

B. Examples of Unacceptable and Inappropriate Behaviors at Work are, but not limited to:

- Verbal
 - Slang, local expressions, names, or labels that another person finds offensive.
 - Negative, gratuitous, patronizing, or off-hand comments of any kind about another

person's gender, race, physical attributes, clothing, ethnic origin, marital status, age, handicap or religious affiliation.

- c. Sexually suggestive, obscene or lewd comments or invitations.
- d. Asking for or requiring sexual favors for employment and implying there will be economic or employment benefits is illegal.
- e. Discussing sexual activities.
- f. Minimizing (laughing at, ignoring, delaying responses, gossiping about) individual's concerns about inappropriate sexual behavior.

2. Physical

- a. Touching, brushing against, pinching, or grabbing any part of any person's body in a playful way.
- b. Leering, ogling, or otherwise drawing attention to specific parts of another person's body.
- c. Vulgar gestures.
- d. Display of sexually suggestive objects, drawings or pictures on bulletin boards, walls or rest rooms.

GENERAL DEFINITIONS: For the purpose of PREA Standards.

IV. PREVENTION:

- D. Inmate Education
- E. Staff, Volunteer, and Contractor Training
- F. Specialized Training
- G. Medical and Mental Health

Website

BLUE RIDGE REGIONAL JAIL AUTHORITY PREA DEFINITIONS:

§115.6 Definitions related to Sexual Abuse

Abuse by Inmate – Includes the:

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident

includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

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

Abuse by Staff – Includes the:

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer. Includes the invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

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

Substantiated – an allegation which was investigated and determined to have occurred

Unfounded – an allegation which was investigated and determined not to have occurred

Unsubstantiated – an allegation which produced insufficient evidence to make a final determination of a substantiated or unfounded claim

Comments:

The definitions and means of prevention listed within the SOP is much lengthier and more detailed than that listed above.

The Bedford County Adult Detention Center utilizes the position of Assistant Site Administrator as their PREA Compliance Manager. That individual is Lt. Brandon Hughes. Lt. Hughes reports to the Site Administrator, Cpt. Mark Cahow. Lt. Hughes was unavailable for an interview..

The Blue Ridge Regional Jail Authority has assigned Debbie Dews, Administrative Sgt. as their PREA Coordinator.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>None</p> <p>On or after August 20, 2012 or since the last PREA audit, whichever is later:</p> <p>The number of contracts for the confinement of inmates that the agency entered into or renewed with private entities or other government agencies: 0</p> <p>The number of contracts that DID NOT require contractors to adopt and comply with PREA standards: 0</p> <p>On or after August 20, 2012, or since the last PREA audit, whichever is later, the number of contracts that DO NOT require the agency to monitor contractor's compliance with PREA standards: 0</p> <p>Comments:</p> <p>The facility reports that it has not entered or renewed a contract for the confinement of their inmates since the last PREA audit. It should be noted that the facility does hold inmates for the Federal Bureau of Prisons and the U.S. Marshall Service. The contact for these services were reviewed.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>PREA Staffing Plan Review dated February 21, 2020</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>SOP 12.15; Supervision of Inmates</p> <p>Staffing Plan</p> <p>Post Assignment Roster</p> <p>Yearly Review of Staffing Plan</p> <p>Documentation of Unannounced Rounds</p> <p>Interview with Site Administrator</p> <p>Interview with Agency PREA Coordinator</p> <p>Interview with Staff</p> <p>Site Review</p> <p>Since August 20, 2012, or last PREA audit, whichever is later:</p> <p>The average daily number of inmates: 76</p> <p>The average daily number of inmates on which the staffing plan was predicated: 99</p> <p>PREA Staffing Plan Review dated February 21, 2020 states:</p> <p>“On February 21, 2020 I conducted the annual Staffing Plan Review as required by PREA standards. The employees present at this review was myself, Corporal Miller and Transportation Officer Conner. We conducted this review to determine if our staffing plan was adequately meeting the facilities needs with regard to our PREA policy. Some of the issues discussed at this meeting included but were not limited to the following:</p> <ol style="list-style-type: none"> 1. Was our current staffing plan sufficient? The committee determined that the current staffing plan is sufficient to enforce security as well as PREA standards at this time. 2. The facilities video monitoring system was discussed as well. We currently have sufficient video monitoring systems and DVR’s in place that aide in the monitoring of staff and

inmates alike. We will continue to upgrade recording and monitoring equipment in upcoming years as the budget allows.

3. Do we have proper resources to adhere to our staffing plan? The committee feels confident that we have adequate resources available to us to ensure adherence to our current staffing plan.

After review the committee felt that our current staffing plan and practices were sufficient to ensure the safety and security of our facility and do not recommend any changes at this time.

Thank you, and feel free to contact me with any questions you may have.”

Respectfully,

Lt. Brandon Hughes, PREA Manager

Bedford Adult Detention Center

SOP 12.15; Supervision of Inmates

A. Checks of the inmate housing area will be made twice hourly at random intervals and logged. All inspections and unusual incidents shall be documented. During these checks, all inmates' presence and well-being must be verified by the officer conducting the check.

- Staff members of the opposite gender must announce their presence when entering an inmate housing unit.

- Inmates will be able 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.

- This log will be reviewed by the shift leader daily.

(a) The agency shall ensure that each facility it operates shall develop, document, and make its best to comply on a regular basis with a staffing plan that provides for 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, facilities shall take into consideration:

1. Generally accepted detention and correctional practices;
2. Any judicial findings of inadequacy;
3. Any findings of inadequacy from Federal investigative agencies;
4. Any findings of inadequacy from internal or external oversight bodies;
5. All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);

6. The composition of inmate population;
7. The number and placement of supervisory staff;
8. Institution programs occurring on a particular shift;
9. Any applicable State or Local Laws, Regulations, or Standards;
10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
11. Any other relevant factors.

(b) In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.

(c) Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA Coordinator, the agency shall assess, determine, and document whether adjustments are needed to: the staffing plan pursuant to 115.13 (a); the facility's deployment of video monitoring systems and other monitoring technologies; and the resources the facility has available to commit to ensure adherence to the staffing plan.

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

A. Supervisory rounds by a Shift Leader or Assistant Shift Leader will be conducted a minimum of once each shift in all housing units and areas where inmates are present or being held.

These rounds will be unannounced to staff and documented as such.

It is prohibited for any staff member to alert or notify other staff members that these supervisory rounds are occurring unless such announcement is related to the legitimate operational function of the facility. Violating this procedure may result in employee discipline.

Comments:

The facility notes that there are not 6 common reasons for not following staffing plan. Posts are always filled to the use of a 'call-in' procedure.

During the auditor's review of the OAS, it was noted that no staffing analysis was present. The auditor then requested the analysis from the PREA Coordinator. The Coordinator was given links to several resources describing how to establish the analysis and subsequent plan. The auditor was soon provided a document "Staffing Plan Analysis" dated September 1, 2015. It states, "Staffing Positions throughout the Blue Ridge Regional Jail Authority (BRRJA) are allocated from the staffing plan established by the Virginia Department of Corrections with the assistance of the Compensation Board of Virginia". The only reference to staff positions in this document is "Each shift has two supervisory staff that may consist of a Lieutenant/Sergeant combination, or a Sergeant/Corporal. In addition, the Site Administrator and Assistant Site Administrator are on site for a minimum of 40 hours a week."

As a follow up the auditor contacted the Virginia Department of Corrections to ascertain how staffing for jails correlated to the Department of Corrections. This is the response: "Staffing is based on the jail's rated capacity in accordance with the Comp Board's standards. For instance, one security staff for every three inmates of rated capacity. The rated capacity is determined when a facility is first built based on the number of beds it was designed for and the support spaces provided such as recreation and education areas. When a jail adds bed space, they will request through the Comp Board to have a staffing study done to increase the number of allotted positions. DOC is then asked to do a staffing study in order to recommend to the Comp Board how many additional positions are warranted based on Comp Board standards. The Comp Board uses the staffing study as a guide to add positions."

This response shows that there is a formalized method of determining staffing numbers. In addition, the facility has not added staff or beds for some time.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Interview with Site Administrator</p> <p>Interview with Assistant Site Administrator</p> <p>In the past 12 months:</p> <p style="padding-left: 40px;">The number of housing units to which youthful offenders are assigned that provide sight and sound separation between youthful and adult offenders in day rooms, common areas, showers, and sleeping quarters: 0</p> <p style="padding-left: 40px;">The number of youthful inmates placed in the SAME HOUSING UNIT as adults in this facility: 0</p> <p style="padding-left: 40px;">In the past 12 months, the number of youthful inmates who have been placed in isolation in order to separate them from adult inmates: 0</p> <p>Comments:</p> <p>The facility does not hold youthful offenders.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 15.15 Supervision of Inmates SOP 12.09; Searches Training Curriculum Staff Training Logs Interviews of Staff Interviews of Female Inmates Interviews of Male Inmates Interviews of Transgender/Intersex Inmates Site Review <p>In the past 12 months:</p> <ul style="list-style-type: none"> The number of cross-gender strip or cross-gender visual body cavity searches of inmates: 0 The number of cross-gender strip or cross-gender visual body cavity searches of inmates that did not involve exigent circumstances or were performed by non-medical staff: 0 <p>In the past 12 months:</p> <ul style="list-style-type: none"> The number of pat-down searches of female inmates conducted by male staff: 0 The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstances: 0 <p>Percent of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional</p>

and respectful manner, consistent with security needs: 100%

SOP 12.09; Searches

A. Inmates Subject to Search

Pat Down Search

a. New arrestees will have a pat down search immediately upon entering the center.

- A pat down search shall be conducted by an officer of the same sex as the inmate based on physical genitalia, except in exigent circumstances.

- Cross-gender pat-down searches, performed only in exigent circumstances, and searches of transgender and intersex inmates, shall be done in a professional and respectful manner, and in the least intrusive manner possible while meeting security needs.

- If a pat down search must be conducted by an officer of the opposite sex, the shift leader must be notified prior to conducting the search, and the search shall be documented on an incident report.

- A metal detector may be utilized to assist in conducting a search.

B. Visual Inspection

...This visual inspection shall be conducted and witnessed only by persons of the same sex as the inmate except when there is a need for it to be performed or witnessed by a medical staff member.

- The facility shall 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 may be 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.

C. Strip Search

2. Strip searches shall be conducted and witnessed only by persons of the same sex as the inmate.

a. If staffing permits two (2) staff members should be present.

b. Strip searches shall be done in a private location, away from public view, free from members

Body Cavity Search

Cavity searches are conducted only when there is reasonable suspicion that the inmate is carrying a weapon or contraband in such cavity.

A body cavity search shall be conducted only when authorized by the administrator or designee. Body cavity searches shall be conducted only by qualified medical professionals designated by medical staff. They shall be conducted at a location designated by medical staff.

An Incident Report Form shall be written and forwarded to the site administrator, in the event of a body cavity search.

SOP 15.15 Supervision of Inmates

A. Checks of the inmate housing area will be made twice hourly at random intervals and logged. All inspections and unusual incidents shall be documented. During these checks, all inmates' presence and well-being must be verified by the officer conducting the check.

- Staff members of the opposite gender must announce their presence when entering an inmate housing unit.
- Inmates will be able 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.
- This log will be reviewed by the shift leader daily.

Comments:

The facility states: "We do not conduct Cross Gender Searches or Body Cavity Searches. We would document that they went out to a Hospital for evaluation from a Medical Examiner."

Interviews with both staff and inmates confirm that cross gender searches and patdowns do not occur. If the facility is short female staff, they will contact the local Police or Sheriff's Department to request a female staff for a search or pat down. If one is not available, the female inmate is kept within booking until a female officer is sent. This arrangement works well for the facility.

All staff note that strip searches would only be conducted for reasonable reasons and are never utilized for any non-operational reason. (All note that it would be logged if it occurred.) Additionally, all confirmed that they had been trained in all matters of patdowns.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior Language Services Invoice Summary – June 2020 Interview with Agency Head Designee / Assistant Administrator Interviews with Inmates who have disabilities or are limited English Proficient Interviews with staff Site Review Inmate Handbook (English and Spanish) Written Materials for Inmates with Disabilities <p>In the past 12 months, the number of instances where inmate interpreters, readers, or other types of inmate assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the inmate's safety, the performance of first response duties under §115.64, or the investigation of the inmate's allegations: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>b. The BRRJA shall make arrangements for inmates that speak languages other than English or Spanish, and with inmates who are deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills to receive training and materials in a language understood by the inmate.</p> <ul style="list-style-type: none"> · For inmates with disabilities and inmates who are limited English proficient the BRRJA shall take appropriate steps to ensure that 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 the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. · Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. · In addition, the BRRJA shall 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, limited reading skills, or who are blind or have low vision.

- The BRRJA is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of service, program, or activity, or in any undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.

- The BRRJA shall take reasonable steps to ensure meaningful access to all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

- The BRRJA shall 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, the performance of first-response duties under this policy, or the investigation of the inmate's allegations.

Comments:

The facility states "We do not allow inmates to intervene" in relation to inmate interpreters. The interviews attested to the fact that inmate interpreters are not used.

The facility provided a Language Services Invoice Summary from June 2020. Although, they receive very few non-English speaking inmates. Posters and handbooks are also in Spanish.

Those identified special populations who were identified were all able to discuss PREA and felt that they were provided all the information. The facility also utilizes a telephone language service provider.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 2.36; Promotion and Demotion</p> <p>SOP 1.10; Recruitment, Selection and Hiring</p> <p>Personnel Files of Staff who were hired or promoted in last twelve months for criminal background checks and past conduct</p> <p>Personnel Files of background checks of contractors</p> <p>Personnel Files of Staff re: five-year background records checks</p> <p>Interview with Human Resources Staff</p> <p>In the past 12 months:</p> <p>The number of persons hired who may have contact with inmates who have had criminal background record checks: 4</p> <p>SOP 2.36; Promotion and Demotion</p> <p>A. (a) The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who:</p> <ol style="list-style-type: none"> 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); 2. 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 3. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph A. 2. of this section. <p>B. (b) The agency shall consider 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.</p> <p>C. (f) The agency shall 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 and in any interviews or self-evaluations conducted as part of reviews of current employees. The agency shall also impose upon</p>

employees a continuing affirmative duty to disclose any such misconduct.

D. (g) Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

A. Promotions

6. Employees must submit the PREA Disclosure form along with their application. Information from this form will be evaluated and applied in accordance with PREA standard 155.17 (a,b,f,g).

SOP 1.10; Recruitment, Selection and Hiring

C. Before hiring new employees who may have contact with inmates, the agency shall:

1. Perform criminal background checks; and

2. 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.

D. The agency shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.

E. The agency shall 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.

G. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Comments:

The facility states "100% of our employees have criminal background checks before being hired."

The facility does not have contract employees.

While in the BRRJA office, the auditor reviewed staff files for a PREA Disclosure Form (to be signed as Applicant, Evaluation, Promotion, Volunteer and within the five (5) year requirement), Applicant Status Report, Employment Application and verification of employee background checks. Contractors also receive background checks before providing services. All information was included, available and timely.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Interview with Administrator Designee</p> <p>Interview with Site Administrator</p> <p>Site Review</p> <p>2019 Staffing Plan Review</p> <p>Comments:</p> <p>The facility has not added cameras since their last audit, however they have upgraded their camera system. As noted previously, the Site Administrator is aware of the need for upgrading cameras/ locations.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Letter of Understanding between the Blue Ridge Regional Jail Authority and the Town of Bedford Police Department</p> <p>Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority.</p> <p>Interviews with Staff</p> <p>Interview with SAFE/SANE Provider</p> <p>Interview with the Director of Nursing</p> <p>Review Investigation Files</p> <p>Uniform Evidence Protocol</p> <p>Medical File Review</p> <p>In the past 12 months:</p> <p>The number of forensic medical exams conducted: 0</p> <p>The number of exams performed by SANEs/SAFEs: 0</p> <p>The number of exams performed by a qualified medical practitioner: 0</p> <p>Letter of Understanding between the Blue Ridge Regional Jail Authority and the Town of Bedford Police Department</p> <p>“This letter of understanding is established on July 1, 2013, between the Blue Ridge Regional Jail Authority; hereinafter referred to as BRRJA and the Town of Bedford Police Department, hereinafter referred to as the Police Department, to wit:</p> <p>WHEREAS, both agencies are local elements of the criminal justice system of the Commonwealth of</p> <p>Virginia authorized and duly established. The Blue Ridge Regional Jail Authority and functions</p>

of the BRRJA are established by the Code of Virginia. The establishment, organization and authority of the Police Department is set forth by the Code of Virginia and the Code of the Town of Bedford;

WHEREAS, both agencies have faithfully served, in harmony and unison, the citizens of the Town of Bedford with regards to the needs of public safety and the fulfillment of all tasks pertinent to the administration of justice;

A. It is agreed upon, recognized, and/or understood that:

1. In the event of a sexual abuse or rape allegation in the BRRJA or during a BRRJA transport, as defined by the Prison Rape Elimination Act, the BRRJA will work with the Police Department to investigate the allegation. The Police Department will be responsible for conducting an investigation into the complaint, collection of evidence and obtaining criminal charges, if applicable. The BRRJA will be responsible for preserving any evidence and for protection the crime scene prior to the Police Department's arrival. In addition, the BRRJA will provide reports and other records that may assist in their investigation of the alleged incident.

This agreement shall be reviewed on an as-needed basis by the executive officers of the Police Department and the BRRJA.

The content of this agreement is subject to revision for just cause or necessity based upon the agreement of all parties concerned.

Executed this 1st day of July 2013

Revised this 17th day of October 2014”

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

A. The BRRJA shall collect accurate, uniform data for every allegation of sexual abuse at all of its facilities using a standardized instrument and set of definitions. All facilities shall follow procedures set forth in the BRRJA SOP Manual.

1. This 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, "A National Protocol for Sexual Assault Medical Forensic examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.

7. If appropriate, the alleged victim, and alleged abuser shall be escorted separately to the local hospital for medical assessment/treatment by a forensic nurse examiner. The inmate(s) will be escorted by security staff as well as the local law enforcement investigator(s) if applicable.

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

- Inmate victims of sexual abuse while incarcerated shall be 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 shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
3. The BRRJA shall provide such victims with medical and mental health services consistent with the community level of care.
- a. Upon request of the inmate, the BRRJA shall 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 victim advocacy or rape crisis organizations. The BRRJA shall enable reasonable communication between inmates and these organizations in as confidential manner as possible.

Comments:

The BRRJA initiates sexual abuse investigations the facility PREA Manager and with the agency's Internal Affairs Investigator. The Internal Affairs Investigator determines if the investigation is to be moved forward for criminal action. If referred, the Bedford Police Department completes the criminal investigations.

The facility offers all inmates who experience sexual abuse access to forensic medical examinations at an outside facility, not on-site (at Lynchburg General Hospital).

The investigator reviewed the steps needed to complete a comprehensive investigation including the gathering of physical evidence.

The Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority delineates the responsibilities of all three entities. The document is quite detailed. (Note: "This agreement is effective August 01, 2013 and will remain in force until any party terminates in writing. This agreement may be amended, modified, and/or expanded, as mutually agreed upon in writing by all parties.")

Interviewed staff at the facility and the Director of Nursing indicated that all sexual abuse victims are given the opportunity/choice to have a completed forensic exam. The SAFE/SANE staff also stated that victims are given a choice while at the hospital.

As noted earlier in this report, an advocate is made available to a victim, via a contact from the facility or from the hospital.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Agency Designee</p> <p>Interview with Investigative Staff</p> <p>Interviews with Staff</p> <p>Interviews with Inmates</p> <p>Review of Investigation Files</p> <p>Website</p> <p>In the past 12 months:</p> <p>The number of allegations of sexual abuse and sexual harassment that were received: 0</p> <p>The number of allegations resulting in an administrative investigation: 0</p> <p>The number of allegations referred for criminal investigation: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>VII. INVESTIGATIONS:</p> <p>A. The BRRJA shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>B. The BRRJA shall refer all allegations that indicate a potential crime has been committed to the appropriate local law enforcement agency. All such referrals shall be documented. The BRRJA shall fully cooperate with any investigation performed by law enforcement and will make all efforts to stay informed on the progress of such investigation. If an administrative investigation is appropriate, and conducted, the BRRJA shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>VIII. DATA:</p> <p>A. The BRRJA shall collect accurate, uniform data for every allegation of sexual abuse at all</p>

of its facilities using a standardized instrument and set of definitions. All facilities shall follow procedures set forth in the BRRJA SOP Manual.

Website

The following is on the Blue Ridge Regional Jail Authority Website:

“The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to support the elimination and prevention of sexual assault and sexual misconduct in correctional systems. PREA addresses both inmate-to-inmate sexual assault and staff-to-inmate sexual assault. It is the policy of the Blue Ridge Regional Jail Authority (BRRJA) to comply with all standards within the Prison Rape Elimination Act (PREA). In accordance with PREA standard 115.11, the BRRJA has established a ZERO TOLERANCE policy for all forms of sexual misconduct, incidents involving inmate-on-inmate sexual violence, and all forms of staff sexual misconduct / harassment toward inmates regardless of consensual status.

The BRRJA implements its “Zero-Tolerance” policies through a facility-wide systematic process that begins when inmates are initially admitted into the facility. When inmates enter our intake area, they are met with a comprehensive educational process where their rights to be free from sexual abuse and harassment are explained in detail to them. Inmates are exposed to education concerning reporting options through the use of the inmate handbook and postings throughout the facility regarding sexual abuse prevention and information concerning victim advocacy.

The BRRJA has determined that the policies and procedures are clear; ALL SEXUAL ACTIVITY IS PROHIBITED. Beyond those rules, forced or coerced sexual behavior is a criminal act that merits criminal prosecution. In the event of a sexual abuse or rape allegation in the BRRJA or during a BRRJA transport, as defined by the PREA standard 115.22, the BRRJA will work with the Sheriff’s Office or local Police Department of the jurisdiction in which the incident occurred to investigate the allegation. The BRRJA has agreements with local law enforcement to ensure that all incidents of sexual assault are thoroughly investigated and referred for prosecution to the Commonwealth Attorney.

If you feel that your family member or friend has been the victim of sexual abuse at the hands of another inmate, or if you have information concerning suspected incidents of employee sexual misconduct involving the Blue Ridge Regional Jail Authority personnel, please contact one of the following:

- The Site Administrator of the facility where the incident occurred – [Contact Us Here](#)
- The Sheriff’s Office or Police Department of the jurisdiction where the incident occurred
- YWCA Sexual Assault Response Program at 888.947.7273”

Comments:

All cases of reported sexual abuse and sexual harassment are noted by the facility PREA Manager, with notices to the PREA Coordinator and Internal Affairs Investigator. The PREA Manager and Internal Affairs Investigator work jointly to ensure that all steps are taken to

come to an accurate disposition. If the investigation appears to be criminal, the Internal Affairs investigator refers it to the court.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Material Reviewed:</p> <ul style="list-style-type: none"> SOP 28.10; Prevention and Intervention for Sexually Abusive Behavior Curriculum / Lesson Plans PREA Staff Refresher Training Interviews with Staff Review of Staff Training Records / Signatures Review of Volunteer / Contractors Training Records <p>In the past 12 months:</p> <p>The number of staff employed by the facility, who may have contact with inmates, who were trained or retrained in PREA requirements: 37</p> <p>SOP 28.10; Prevention and Intervention for Sexually Abusive Behavior</p> <p>B. Staff, Volunteer, and Contractor Training</p> <p>All BRRJA employees and Volunteers will receive training on:</p> <ol style="list-style-type: none"> a. The BRRJA zero tolerance policy; b. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; c. Inmates' right to be free from sexual abuse and sexual harassment; d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; e. The dynamics of sexual abuse and sexual harassment in a confinement; f. The common reactions of sexual abuse and sexual harassment victims; g. How to detect and respond to signs of threatened and actual sexual abuse; h. How to avoid inappropriate relationships with inmates; i. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and

j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

- This training will be conducted during orientation for new employees as well as new volunteers.
- Training for employees will take place on an annual basis in conjunction with other annual training.
- The BRRJA shall document that employees and volunteers understand the training they have received.

All contractors will receive training on their responsibilities under the BRRJA PREA Policy and be notified of the zero-tolerance policy regarding sexual abuse and sexual harassment and be informed on how to report such incidents.

- This training will be given in the form of a flyer and further explanation by staff if needed.
- The BRRJA shall document that contractors understand the training information they have received.

C. Specialized Training

Investigations:

- a. In addition to the general training provided to all employees, the BRRJA shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.
- b. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
 - The BRRJA shall document that such training has been completed.

Medical and Mental Health:

- a. The BRRJA shall ensure that all full-time and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:
 1. How to detect and assess signs of sexual abuse and sexual harassment;
 2. How to preserve physical evidence of sexual abuse;
 3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment;
 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
 - The BRRJA shall document that such training has been completed.

Comments:

Within the OAS, the facility states: "We conduct PREA refresher training for every Officer on a yearly basis." "We conduct a PowerPoint presentation Annually and Review Annually during Roll Call Training. (twice per year)."

All staff interviewed stated that they receive formal training yearly. Verification was done through training sign-in sheets.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>“A Guide to Maintaining Proper Boundaries with Offenders” / A Brochure for Contractors and Volunteers to the Blue Ridge Regional Jail Authority</p> <p>PREA Orientation Training PowerPoint</p> <p>PREA Volunteer and Contractor Training Curriculum</p> <p>Training Sign-off Sheets: Contractors and Volunteers</p> <p>The number of volunteers and individual contractors, who have contact with inmates, who have been trained in agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response: 100%</p> <p>Volunteers: 3</p> <p>Contractors: 6</p> <p>"A Guide to Maintaining Proper Boundaries with Offenders" / A Flyer for Contractors and Volunteers to the Blue Ridge Regional Jail Authority</p> <p>This brochure includes a description of the PREA Act, the BRRJA zero-tolerance policy (to include staff as well as contractors and volunteers), the Duty to Report (and method to report), Inappropriate Relationships (Keeping Yourself Safe), and Maintaining Proper Boundaries.</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>All contractors will receive training on their responsibilities under the BRRJA PREA Policy and be notified of the zero-tolerance policy regarding sexual abuse and sexual harassment and be informed on how to report such incidents.</p> <ul style="list-style-type: none"> • This training will be given in the form of a flyer and further explanation by staff if needed. • The BRRJA shall document that contractors understand the training information they have received. <p>PREA Orientation Training</p>

The facility provided the PowerPoint used in the Orientation Training. It is inclusive.

Comments:

“100%. All of our Volunteers and Contractors are trained.”

Training Records/Sign-In Sheets were reviewed and found to have volunteers and contractors signatures. Due to the COVID 19 pandemic, contractors and volunteers were unable to be interviewed.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior Interviews with Staff Interviews with Inmates Files of Inmates entering facility in last 12 months / PREA signature sheets Review of Posters Site Review Offender Education Materials Inmate Handbook <p>Of inmates admitted during the past 12 months:</p> <p style="padding-left: 40px;">The number who were given this information at intake: 2056</p> <p>Of inmates admitted during the past 12 months whose length of stay in the facility was for 30 days or more: 1224</p> <p>The number who received comprehensive education on their rights to be free from both sexual abuse/harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake: 2056</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>IV. PREVENTION:</p> <p>A. Inmate Education</p> <p>When an inmate enters a BRRJA facility, during the initial Intake/Booking process, the inmate will be given information explaining the BRRJA zero tolerance policy regarding sexual abuse and misconduct, and how to report incidents or suspicions of sexual abuse or harassment to include the toll-free PREA Report Line number and information on how to give a report to an independent agency. This information will also be verbally explained to the inmate by the Booking Officer.</p> <p>Within 10 days of Intake, the inmate will receive additional, more comprehensive PREA related</p>

training in the form of the video "Speaking Up: Discussing Prison Sexual Assault", or other similar information will be presented and explained to the inmate regarding PREA. All attempts will be made to have the video presented to the inmate during the Classification process and prior to being given a housing unit assignment.

a. PREA information will also be readily available throughout all BRRJA facilities in the form of posters in each housing unit as well as in the Inmate Handbook that will be issued to each inmate. The Inmate Handbook includes information on the BRRJA zero tolerance policy, BRRJA response procedures, the inmate's rights to be free from sexual abuse and harassment, reporting procedures available, and that an inmate will be free from retaliation for reporting such incidents.

b. The BRRJA shall make arrangements for inmates that speak languages other than English or Spanish, and with inmates who are deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills to receive training and materials in a language understood by the inmate.

a. For inmates with disabilities and inmates who are limited English proficient the BRRJA shall take appropriate steps to ensure that 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 the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

b. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

c. In addition, the BRRJA shall 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, limited reading skills, or who are blind or have low vision.

d. The BRRJA is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of service, program, or activity, or in any undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.

e. The BRRJA shall take reasonable steps to ensure meaningful access to all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

f. The BRRJA shall 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, the performance of first-response duties under this policy, or the investigation of the inmate's allegations.

c. The BRRJA shall maintain documentation of inmate participation of these education sessions during intake, upon watching the video, and having received an inmate handbook.

Comments:

“100% - Every inmate is educated.”

Staff stated that due to the small numbers of staff on each shift (four (4)), positions rotate so that every person knows each job. Therefore, all staff knew the process for booking, providing PREA information (handbook and brochures), and completing the PREA Assessment.

Inmates shared that they were provided PREA information when they arrive at the jail, transfer from another jail, receive written information, handbook and watch the video.

Inmate file reviews showed documentation of PREA education (signatures) within seventy (72) hours of an inmate’s arrival. It is at that time that the comprehensive reassessment is completed. If additional information comes to the attention of the facility, a new reassessment is completed.

The auditor noted the PREA information posted throughout the facility.

115.34	Specialized training: Investigations
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 280">Auditor Discussion</p> <p data-bbox="252 327 523 358">Materials reviewed:</p> <p data-bbox="293 400 1209 432">SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p data-bbox="293 474 1241 506">Training Records of Assistant Site Administrator / Facility PREA Manager</p> <p data-bbox="293 548 911 580">Verification of Training of Investigators/Records</p> <p data-bbox="293 622 724 654">Interviews with Investigative Staff</p> <p data-bbox="258 768 1054 799">The number of investigators the agency currently employs: 1</p> <p data-bbox="252 913 1166 945">SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p data-bbox="252 987 584 1019">A. Specialized Training</p> <p data-bbox="252 1061 440 1093">Investigations:</p> <p data-bbox="252 1104 1469 1220">a. In addition to the general training provided to all employees, the BRRJA shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.</p> <p data-bbox="252 1263 1481 1420">b. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <ul data-bbox="312 1462 1222 1494" style="list-style-type: none"> • The BRRJA shall document that such training has been completed. <p data-bbox="252 1615 411 1646">Comments:</p> <p data-bbox="252 1688 1481 1845">The training records of the Assistant Site Administrator / Facility PREA Manager was provided: PREA: Coordinator’s Roles and Responsibilities (NIC), PREA: Audit Process and Instrument Overview (NIC), PREA: Investigating Sexual Abuse in a Confinement Setting (NIC) and Public Agency Training Council, National Criminal Justice – 16 hours in “Sex Crimes”.</p> <p data-bbox="252 1888 1458 1960">The agencies’ Internal Affairs Investigator has received training in investigations, as he was previously in law enforcement. His direct supervisor has also completed specialized training.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Director of Nursing</p> <p>Training Curriculumms</p> <p>Training Logs</p> <p>The number of all medical and mental health care practitioners who work regularly at this facility who received the training: 4</p> <p>The percent of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy: 100%</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Medical and Mental Health:</p> <p>a. The BRRJA shall ensure that all full-time and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:</p> <ol style="list-style-type: none"> 1. How to detect and assess signs of sexual abuse and sexual harassment; 2. How to preserve physical evidence of sexual abuse; 3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <ul style="list-style-type: none"> • The BRRJA shall document that such training has been completed. <p>Comments:</p> <p>Medical Staff at this facility does not perform forensic examinations.</p> <p>Medical staff complete the same training as other correctional staff. (Verified through training sign-in forms.)</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 9.01; Classification PREA Initial Screening Form PREA Initial Screening Instructional Form PREA Classification Screening Form PREA Classification Screening Instructions Interviews with Inmates Interviews with Staff Interview with Agency PREA Coordinator Offender File Review Interview with Site Administrator Site Review <p>In the past 12 months:</p> <p>The number of inmates entering the facility (either through intake or transfer) whose length of stay in the facility was for 72 hours or more who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility: 660</p> <p>In the past 12 months:</p> <p>The number of inmates entering the facility (either through intake or transfer) who were reassessed for their risk of sexual victimization or being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received through intake: 564</p> <p>SOP 9.01; Classification</p> <p>PREA 115.41 Screening for Risk of Victimization and Abusiveness.</p> <p>A. All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abusive toward other inmates.</p>

- B. Intake screening shall ordinarily take place within 72 hours of arrival at the facility.
- C. Such assessments shall be conducted using an objective screening instrument.
- D. The intake screening shall 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;
 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, transgender, intersex, or gender non-conforming;
 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.
- E. The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive.
- F. Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since intake screening.
- G. An inmate's risk level shall be 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.
- H. Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked in section D.; 1., 7., 8. or 9.
- I. The agency shall implement 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.

PREA 115.42 Use of Screening Information.

- A. The agency shall use information from the risk screening required by 115.41 to inform 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.

Comments:

As mentioned previously, the initial PREA assessment is completed upon arrival at the facility. This assessment focuses more on victimization. The inmate will then stay in intake until the Classification Officer meets with him/her to complete the reassessment.

Inmate file reviews showed documentation of PREA education (signatures) within seventy (72) hours of an inmate's arrival. As mentioned above, it is at that time that the comprehensive reassessment is completed. If additional information comes to the attention of the facility, a new reassessment is completed.

Interviews indicated that inmates are not disciplined for refusing to answer questions in the assessment or reassessment. There is a separate signature line on the form for refusal.

Information found via the assessment/reassessment is not available to staff. Only the Classification Officer, (the only staff that can make bed assignments) and appropriate PREA staff.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 9.01; Classification Interview with Site Administrator Interview with Staff Responsible for Risk Screening Interviews with Transgender/Bi-Sexual /Lesbian Inmates Site Review <p>SOP 9.01; Classification</p> <p>PREA 115.42 Use of Screening Information.</p> <p>A. The agency shall use information from the risk screening required by 115.41 to inform 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.</p> <p>B. The agency shall make individualized determinations about how to ensure the safety of each inmate.</p> <p>C. In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.</p> <p>D. Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.</p> <p>E. A transgender or intersex inmate’s own views with respect to his or her own safety shall be given serious consideration.</p> <p>F. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</p> <p>G. The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings, solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.</p>

Comments:

The Classification Officer at this facility was not on site during the visit, however, her 'backup' officer was interviewed. The information received from the inmate and other pertinent information is utilized to assign beds, housing, work, education, and programming. Each decision is individualized to assure that all safeguards are in place.

Interviews with Administration, PREA staff and the Site Administrator showed that with the numerous jail sites under the umbrella of the Blue Ridge Regional Jail Authority, an inmate could be moved within their various locations. This would only be completed if movement within the original facility could not be done.

Transgender inmates are reviewed every six (6) months to ensure their safety and to allow their feedback. The shower arrangements at the facility allows for single use.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p style="padding-left: 40px;">SOP 9.01; Classification</p> <p style="padding-left: 40px;">Interview of Staff</p> <p style="padding-left: 40px;">Interview of Facility Site Administrator</p> <p>The number of inmates at risk of sexual victimization who were held in involuntary segregation housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0</p> <p>In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0</p> <p>SOP 9.01; Classification</p> <p>PREA 115.43 Protective Custody.</p> <p>A. Inmates at high risk for sexual victimization shall not be 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. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</p> <p>B. Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:</p> <ol style="list-style-type: none"> 1. The opportunities that have been limited; 2. The duration of the limitation; and 3. The reasons for such limitations. <p>C. The facility shall assign such inmates to involuntary segregated housing only until an</p>

alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

D. If an involuntary segregated housing assignment is made pursuant to paragraph A. of this section, the facility shall clearly document:

1. The basis for the facility's concern for the inmate's safety; and
2. The reason why no alternative means of separation can be arranged.

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

Comments:

As noted previously, staffing at this facility is limited with usually only four (4) on each shift (included shift supervisor). Therefore, all staff are familiar with all posts.

Careful consideration of housing is determined to ensure an inmate's safety. Interviews indicated that an inmate's risk/safety is a high priority. If the facility cannot accommodate an inmates needs, they can be transferred to another location. If an involuntary segregation is indicated, it will be for a short period of time (less than thirty (30) days).

The facility has not placed an individual in involuntary segregation for over a year.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior PREA – Additional Reporting Options / Document Interviews of Staff Interviews of Inmates Site Review PREA Posters MOU with outside Advocacy Agency Inmate Handbook (English and Spanish) <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>V. DETECTION AND REPORTING:</p> <p>A. Inmate Reporting:</p> <ol style="list-style-type: none"> 1. Inmates shall have the opportunity to 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. An inmate may report such incidents to any BRRJA employee, as well as any medical / mental health practitioner, chaplains, counselors, etc. and may do so by any means available, e.g. verbally, inmate request form, or through the inmate telephone system using the PREA Report Line. 2. The inmate shall be provided information for reporting of sexual abuse or harassment to a public or private entity or office that is not part of the BRRJA, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to BRRJA officials, allowing the inmate to remain anonymous upon request. This information will be upon request of the inmate and will be the contact information to the “Sexual Assault Response Team”, and local law enforcement agencies. 3. Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials at the Department of Homeland Security. 4. Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall document any reports on an incident report and notify a supervisor immediately.

5. These reports, made by inmates or staff, may be done in a private setting if necessary.
 6. Reports of sexual abuse and sexual harassment shall be accepted from third party sources. Information on how to report sexual abuse and sexual harassment on behalf of an inmate will be included on the BRRJA website as well as posted in public areas of all BRRJA facilities. Receipt of a third-party report shall be documented on an incident report, and a supervisor shall be notified immediately.
 - When the BRRJA learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate and appropriate action to protect the inmate, and such action shall be in accordance with the BRRJA SOP 9.01.
- B. Staff and agency reporting duties:
1. Any employee, volunteer, or contractor shall immediately report to his or her immediate supervisor or the shift leader 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 BRRJA, 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.
 - Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse according to paragraph (1) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality at the time of services.
 - Medical and mental health practitioners shall 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.
 2. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in BRRJA policy, to make treatment, investigation, and other security and management decisions.
 3. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the BRRJA shall report the allegation immediately to the local Department of Social Services.
 4. The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the BRRJA Internal Affairs Investigator.
 5. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Site Administrator of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
 - a. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
 - b. The BRRJA shall document it has provided such information.
 - c. The facility or agency office that receives such notification shall ensure that the allegation is investigated in accordance with PREA standards.

PREA – Additional Reporting Options / Document

“If you have been the victim of, or have witnessed sexual abuse or sexual assault you have the option to report the incident in the following ways:

- 1) Report the incident to a staff member you trust.
- 2) Call the PREA Report Line at no cost to you from within the facility on the inmate phone system and follow the instructions.
- 3) Contact the Sexual Assault Response Program by calling 434-947-7273 at no cost to you. This organization, and/or, BRRJA mental health staff, is available for emotional support and victim advocate services.
- 4) Contact the appropriate law enforcement agency according to where the incident occurred;

- Amherst County Sheriff's Office - Attn: Investigations

P.O. Box 410

Amherst, VA 24521

- Bedford Police Department - Attn: Investigations

215 East Main St.

Bedford Va. 24523

- Campbell County Sheriff's Office - Attn: Investigations

P.O. Box 280

Rustburg Va. 24588

- Halifax County Sheriff's Office - Attn: Sheriff

P.O. Box 370

Halifax Va. 24558

- Lynchburg Police Department - Attn: Criminal Investigations

805 Court St.

Lynchburg, Va.24504

All calls made from inmate phone systems are recorded.

BRRJA Inmate Mail Guidelines will apply to any mail correspondence.

Reports may initiate an investigation by law enforcement and will result in criminal charges and prosecution as appropriate.

False reports will be prosecuted.”

Inmate Handbook:

“You may also anonymously make a report to the Sexual Abuse Response Program at: YWCA of Central Virginia, Attention: SARP, 626 Church St., Lynchburg, VA 24504.”

Comments:

“Staff are informed of these procedures in the following ways: Training and Policy”

“The facility does not open out-going mail.”

There are multiple methods, as noted in policy, whereby an inmate can report sexual abuse and/or sexual harassment. Utilizing the PREA report line is not anonymous, as each inmate must provide their number to make the call. Several locations with addresses are provided to inmates to either provide their name or remain anonymous. Inmates were aware of most of the methods of contact including third-party, staff, and request forms.

All staff were aware that they were to immediately report any knowledge, suspicion or information regarding sexual abuse and/or sexual harassment. This also includes staff neglect and lack of responsibility.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>None</p> <p>The past 12 months:</p> <p>The number of grievances filed that alleged sexual abuse: n/a</p> <p>The number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: n/a</p> <p>The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmates decision to decline: n/a</p> <p>The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months: n/a</p> <p>The number of those grievances that had an initial response within 48 hours: n/a</p> <p>In the past 12 months, the number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith: n/a</p> <p>The number of grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days: n/a</p> <p>In the past 12 months, the number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith: n/a</p> <p>Comments:</p> <p>The agency does not have an administrative procedure for dealing with inmate grievances regarding sexual abuse.</p>

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority. Inmate Handbook Brochure - PREA Poster Interviews with Inmates Interviews with Staff MOU with Advocacy Agency Site Review <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <ol style="list-style-type: none"> 3. The BRRJA shall provide such victims with medical and mental health services consistent with the community level of care. <ol style="list-style-type: none"> a. Upon request of the inmate, the BRRJA shall 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 victim advocacy or rape crisis organizations. The BRRJA shall enable reasonable communication between inmates and these organizations in as confidential manner as possible. b. The BRRJA shall 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. c. The BRRJA shall 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. The BRRJA shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

Inmate Handbook

The inmate handbook is 38 pages in length. The PREA sections include the agencies' zero-tolerance, prohibition of sexual contact, definition of sexual misconduct, inappropriate relationships, prevention strategies, reporting, if an assault happens, false claims, and retaliation. The handbook also includes how to place a call to the PREA Report Line.

In addition: "You may also anonymously make a report to the Sexual Abuse Response Program at: YWCA of Central Virginia, Attention: SARP, 626 Church St., Lynchburg, VA 24504."

Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority.

The Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority delineates the responsibilities of all three entities. The document is quite detailed. (Note: "This agreement is effective August 01, 2013 and will remain in force until any party terminates in writing. This agreement may be amended, modified, and/or expanded, as mutually agreed upon in writing by all parties.")

Comments:

Note: Every inmate arriving at the Detention Center receives a handbook, PREA Brochure/Flier, and view of the video.

The facility does not hold inmates solely for civil immigration purposes.

As noted during the introduction to this report, Advocacy Services are provided to an inmate if they so wish. Also provided, as in 115.51, is a lengthy contact list, as well as what is recorded.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>PREA – Additional Reporting Options / Document</p> <p>Methods for Third Party Reporting</p> <p>Website</p> <p>PREA – Additional Reporting Options / Document</p> <p>“If you have been the victim of, or have witnessed sexual abuse or sexual assault you have the option to report the incident in the following ways:</p> <ol style="list-style-type: none"> 1) Report the incident to a staff member you trust. 2) Call the PREA Report Line at no cost to you from within the facility on the inmate phone system and follow the instructions. 3) Contact the Sexual Assault Response Program by calling 434-947-7273 at no cost to you. This organization, and/or, BRRJA mental health staff, is available for emotional support and victim advocate services. 4) Contact the appropriate law enforcement agency according to where the incident occurred; <ul style="list-style-type: none"> • Amherst County Sheriff's Office - Attn: Investigations <p style="margin-left: 40px;">P.O. Box 410</p> <p style="margin-left: 40px;">Amherst Va. 24521</p> • Bedford Police Department - Attn: Investigations <p style="margin-left: 40px;">215 East Main St.</p> <p style="margin-left: 40px;">Bedford Va. 24523</p> • Campbell County Sheriff's Office - Attn: Investigations <p style="margin-left: 40px;">P.O. Box 280</p> <p style="margin-left: 40px;">Rustburg Va. 24588</p> • Halifax County Sheriff's Office - Attn: Sheriff

P.O. Box 370

Halifax Va. 24558

- Lynchburg Police Department - Attn: Criminal Investigations

805 Court St.

Lynchburg, Va.24504

All calls made from inmate phone systems are recorded.

BRRJA Inmate Mail Guidelines will apply to any mail correspondence.

Reports may initiate an investigation by law enforcement, and will result in criminal charges and prosecution as appropriate.

False reports will be prosecuted.”

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

6. Reports of sexual abuse and sexual harassment shall be accepted from third party sources. Information on how to report sexual abuse and sexual harassment on behalf of an inmate will be included on the BRRJA website as well as posted in public areas of all BRRJA facilities. Receipt of a third-party report shall be documented on an incident report, and a supervisor shall be notified immediately.

- When the BRRJA learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate and appropriate action to protect the inmate, and such action shall be in accordance with the BRRJA SOP 9.01.

Comments:

Information on PREA and how to make a third-party report is on the BRRJA website. Note information in 115.22.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Facility Site Administrator</p> <p>Interview with Agency PREA Coordinator</p> <p>Interviews with Staff</p> <p>Interviews with Medical Staff</p> <p>Interviews with Mental Health Staff</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>B. Staff and agency reporting duties:</p> <ol style="list-style-type: none"> 1. Any employee, volunteer, or contractor shall immediately report to his or her immediate supervisor or the shift leader 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 BRRJA, 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. <ul style="list-style-type: none"> • Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse according to paragraph (1) of this section and to inform inmates of the practitioner’s duty to report, and the limitations of confidentiality at the time of services. • Medical and mental health practitioners shall 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. 2. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in BRRJA policy, to make treatment, investigation, and other security and management decisions. 3. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the BRRJA shall report the allegation immediately to the local Department of Social Services. 4. The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the BRRJA Internal Affairs Investigator.

5. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Site Administrator of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.

a. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.

b. The BRRJA shall document it has provided such information.

c. The facility or agency office that receives such notification shall ensure that the allegation is investigated in accordance with PREA standards.

C. Protection against retaliation for reporting.

1. It is the policy of the BRRJA 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.

a. Allegations of retaliation shall be reported through the same methods as available for reporting sexual abuse or sexual harassment and shall be investigated as such.

b. The BRRJA shall 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.

- Support services for inmates will be offered and coordinated through the BRRJA medical staff, and our mental health counselors.

- Employees needing support will be referred to the EAP (Employee Assistance Program).

c. For at least 90 days following a report of sexual abuse, the BRRJA shall 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 shall act promptly to remedy any such retaliation.

- The PREA Manager, or designee, at the facility where any of the affected individuals are housed or employed shall monitor any potential retaliation.

- Items to be monitored include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff.

- The BRRJA shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

- In the case of inmates, such monitoring shall also include periodic status checks.

- If any other individual who cooperates with an investigation expresses a fear of retaliation, the BRRJA shall take appropriate measures to protect that

individual against retaliation.

- The BRRJA's obligation to monitor shall terminate if it is determined the allegation is unfounded.

Comments:

All interviews conducted showed that immediate reporting is required. In addition, all knew that information is considered confidential other than for use in an investigation, housing, and security.

This facility houses no one under the age of eighteen (18).

Medical and Mental Health staff report that they are required to report and to inform an inmate of their duty to report and their limits of confidentiality.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Agency Head, Designee</p> <p>Interview with Facility Site Administrator</p> <p>Interviews with Staff</p> <p>In the past 12 months, the number of times the agency or facility determined that an inmate was subject to substantial risk of imminent sexual abuse: 0</p> <p>If the agency or facility made such determinations in the past 12 months, the average amount of time that passed before taking action: n/a</p> <p>The longest amount of time elapsed before taking action, if not immediate (please explain): n/a</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>6. Reports of sexual abuse and sexual harassment shall be accepted from third party sources. Information on how to report sexual abuse and sexual harassment on behalf of an inmate will be included on the BRRJA website as well as posted in public areas of all BRRJA facilities. Receipt of a third-party report shall be documented on an incident report, and a supervisor shall be notified immediately.</p> <ul style="list-style-type: none"> • When the BRRJA learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate and appropriate action to protect the inmate, and such action shall be in accordance with the BRRJA SOP 9.01. <p>Comments:</p> <p>Interviews showed that all staff know that immediate action is expected if they are informed or suspicion that an inmate is in imminent danger. This would include removing the inmate from their current location and notifying a supervisor.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Agency Head / Designee</p> <p>Interview with Facility Site Administrator</p> <p>Documentations of Notifications</p> <p>In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: 1</p> <p>In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>5. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Site Administrator of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.</p> <p>a. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>b. The BRRJA shall document it has provided such information.</p> <p>c. The facility or agency office that receives such notification shall ensure that the allegation is investigated in accordance with PREA standards.</p> <p>Comments:</p> <p>During the previous year, the facility received one (1) notice that an inmate was abused at another facility. The auditor received all documentation and found that policy was followed.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interviews with Staff</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused: 0</p> <p>Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 0</p> <p>In the past 12 months, the number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 0</p> <p>Of these allegations the number of times the first security staff member to respond to the report: 0</p> <p>Preserved and protected any crime scene until appropriate steps could be taken to collect any evidence. Requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. 0</p> <p>Ensured 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. 0</p> <p>Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 0</p> <p>Of those allegations responded to first by a non-security staff member, the number of times that staff member requested that the alleged victim not take any actions that could destroy physical evidence: 0</p> <p>Of those allegations responded to first by a non-security staff member, the number of times that staff member:</p> <p>Requested that the alleged victim not take any actions that could destroy physical evidence. Notify security staff. 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>VI. RESPONSE: Coordinated Response</p>

A. Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond shall be required to; (If the first staff responder is not a security staff, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.)

1. Separate the alleged victim and abuser;

- The alleged victim shall be immediately escorted to a secure non-hostile environment, where medical staff will perform an initial medical assessment and determine appropriate actions to be taken, and refer to mental health staff as needed (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 shall take preliminary steps to protect the victim in accordance with this policy and shall immediately notify the appropriate medical and mental health practitioners).

- The alleged offender shall be immediately escorted to a holding area that does not have bathroom facilities. He/she shall remain in the holding area until evidence can be collected or clearance has been given by the responding law enforcement investigator(s).

2. Notify a supervisor immediately.

- The supervisor will treat an incident of sexual abuse as a serious incident and will be reported as a Class II incident in accordance with BRRJA SOP 12.18.

- During this process, the Site Administrator or designee will notify the Administrator or the Assistant Administrator who will determine if local law enforcement will be called to respond. Local law enforcement shall be called if a crime has potentially been committed.

- The BRRJA shall fully cooperate with local law enforcement investigator(s) and attempt to remain informed about the progress of the investigation.

3. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;

4. The supervisor will conduct an immediate interview with the victim to determine the suspect or suspects, where and when the sexual assault occurred, if further investigation is needed, and whether the collection of evidence is indicated. If physical evidence is indicated, the supervisor should take all necessary steps to ensure the preservation of evidence.

- While all available information must be gathered and confirmed, medical assessment and physical evidence collection must not be delayed pending any investigation of the incident.

5. 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, drinking, or eating; and

6. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating,

defecating, drinking, or eating.

7. If appropriate, the alleged victim, and alleged abuser shall be escorted separately to the local hospital for medical assessment/treatment by a forensic nurse examiner. The inmate(s) will be escorted by security staff as well as the local law enforcement investigator(s) if applicable.

- Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
- Inmate victims of sexual abuse while incarcerated shall be 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 shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

8. The Internal Affairs Lieutenant shall be notified of any sexual abuse or sexual assault incident. The BRRJA shall refer such incidents to the Commonwealth's Attorney if appropriate based on investigations by local law enforcement and the BRRJA's Internal Affairs Lieutenant.

9. The PREA Manager at the facility where the incident occurred as well as the PREA Coordinator shall be notified.

10. Incident reports will be generated by all staff involved in any aspect of a sexual abuse, sexual assault, or sexual harassment incident and/or the response thereafter. Incident reports should also document any chain of custody involving suspected evidence if applicable.

- The written report should be submitted no later than the conclusion of the shift. The Site Administrator will notify the BRRJA Administrator or designee by phone and fax the initial report as soon as possible. A full report shall be submitted to the BRRJA Administrator upon completion of the investigation.

Comments:

Interviews with staff confirmed that training covers first responder duties. All were able to reiterate the steps necessary to address a report of sexual assault or sexual harassment.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Institution Plan / Coordinated Response Plan</p> <p>Interview of Site Administrator</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>VI. RESPONSE: Coordinated Response</p> <p>A. Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond shall be required to; (If the first staff responder is not a security staff, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.)</p> <ol style="list-style-type: none"> 1. Separate the alleged victim and abuser; <ul style="list-style-type: none"> • The alleged victim shall be immediately escorted to a secure non-hostile environment, where medical staff will perform an initial medical assessment and determine appropriate actions to be taken, and refer to mental health staff as needed (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 shall take preliminary steps to protect the victim in accordance with this policy and shall immediately notify the appropriate medical and mental health practitioners). • The alleged offender shall be immediately escorted to a holding area that does not have bathroom facilities. He/she shall remain in the holding area until evidence can be collected or clearance has been given by the responding law enforcement investigator(s). 2. Notify a supervisor immediately. <ul style="list-style-type: none"> • The supervisor will treat an incident of sexual abuse as a serious incident and will be reported as a Class II incident in accordance with BRRJA SOP 12.18. • During this process, the Site Administrator or designee will notify the Administrator or the Assistant Administrator who will determine if local law enforcement will be called to respond. Local law enforcement shall be called if a crime has potentially been committed. • The BRRJA shall fully cooperate with local law enforcement investigator(s) and attempt to remain informed about the progress of the investigation. 3. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;

4. The supervisor will conduct an immediate interview with the victim to determine the suspect or suspects, where and when the sexual assault occurred, if further investigation is needed, and whether the collection of evidence is indicated. If physical evidence is indicated, the supervisor should take all necessary steps to ensure the preservation of evidence.
 - While all available information must be gathered and confirmed, medical assessment and physical evidence collection must not be delayed pending any investigation of the incident.
5. 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, drinking, or eating; and
6. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, drinking, or eating.
7. If appropriate, the alleged victim, and alleged abuser shall be escorted separately to the local hospital for medical assessment/treatment by a forensic nurse examiner. The inmate(s) will be escorted by security staff as well as the local law enforcement investigator(s) if applicable.
 - Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
 - Inmate victims of sexual abuse while incarcerated shall be 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 shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
8. The Internal Affairs Lieutenant shall be notified of any sexual abuse or sexual assault incident. The BRRJA shall refer such incidents to the Commonwealth's Attorney if appropriate based on investigations by local law enforcement and the BRRJA's Internal Affairs Lieutenant.
9. The PREA Manager at the facility where the incident occurred as well as the PREA Coordinator shall be notified.
10. Incident reports will be generated by all staff involved in any aspect of a sexual abuse, sexual assault, or sexual harassment incident and/or the response thereafter. Incident reports should also document any chain of custody involving suspected evidence if applicable.
 - The written report should be submitted no later than the conclusion of the shift. The Site Administrator will notify the BRRJA Administrator or designee by phone and fax the initial report as soon as possible. A full report shall be submitted to the BRRJA Administrator upon

completion of the investigation.

11. The PREA Coordinator shall ensure an incident review is conducted within 30 days of the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation was determined to be unfounded.

a. The review team shall include the following from the facility at which the incident occurred; upper-level management officials, with input from line supervisors, investigators, and medical and mental health practitioners.

b. The review team shall:

- Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, or gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;
- Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- Assess the adequacy of staffing levels in the area during different shifts;
- Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to items in this section, and any recommendations for improvement and submit such report to the Site Administrator and PREA Manager, and shall be forwarded to the BRRJA Administrator and PREA Coordinator.
- The facility shall implement the recommendations for improvement or shall document its reasons for not doing so.

12. All reports associated with claims of sexual abuse or sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendation for post-release treatment or counseling shall be retained for as long as the abuser is incarcerated or employed by the BRRJA, plus five years.

B. Ongoing medical and mental health care for sexual abuse victims and abusers.

1. The BRRJA shall 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.

2. The evaluation and treatment of such victims shall 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.

3. The BRRJA shall provide such victims with medical and mental health services consistent

with the community level of care.

a. Upon request of the inmate, the BRRJA shall 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 victim advocacy or rape crisis organizations. The BRRJA shall enable reasonable communication between inmates and these organizations in as confidential manner as possible.

b. The BRRJA shall 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.

c. The BRRJA shall 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. The BRRJA shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

4. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

5. If pregnancy results from the conduct described in paragraph (4) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

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

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

Comments:

As mentioned previously in this report, the auditor shared with the agency that this standard specifically states, "In order to be compliant, there must be an institutional plan for each facility (not merely agency-wide plan." After this discussion, a Coordinated Response Plan was initiated for the facility. This plan includes alleged victim's name and information, alleged victim's name and information, witness names, location of incident, crime secured, alleged victim and alleged perpetrator secured, criminal investigators arrival (names), notifications (PREA Manager, Internal Affairs, PREA Coordinator, and PRRJA Administrators). All sections included completion, date, time and initials. The facility Site Administrator as well as the Assistant Site Administrator/PREA Manager were aware of the new document.

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>None</p> <p>Comments:</p> <p>Virginia does not have collective bargaining.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Agency Head / Designee</p> <p>Interview with Site Administrator</p> <p>The length of time that the agency/facility monitors the conduct or treatment: 90 days</p> <p>The number of times an incident of retaliation occurred in the past 12 months: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>C. Protection against retaliation for reporting.</p> <p>1. It is the policy of the BRRJA 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.</p> <p>a. Allegations of retaliation shall be reported through the same methods as available for reporting sexual abuse or sexual harassment and shall be investigated as such.</p> <p>b. The BRRJA shall 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.</p> <ul style="list-style-type: none"> ● Support services for inmates will be offered and coordinated through the BRRJA medical staff, and our mental health counselors. ● Employees needing support will be referred to the EAP (Employee Assistance Program). <p>c. For at least 90 days following a report of sexual abuse, the BRRJA shall 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 shall act promptly to remedy any such retaliation.</p> <ul style="list-style-type: none"> ● The PREA Manager, or designee, at the facility where any of the affected individuals are housed or employed shall monitor any potential retaliation. ● Items to be monitored include any inmate disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff.

- The BRRJA shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
- In the case of inmates, such monitoring shall also include periodic status checks.
- If any other individual who cooperates with an investigation expresses a fear of retaliation, the BRRJA shall take appropriate measures to protect that individual against retaliation.
- The BRRJA's obligation to monitor shall terminate if it is determined the allegation is unfounded.

Comments:

The individual assigned to monitor retaliation is the PREA Manager or Designee. As there has been no reports of sexual abuse or sexual harassment at this facility, there has been no allegations of retaliation.

Interviews with key staff showed that all were aware of the follow-up meetings which should occur after either a sexual abuse, sexual harassment, or retaliation event. Also, the potential need for advocacy services. These periodic checks would include staff as well as inmates.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 9.01; Classification Interview with Facility Site Administrator Interview with Staff On-Site Visit <p>The number of Inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completions of assessment: 0</p> <p>In the past 12 months, the number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH: 0</p> <ul style="list-style-type: none"> (a) A statement of the basis for facility’s concern for the inmate’s safety (b) The reason or reasons why alternative means of separation could not be arranged. <p>SOP 9.01; Classification</p> <p>PREA 115.68 Post-Allegation Protective Custody.</p> <p>A. 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 115.43.</p> <p>G. Any inmate, who is already in general population, but is not adjusting well to this type of correctional environment, can be evaluated regarding factors including, but not limited to: negative behavior towards other inmates and staff, poor institutional adjustment, disciplinary history, disruptive behavior, current charges, criminal history, and incident reports, etc. If it is determined that an inmate would benefit from being assigned to the transitional unit, Classification will make a recommendation, with input from Security Staff, and forward it to the Site Administrator or designee for approval.</p>

H. Conversely, if an inmate is being housed in a segregation unit, and due to past negative behavior towards other inmates and staff, disciplinary history, disruptive behavior, current charges, criminal history, and incident reports, etc., a recommendation may be made to Classification that the inmate be housed in a transitional housing unit. If it is determined that an inmate would benefit from being assigned to the transitional unit, Classification will make a recommendation, with input from Security Staff, and forward it to the Site Administrator or designee for approval.

I. If an inmate is placed in a transitional unit from either a general population unit or a segregation unit, Classification will conduct a review, with input from the Hearings Officer and/or Security Staff, of an individual's progress every thirty (30) days. The evaluation will consider factors such as: negative behavior towards other inmates and staff, disciplinary history, disruptive behavior, current charges, criminal history, incident reports, etc. The inmate may be placed in general population at that time.

J. All reviews and recommendations will be completed by Classification and approved by the Site Administrator or designee.

Comments:

As noted above, the facility has not had a situation of where involuntary segregation was utilized during the prior twelve (12) months. Interviews showed that an inmate who suffered sexual abuse would not be placed in involuntary segregation. All attempts would be made to accommodate a victim's need for safety to include housing changes and movement to another facility.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Curriculum</p> <p>Interviews with Facility Site Administrator</p> <p>Interview with Agency PREA Coordinator</p> <p>Interviews with Investigative Staff</p> <p>Letter of Understanding between the Blue Ridge Regional Jail Authority and the Town of Bedford Police Department</p> <p>The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>VII. INVESTIGATIONS:</p> <p>A. The BRRJA shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>B. The BRRJA shall refer all allegations that indicate a potential crime has been committed to the appropriate local law enforcement agency. All such referrals shall be documented. The BRRJA shall fully cooperate with any investigation performed by law enforcement and will make all efforts to stay informed on the progress of such investigation. If an administrative investigation is appropriate, and conducted, the BRRJA shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>1. Administrative investigations:</p> <p>a. Should the alleged perpetrator be a staff member, that staff member will be immediately placed on administrative leave with or without pay at the discretion of the BRRJA Administrator pending the outcome of the internal and/or criminal investigations.</p> <p>b. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and</p> <p>c. Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and</p>

findings.

d. The departure of the alleged abuser or victim from employment or custody of the BRRJA shall not provide a basis for terminating an investigation.

e. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. The BRRJA shall not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling devices as a condition for proceeding with the investigation of such allegation.

f. When the quality of evidence appears to support criminal prosecution, the BRRJA shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

g. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

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

- Criminal investigations shall be 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.

C. Any investigation into allegations of sexual abuse and sexual harassment shall be conducted promptly, thoroughly, and objectively upon receiving any report, including third-party and anonymous reports.

- The BRRJA investigator will be specially trained in sexual abuse investigations.

12. All reports associated with claims of sexual abuse or sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendation for post-release treatment or counseling shall be retained for as long as the abuser is incarcerated or employed by the BRRJA, plus five years.

A. Specialized Training

Investigations:

a. In addition to the general training provided to all employees, the BRRJA shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.

b. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action

or prosecution referral.

- The BRRJA shall document that such training has been completed.

Comments:

BRRJA utilizes an Internal Affairs Investigator for sexual abuse / harassment investigations. This position is housed within the administrative office. The Investigator is notified whenever there is an allegation of sexual abuse, working with the PREA Manager at the facility to complete the evidence collection. If the I.A. Investigator determines that the occurrence should be moved for criminal action, he will discuss with his supervisor before contacting law enforcement.

BRRJA holds a contract with the Bedford Police Department to provide investigatory services for PREA Allegations.

As there has not been a criminal complaint at the facility in quite some time, the auditor did not review investigation files.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Internal Affairs Investigator</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>B. The BRRJA shall refer all allegations that indicate a potential crime has been committed to the appropriate local law enforcement agency. All such referrals shall be documented. The BBRJA shall fully cooperate with any investigation performed by law enforcement and will make all efforts to stay informed on the progress of such investigation. If an administrative investigation is appropriate, and conducted, the BRRJA shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Comments:</p> <p>Note comments in 115.71.</p> <p>As there has been no allegations of sexual abuse at this facility for a lengthy period, there was no documentation to review.</p> <p>The Internal Affairs Investigator shared that if a referral is made to the local police department, he can keep communication open with their office. He agreed that there is “no standard higher than a preponderance of evidence”.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p style="padding-left: 40px;">SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p style="padding-left: 40px;">Interview with Site Administrator</p> <p style="padding-left: 40px;">Interview with Investigative Staff</p> <p>In the past 12 months:</p> <p>The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility: 0</p> <p>Of the alleged sexual abuse investigations that were completed, the number of inmates who were notified verbally or in writing of the results of the investigation: 0</p> <p style="padding-left: 40px;">In the past 12 months:</p> <p>The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency: n/a</p> <p>Of the outside agency investigations of alleged sexual abuse, the number of inmates alleging sexual abuse in the facility who were notified verbally or in the writing of the results of the investigation: n/a</p> <p style="padding-left: 40px;">In the past 12 months:</p> <p>The number of notifications to inmates that were provided pursuant to this standard: n/a</p> <p>The number of those notifications that were documented: n/a</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>E. Reporting to inmates.</p> <ol style="list-style-type: none"> 1. Following an investigation into an inmate's allegation that he or she has suffered sexual abuse in a BRRJA facility, the BRRJA shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. 2. If the BRRJA did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate. 3. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the BRRJA shall subsequently inform the inmate (unless it has been determined

that the allegation is unfounded) whenever:

- a. The staff member is no longer posted within the inmate's housing unit;
 - b. The staff member is no longer employed at the facility;
 - c. The BRRJA learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
 - d. The BRRJA learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
4. Following an inmate's allegation that he or she has been sexually abused by another inmate, the BRRJA shall subsequently inform the alleged victim whenever:
- a. The BRRJA learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - b. The BRRJA learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
5. All such notifications or attempted notifications shall be documented.
6. The obligation of the BRRJA to report under this provision shall terminate if the inmate is released from BRRJA custody.

B. The BRRJA shall refer all allegations that indicate a potential crime has been committed to the appropriate local law enforcement agency. All such referrals shall be documented. The BRRJA shall fully cooperate with any investigation performed by law enforcement and will make all efforts to stay informed on the progress of such investigation. If an administrative investigation is appropriate, and conducted, the BRRJA shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

Comments:

Note comments in 115.71, 115.72, and 115.73.

There have been no situations that warranted a notice of an investigation's status within the past year.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Human Resources</p> <p>Interview with Site Administrator</p> <p>Interviews with Staff</p> <p>In the past 12 months:</p> <p>The number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0</p> <p>The number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>B. Any staff member violating this policy is subject to disciplinary action up to and including dismissal under S.O.P. 2.11, with dismissal being the presumptive disciplinary sanction for staff who has engaged in sexual abuse.</p> <p>Disciplinary action for violations of agency policies relating 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. 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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>D. Any behavior of a sexual nature between inmates is prohibited regardless of consent. Inmates shall be subject to disciplinary action in accordance with S.O.P. 13.01 if it is found that</p>

the inmate engaged in inmate-on-inmate sexual acts. If any such acts are determined to be criminal in nature the incident shall be reported to law enforcement agencies.

1. Disciplinary sanctions shall be commensurate with the nature of the circumstances of the abuse committed, the inmate's disciplinary history, and sanctions imposed for comparable offenses by other inmates with similar histories.
2. The disciplinary process shall consider 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.
3. If applicable the BRRJA will consider whether the inmate should attend mental health therapy, and or counseling designed to address and correct any underlying reasons or motivations for the abuse.
4. The BRRJA may discipline an inmate for sexual contact with staff, contractors, or volunteers only upon a finding that the staff, contractor, or volunteer did not consent to such contact.
5. For disciplinary purposes, a report of sexual abuse made in good faith based upon reasonable belief that an alleged incident occurred shall not constitute reporting a false incident or lying, even if an investigation does not establish sufficient evidence to substantiate the allegation.
6. Although all sexual behavior between inmates is prohibited within the BRRJA, the BRRJA will not deem such activity to constitute sexual abuse if the activity is not coerced.

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

Comments:

Interviews with Human Resources and the Site Administrator confirmed that there had been no disciplinary actions, including termination of staff at this facility for violations of related to sexual abuse or sexual harassment.

Staff interviews indicated that they are aware of their responsibilities related to sexual abuse and sexual harassment.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Human Resources</p> <p>Interview with Site Administrator</p> <p>Interviews with Staff</p> <p>In the past 12 months:</p> <p>The number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0</p> <p>The number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>B. Any staff member violating this policy is subject to disciplinary action up to and including dismissal under S.O.P. 2.11, with dismissal being the presumptive disciplinary sanction for staff who has engaged in sexual abuse.</p> <p>Disciplinary action for violations of agency policies relating 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. 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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>D. Any behavior of a sexual nature between inmates is prohibited regardless of consent. Inmates shall be subject to disciplinary action in accordance with S.O.P. 13.01 if it is found that</p>

the inmate engaged in inmate-on-inmate sexual acts. If any such acts are determined to be criminal in nature the incident shall be reported to law enforcement agencies.

1. Disciplinary sanctions shall be commensurate with the nature of the circumstances of the abuse committed, the inmate's disciplinary history, and sanctions imposed for comparable offenses by other inmates with similar histories.
2. The disciplinary process shall consider 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.
3. If applicable the BRRJA will consider whether the inmate should attend mental health therapy, and or counseling designed to address and correct any underlying reasons or motivations for the abuse.
4. The BRRJA may discipline an inmate for sexual contact with staff, contractors, or volunteers only upon a finding that the staff, contractor, or volunteer did not consent to such contact.
5. For disciplinary purposes, a report of sexual abuse made in good faith based upon reasonable belief that an alleged incident occurred shall not constitute reporting a false incident or lying, even if an investigation does not establish sufficient evidence to substantiate the allegation.
6. Although all sexual behavior between inmates is prohibited within the BRRJA, the BRRJA will not deem such activity to constitute sexual abuse if the activity is not coerced.

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

Comments:

Interviews with Human Resources and the Site Administrator confirmed that there had been no disciplinary actions, including termination of staff at this facility for violations of related to sexual abuse or sexual harassment.

Staff interviews indicated that they are aware of their responsibilities related to sexual abuse and sexual harassment.

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Site Administrator</p> <p>Interviews with Medical Staff</p> <p>Interviews with Mental Health Staff</p> <p>Interview with Agency PREA Coordinator</p> <p>Interview with Agency Internal Affairs Investigator</p> <p>Interviews with Inmates</p> <p>In the past 12 months:</p> <p>The number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 0</p> <p>The number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility: 0</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>D. Any behavior of a sexual nature between inmates is prohibited regardless of consent. Inmates shall be subject to disciplinary action in accordance with S.O.P. 13.01 if it is found that the inmate engaged in inmate-on-inmate sexual acts. If any such acts are determined to be criminal in nature the incident shall be reported to law enforcement agencies.</p> <ol style="list-style-type: none"> 1. Disciplinary sanctions shall be commensurate with the nature of the circumstances of the abuse committed, the inmate’s disciplinary history, and sanctions imposed for comparable offenses by other inmates with similar histories. 2. The disciplinary process shall consider 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. 3. If applicable the BRRJA will consider whether the inmate should attend mental health therapy, and or counseling designed to address and correct any underlying reasons or motivations for the abuse. 4. The BRRJA may discipline an inmate for sexual contact with staff, contractors, or

volunteers only upon a finding that the staff, contractor, or volunteer did not consent to such contact.

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

6. Although all sexual behavior between inmates is prohibited within the BRRJA, the BRRJA will not deem such activity to constitute sexual abuse if the activity is not coerced.

Comments:

As the facility has not had an allegation of sexual harassment or sexual abuse within the past twelve (12) months, there has not been a situation where a disciplinary process occurred. All interviews established that no hearing was completed.

Interviews established that an offender's mental health and stability would play a major part in determining any sanction deemed appropriate. Therapy and counseling would be available to perpetrators, as it would be for victims.

Interviews with inmates showed knowledge of the ability to make good faith reports, knowing that they would not be sanctioned if found to be untrue.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 9.01; Classification Medical and MH informed consent form Interview with Inmates Interview with Staff On-Site Review Interview with Medical and Mental Health Staff <p>In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow up meeting with a medical or mental health practitioner: 8 is the total; not the %.</p> <p>In the past 12 months, the percent of inmates who have previously perpetrated sexual abuse, as indicated during the screening, who were offered a follow up meeting with a mental health practitioner: 0</p> <p>SOP 9.01; Classification</p> <ol style="list-style-type: none"> 1. If the screening pursuant to PREA 115.41 indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. 2. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be 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. 3. Medical and mental health practitioners shall 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. <p>Comments:</p>

Both interviews of Mental Health and Medical practitioners indicate that both sexual abuse victims and sexual abuse perpetrators are referred for a meeting with the practitioners. Prior sexual abuse or prior sexual perpetration as well as being a potential victim or potential perpetrator are identified at booking (PREA assessment) and at their PREA reassessment. This information is not available to every staff member, only those of a need to know basis.

Medical and Mental Health staff shared their use of an “Informed Consent” form.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior Interviews with Medical and Mental Health Staff Interview with Staff Interview with Site Administrator Interview with Supervisors On-site visit <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>7. If appropriate, the alleged victim, and alleged abuser shall be escorted separately to the local hospital for medical assessment/treatment by a forensic nurse examiner. The inmate(s) will be escorted by security staff as well as the local law enforcement investigator(s) if applicable.</p> <ul style="list-style-type: none"> • Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. • Inmate victims of sexual abuse while incarcerated shall be 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 shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. <p>7. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p>Comments:</p> <p>All staff interviews showed that timely access to forensic intervention was an expectation. If there were no medical staff on site, inmates would be taken to the hospital immediately. The Assistant Site Administrator (PREA Manager) and Central Office personnel would be notified.</p>

Inmates, while at the hospital, receive information on emergency contraception, sexually transmitted infection prophylaxis and any other pertinent information. Upon return to the facility, information is repeated.

No victim will be financially charged for medical services.

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

Materials Reviewed:

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

Interviews with Medical and Mental Health Staff

Interview with the Forensic Nurse Examiner

Interview with Advocacy Service Coordinator

Site Visit

Interviews with Inmates

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

B. Ongoing medical and mental health care for sexual abuse victims and abusers.

1. The BRRJA shall 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.

4. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

5. If pregnancy results from the conduct described in paragraph (4) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

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

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

2. The evaluation and treatment of such victims shall 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.

3. The BRRJA shall provide such victims with medical and mental health services consistent with the community level of care.

Comments:

As noted previously, the facility has not had an allegation of sexual abuse or sexual harassment during the last twelve (12) months.

Inmates interviewed, that had been sexually abused previously (and had shared with intake or the classification officer), stated that they had been offered the services of Mental Health.

Most had taken advantage of the referral. If an inmate preferred they could have services from the Sexual Assault Response Program (site of Advocacy Services).

If a female inmate is sexually abused, she will be offered a pregnancy test and if a pregnancy does occur, the inmate would be given all information needed.

An inmate will not be charged for services provided related to sexual abuse.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Site Administrator</p> <p>Interview with Incident Review Team Members</p> <p>In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only “unfounded” incidents: 0</p> <p>In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only “unfounded” incidents: 0</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>11. The PREA Coordinator shall ensure an incident review is conducted within 30 days of the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation was determined to be unfounded.</p> <p>a. The review team shall include the following from the facility at which the incident occurred; upper-level management officials, with input from line supervisors, investigators, and medical and mental health practitioners.</p> <p>b. The review team shall:</p> <ul style="list-style-type: none"> • Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; • Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status, or gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility; • Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; • Assess the adequacy of staffing levels in the area during different shifts; • Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and

- Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to items in this section, and any recommendations for improvement and submit such report to the Site Administrator and PREA Manager, and shall be forwarded to the BRRJA Administrator and PREA Coordinator.
- The facility shall implement the recommendations for improvement or shall document its reasons for not doing so.

Comments:

Note: There has been no allegations of sexual assault or sexual harassment at this facility for the past twelve (12) months therefore there was no Incident Review to read.

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>PREA Incident Review dated February 21, 2020</p> <p>Review aggregated data</p> <p>Website</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>VIII. DATA:</p> <p>A. The BRRJA shall collect accurate, uniform data for every allegation of sexual abuse at all of its facilities using a standardized instrument and set of definitions. All facilities shall follow procedures set forth in the BRRJA SOP Manual.</p> <ol style="list-style-type: none"> 1. The BRRJA shall aggregate the incident-based sexual abuse data at least annually. 2. The incident-based data collected shall 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. 3. The BRRJA shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. 4. The BRRJA shall also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates if applicable. 5. Upon request, the BRRJA shall provide all such data from the previous calendar year to the Department of Justice no later than June 30th. <p>B. The BRRJA shall review data collected and aggregated pursuant to paragraph A of this section in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by;</p> <ol style="list-style-type: none"> 1. Identifying problem areas; 2. Taking corrective action on an ongoing basis; and 3. Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. <ul style="list-style-type: none"> • Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the BRRJA's progress in

addressing sexual abuse.

- The BRRJA's report shall be approved by the BRRJA Administrator and made readily available through its website.
- The BRRJA may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

C. The BRRJA shall ensure that data collected pursuant to this section are securely retained.

D. The BRRJA shall make all aggregated sexual abuse data, from all of its facilities and private facilities with which it contracts, if applicable, readily available to the public at least annually through its website.

- Before making aggregated sexual abuse data publicly available, the BRRJA shall remove all personal identifiers.

E. The BRRJA shall maintain sexual abuse data collected pursuant to this section for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

PREA Incident Review dated February 21, 2020

This review/letter was sent to the PREA Coordinator from the facility PREA Manager:

“On February 21, 2020, I conducted the annual PREA Incident Review for the Bedford Adult Detention Center (BADC) for year 2019. Officers joining me in this review were Corporal Miller and Transportation Officer Conner, who are employed with the BADC. This meeting was conducted to review any PREA incidents that occurred at our facility and determine what, if anything, could have been done to prevent incidents from occurring and to determine if they could have been avoided or handled differently going forward.

At BADC we had one (1) incidents that occurred in the year 2019. This incident went into the category of Inmate on Inmate Sexual Violence and was investigated by our Administration. The incident was determined to be UNFOUNDED, meaning that after an extensive investigation, it was found to NOT have occurred.

The committee also discussed what could be done at our facility to better conform to current PREA standards. The committee determined that our current practices are sufficient and that no changes should be made at this time.”

Comments:

The agency stated that the Department of Justice (DOJ) has not requested data from the previous year.

Each of the jails within the BRRJA has a uniform method for completing their annual report.

This information is then accumulated into an agency yearly document (with information as noted in this standard). Both documents are on the agency website.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>PREA Incident Review dated February 21, 2020</p> <p>Facility 2019 PREA Report</p> <p>PREA Staffing Plan Review dated February 21, 2020</p> <p>Interview with Agency Head/Designee</p> <p>Interview with Agency PREA Coordinator</p> <p>Interview with Site Administrator</p> <p>Review of Agency Annual Report</p> <p>Website: www.BRRJA.state.va.us</p> <p>2019 PREA Report</p> <p>The following excerpts are from the “Sexual Violence 2019 Annual Report for Bedford Adult Detention Center”</p> <p>“Data included in this report is from January 1, 2019 to December 31, 2019”</p> <p>“Inmates confined in BADC on December 31, 2019 were 101 males and 8 females.</p> <p>During 2019, new admissions to the jail were 1547 males and 528 females.</p> <p>The average daily population at BADC in 2019 was 82 males and 10 females.”</p> <p>Inmate on Inmate Sexual Violence</p> <p>“The Blue Ridge Regional Jail Authority records all allegations of inmate on inmate sexual violence.</p> <p>There were zero (0) allegations of inmate on inmate non-consensual acts during this period.</p> <p>There was one (1) allegation of inmate on inmate abusive sexual contact during this period.</p>

This allegation was investigated by Administration and was determined to be UNFOUNDED; meaning that after a full and exhaustive examination of the evidence surrounding this event, it was determined NOT to have occurred.”

Staff Sexual Misconduct and Harassment

“The Blue Ridge Regional Jail Authority records all allegations of staff sexual misconduct and sexual harassment.

There were zero (0) allegations of staff sexual misconduct during this period.

There was one (0) allegation of staff sexual harassment during this period.”

“During a review by the PREA Committee assembled to discuss our current PREA procedures and staffing plan it was determined that our current policies and procedures are sufficient in addressing the issue of sexual abuse in our facility. I believe that our PREA policies and training greatly enhance our ability to detect and deter sexual abuse in our facility.”

History:

“Between January 1, 2013 and December 31, 2018 there were zero (0) allegations of inmate on inmate non-consensual acts.

Between January 1, 2013 and December 31, 2018 there were zero (0) allegations of inmate on inmate abusive sexual contact.

Between January 1, 2013 and December 31, 2018 there were two (2) allegations of staff sexual misconduct.

Between January 1, 2013 and December 31, 2018 there were zero (1) allegations of staff sexual harassment.”

PREA Incident Review dated February 21, 2020

This review/letter was sent to the PREA Coordinator from the facility PREA Manager:

“On February 21, 2020, I conducted the annual PREA Incident Review for the Bedford Adult Detention Center (BADC) for year 2019. Officers joining me in this review were Corporal Miller and Transportation Officer Conner, who are employed with the BADC. This meeting was conducted to review any PREA incidents that occurred at our facility and determine what, if anything, could have been done to prevent incidents from occurring and to determine if they could have been avoided or handled differently going forward.

At BADC we had one (1) incidents that occurred in the year 2019. This incident went into the category of Inmate on Inmate Sexual Violence and was investigated by our Administration.

The incident was determined to be UNFOUNDED, meaning that after an extensive investigation, it was found to NOT have occurred.

The committee also discussed what could be done at our facility to better conform to current PREA standards. The committee determined that our current practices are sufficient and that no changes should be made at this time.”

PREA Staffing Plan Review dated February 21, 2020

The PREA Staffing Plan Review was forwarded to the PREA Coordinator from the facility PREA Manager.

“On February 21, 2020 I conducted the annual Staffing Plan Review as required by PREA standards. The employees present at this review was myself, Corporal Miller and Transportation Officer Conner. We conducted this review to determine if our staffing plan was adequately meeting the facilities needs with regard to our PREA policy. Some of the issues discussed at this meeting included but were not limited to the following:

1. Was our current staffing plan sufficient? The committee determined that the current staffing plan is sufficient to enforce security as well as PREA standards at this time.
2. The facilities video monitoring system was discussed as well. We currently have sufficient video monitoring systems and DVR’s in place that aide in the monitoring of staff and inmates alike. We will continue to upgrade recording and monitoring equipment in upcoming years as the budget allows.
3. Do we have proper resources to adhere to our staffing plan? The committee feels confident that we have adequate resources available to us to ensure adherence to our current staffing plan.

After review the committee felt that our current staffing plan and practices were sufficient to ensure the safety and security of our facility and do not recommend any changes at this time.

Thank you, and feel free to contact me with any questions you may have.”

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

3. Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.
 - Such report shall include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the BRRJA’s progress in addressing sexual abuse.
 - The BRRJA’s report shall be approved by the BRRJA Administrator and made readily available through its website.
 - The BRRJA may redact specific material from the reports when publication would present

a clear and specific threat to the safety and security of a facility but must indicate the nature of the material redacted.

Comments:

Information utilized in both the agency and jail report is accumulated through the calendar year, both through notification of specific assaults and via the annual jail report to their Central Office. As noted above, there are data comparisons that cover several years. This allows for determining trends and needs.

Each of the jails within the BRRJA has a uniform method for completing their annual report. This information is then accumulated into an agency yearly document (with information as noted in this standard). Both documents are on the agency website.

The agency PREA Coordinator states that the yearly report is approved by the agency head.

The agency report is straight forward and little information would need to be redacted.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Interview with Agency Head / Designee</p> <p>Interview with Agency PREA Coordinator</p> <p>Website</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>C. The BRRJA shall ensure that data collected pursuant to this section are securely retained.</p> <p>D. The BRRJA shall make all aggregated sexual abuse data, from all of its facilities and private facilities with which it contracts, if applicable, readily available to the public at least annually through its website.</p> <ul style="list-style-type: none"> • Before making aggregated sexual abuse data publicly available, the BRRJA shall remove all personal identifiers. <p>E. The BRRJA shall maintain sexual abuse data collected pursuant to this section for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.</p> <p>Comments:</p> <p>As noted previously noted, all data is available on BRRJA website. Information/data is maintained for the time frame required by this standard, both in its Central Office and the individual facility.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor was able to access all areas of the facility, complete any interviews that she requested and have the ability to review all files and/or paperwork.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	All reports are available on the BRRJA website.

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

115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	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
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

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

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

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

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

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

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

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

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

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

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

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

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

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	na
	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.)	na
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	na
	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.)	na
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	na
	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.)	na
	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.)	na

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.)	na
	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.)	na
	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.)	na

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.)	na
	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.)	na
	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.)	na
	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.)	na
	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.)	na
	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.)	na
	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.)	na
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.)	na

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

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

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

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes

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

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

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

115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes

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

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

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

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

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

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

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

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

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

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