

PREA Facility Audit Report: Final

Name of Facility: Campbell 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:	08/13/2020
End Date of On-Site Audit:	08/13/2020

FACILITY INFORMATION	
Facility name:	Campbell County Adult Detention Center
Facility physical address:	90 Courthouse Lane, Rustburg , Virginia - 24588
Facility Phone	
Facility mailing address:	PO Box 770, Rusburg, Virginia - 24588

Primary Contact	
Name:	Chris Lash
Email Address:	clash@brrja.state.va.us
Telephone Number:	(434) 332-9653

Warden/Jail Administrator/Sheriff/Director	
Name:	Tim Trent
Email Address:	ttrent@brrja.state.va.us
Telephone Number:	(434) 847-3100 EXT.

Facility PREA Compliance Manager	
Name:	Chris Lash
Email Address:	clash@brrja.state.va.us
Telephone Number:	O: (434) 332-9653

Facility Characteristics	
Designed facility capacity:	77
Current population of facility:	116
Average daily population for the past 12 months:	121
Has the facility been over capacity at any point in the past 12 months?	Yes
Which population(s) does the facility hold?	Males
Age range of population:	18-75
Facility security levels/inmate custody levels:	Minimum through maximum security
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	33
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	1
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	1

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 Narrative

Auditor: Darlene Baugh

Population: 114

Cameras: 35

Employees: 32

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:

On Friday, August 7, 2020, the auditor interviewed the Site Administrator/Captain Sears and the Assistant Site Administrator/Lt. Lash via a phone conversation.

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 Campbell Adult Detention Center at 9:00 a.m. on Thursday, August 13, 2020. An entrance meeting was held with the following in attendance: Assistant Site Administrator/Facility PREA Manager Lt. C. Lash, 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. Site Administrator/Captain Sears joined the audit later in the day.

Activities of day one (1) at the facility, Thursday, August 13, included: a walkthrough of the facility, staff and inmate interviews, review of unannounced rounds, review of inmate files, and miscellaneous

paperwork.

Note: Due to the organization by the facility and the interviews which occurred prior to the onsite visit, the auditor spent only one day at the facility.

Note: The facility has not only two (2) floors but a utilized basement.

The Exit Meeting was held on Friday, August 14, 2020 with the following present: Assistant Site Administrator/ Facility PREA Manager Lt. C. Lash, PREA Coordinator/Sgt. Dews and Auditor Darlene Baugh. The auditor keeps those listed apprised of her findings through out the visit.

Discussion and Recommendations:

There were numerous areas throughout the facility that need additional camera coverage. The suggested areas were of no surprise to the administration of this facility, nor the Agency PREA Coordinator. Those areas suggested for more camera coverage include all housing areas, indoor and outdoor recreation, multipurpose room, library, hallways, kitchen and entry, sally port, records storage, medical, classification offices, storage areas.

There have been discussions and bids as to improving the camera coverage

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 there 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).

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 that 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 because of that posting.

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 June 19, 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 last telephone conversation with the facility was held on Friday, August 7, 2020. During this call interviews with the Site Administrator and Assistant Site Administrator occurred, as well as final preparations were made for the on-site visit and for additional information needed by the auditor.

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. (Confliction 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 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 the Assistant Site Administrator and the Agency PREA Coordinator. Those areas visited included: Inmate Visitation, Dormitory, Library, Indoor Rec, Segregation Cells, Multipurpose Rooms, All Housing Areas, Outdoor Recreation, Isolation Cells, Storage Areas, Examination Rooms, Kitchen and Entry area, Salley Port, Records Storage, Offices, Medical, Classification Office, and Intake.

For more information about the site review, please see above.

Selection of Staff and Residents for interviews:

Prior to 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.

Inmate Interviews: (20)

Caucasian Male, Physical, Cognitive: 1

African American Male, Mental Health: 1

Hispanic Male, Prior Sexual Abuse: 1

Caucasian Male, Cognitive, Prior Sexual Abuse: 1

African American Male, Prior Sexual Abuse: 1

Hispanic Male, LEP: 1

African American Male, Illiterate: 1

African American Males: 2

Caucasian Males: 10

Native American: 1

Refusal:

African American Male, Mental Health: 1

Staff 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

Assistant Site Administrator/PREA Manager

Classification Officer

Sergeant: 1

Corporal: 3

Officers: 2

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

Victimization / Aggressor Assessments and Reassessments: (20)

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

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, time and person) for 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.

ABOUT THE 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.

Facility

The CCADC is located at 90 Courthouse Lane Rustburg, Virginia 24588. It is one of 5 jails within the Blue Ridge Regional Jail Authority which was established in 1998. The CCADC is operated under the direction of the Site Administrator Captain Sears and employs 32 staff members. It is located in the Town of Rustburg and houses prisoners from Campbell County.

It houses male inmates of all Security/Classification levels, pre-trial as well as convicted inmates

sentenced to confinement in the Virginia Department of Corrections. The jail does not hold youthful offenders.

The facility has a combination of one podular direct supervision housing unit and 7 additional housing units consisting of linear, and indirect podular observation housing. Additionally, there are three restrictive housing cells and a small, four cell housing unit that is generally used for restrictive housing.

The facility is designed to house 77 inmates; there were 114 inmates present on the dates of the audit.

In addition to the inmate housing areas, it has a laundry facility, library, classroom, recreation areas, food service, as well as a medical service office and classification office. 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 Facility was sanitary and orderly. The interactions between the staff and prisoners were respectful. The administration and staff members were friendly, helpful and professional.

Programs normally held at the facility have been suspended due to COVID-19. No volunteers were available for interviews.

AUDIT FINDINGS

Summary of Audit Findings:

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

Number of standards exceeded:	0
Number of standards met:	45
Number of standards not met:	0

Number of Standards Exceeded: 0

Standards Exceeded: n/a

Number of Standards Met: 45

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

Number of Standards Not Met: 0

Standards Not Met: n/a

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 / Campbell County Adult Detention Center Organizational Chart</p> <p>Blue Ridge Regional Jail Authority Organization Chart</p> <p>Interview with Agency's PREA Coordinator</p> <p>Interview with Facility PREA Compliance Manager / Assistant Site Administrator</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>

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.

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.

PREA 115.5 GENERAL DEFINITIONS: For the purpose of PREA Standards.

AGENCY - The unit of a state, local, or corporate, or non-profit authority, or the Department of Justice, with direct responsibility for the operation of any facility that confines inmates, detainees, or residents, including the implementation of policy as set by the governing, corporate, or non-profit authority.

AGENCY HEAD - The principal official of an agency.

CONTRACTOR - A person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

DIRECT STAFF SUPERVISION - The security staff are in the same room with and within reasonable hearing distance of, the resident or inmate.

EMPLOYEE - A person who works directly for the agency or facility.

EXIGENT CIRCUMSTANCES - Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

FACILITY - A place, institution, or building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals.

FACILITY HEAD - The principal official of a facility.

FULL COMPLIANCE - Compliance with all material requirements of each standard except for de minimis violations, or discrete and temporary violations during otherwise sustained periods of compliance.

GENDER NON-CONFORMING - A person whose appearance or manner does not conform to traditional societal gender expectations.

INMATE - Any person incarcerated or detained in a prison or jail.

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

JAIL - A confinement facility of a federal, state, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility.

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

MEDICAL PRACTITIONER - A health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A "qualified medical practitioner" refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

MENTAL HEALTH PRACTITIONER - A mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A "qualified mental health practitioner" refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

PAT-DOWN SEARCH - A running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.

SECURITY STAFF – The employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility.

STAFF - Employees.

STRIP SEARCH - A search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person's assigned sex at birth.

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

SUBSTANTIATED ALLEGATION - An allegation that was investigated and determined to have occurred.

UNFOUNDED ALLEGATION - An allegation that was investigated and determined not to have occurred.

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

VOLUNTEER - An individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

YOUTHFUL INMATE - Any person under the age of 18 who is under adult court supervision and incarcerated or detained in prison or jail.

PREA 115.6 Definitions related to sexual abuse. For the purpose of this part, the term Sexual Abuse includes:

A. Sexual abuse of an inmate by another inmate 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:

- a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- b. Contact between the mouth and the penis, vulva, or anus;
- c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- d. 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.

B. Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of

the following acts, with or without consent of the inmate:

- a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- b. Contact between the mouth and the penis, vulva, or anus;
- c. 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;
- d. 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;
- e. 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;
- f. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in lines 1-5 of this section;
- g. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or the breast in the presence of an inmate or detainee; and
- h. Voyeurism by a staff member, contractor, or volunteer.

C. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate 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. For the purpose of this part, the term Sexual Harassment includes:

- a. 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 directed toward another; and
- b. Repeated verbal comments or gestures of a sexual nature to an inmate 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.

Exempted Processes: Jail activities or actions taken by the BRRJA, which are supported by BRRJA's policies and procedures, and deemed necessary for the safety and security of the facility, will not be defined as staff sexual harassment, abuse, assault, or rape. These policies and procedures include, but are not limited to the taking of photographs, pat or strip searches, body cavity examinations and/or medical exams.

II. ZERO TOLERANCE:

E. 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.

F. 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.

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.

G. 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.

H. 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.

IV. PREVENTION:

A. Inmate Education

1. 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.

2. 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:

- 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.

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.

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 Agency/Facility has written policy regarding zero tolerance to all forms of sexual abuse and sexual harassment. The definitions and means of prevention listed within the SOP is much lengthier and more detailed than that listed above.

The Campbell County Adult Detention Center utilizes the position of Assistant Site Administrator as their PREA Compliance Manager. That individual is Lt. Chris Lash. Lt. C. Lash reports to the Site Administrator, Cpt. Scott Sears and the agency PREA Coordinator.

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 style="padding-left: 40px;">U.S. Marshals Service Contract</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 state correctional agency, county correctional or detention agency and the U.S. Marshall Service. This contract was reviewed by the Auditor.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Prevention & Intervention for Sexually Abusive Behavior All Centers / Directive</p> <p>Post Orders: Booking Officer, Classification Officer, Housing Unit (C) Officer, Main Control Officer, Medical Officer, Roving Officer, Shift Leader, Transportation Officer</p> <p>Prevention & Intervention for Sexually Abusive Behavior All Centers / Directive</p> <p>Average Daily Population for CCADC 2019</p> <p>Sexual Violence 2013 – 2019 Annual Reports for Campbell County Adult Detention Center</p> <p>E-mail regarding Deviation of Staffing Plan</p> <p>Letter to PREA Coordinator dated February 28, 2019</p> <p>SOP 12.15; Supervision of Inmates</p> <p>Supervision of Inmates - Directive</p> <p>Copies of Logs / Unannounced Rounds</p> <p>Staffing Plan</p> <p>Post Assignment Roster</p> <p>Supervisor's Report of Unannounced Rounds</p> <p>Interview with Site Administrator</p> <p>Interview with PREA Compliance Manager / Assistant Site Administrator</p> <p>Interview with Agency PREA Coordinator</p> <p>Interview with Intermediate or High-Level Facility Staff</p> <p>Video review of Unannounced Rounds</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: 115</p> <p>The average daily number of inmates on which the staffing plan was predicated: 118</p>

Prevention & Intervention for Sexually Abusive Behavior All Centers / Directive

1. 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.

2. 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

1. 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.

2. 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

3. 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.

4. 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.

V. DETECTION AND REPORTING:

A. Inmate Reporting:

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...

Post Orders: Booking Officer, Classification Officer, Housing Unit (C) Officer, Main Control Officer, Medical Officer, Roving Officer, Shift Leader, Transportation Officer

Post Orders include: General Description, Post Coverage, Required Equipment, General Instructions, Scheduled Duties (All Times Approximate), Non-Scheduled Duties, and Release.

Sexual Violence 2013-2019 Annual Reports for Campbell County Adult Detention Center

Data included in this report is from January 1, 2019 to December 31, 2019

Inmates confined in CCADC on December 31, 2019 were 124 males and females 0.

During 2019, new admissions to the jail were 1403 males and 400 females.

The average daily population at CCADC in 2019 was 120 males and 1 female.

Inmate on Inmate Sexual Violence

The Blue Ridge Regional Jail Records all allegations of inmate on inmate sexual violence.

There were 0 allegations of inmate on inmate Non-consensual acts during this period.

There were 0 allegations of inmate on inmate Abusive Sexual Contact during this period.

Staff Sexual Misconduct and Harassment

The Blue Ridge Regional Jail Records all allegations of Staff Sexual Misconduct and Sexual Harassment.

There were 0 allegations of Staff Sexual Misconduct during 2019.

There were 0 allegations of Staff Sexual Harassment during 2019.

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. While we had no cases of sexual abuse in 2019, I believe that our PREA policies and training previously set forth greatly enhanced our ability to detect and deter sexual abuse in our facility going forward.

History:

Between January 1, 2013 and December 31, 2019 there were zero (0) allegations of inmate on inmate non-consensual acts.

Between January 1, 2013 and December 31, 2019 there were zero (0) allegations of inmate on inmate abusive sexual contact.

Between January 1, 2013 and December 31, 2019 there were two (2) allegations of staff sexual misconduct.

Between January 1, 2013 and December 31, 2019 there were zero (0) allegations of staff sexual harassment.

E-mail regarding Deviation of Staffing Plan

To: Lt. Lash 12-27-2019

“Good morning, I locked down HUC from 1800 to 1930 so my staff and I could shake down HUA. Look at our shake down we found some stuff. Looking forward to our Super Bowl this weekend HTTRS.

Cpl.....”

Letter to PREA Coordinator dated February 28, 2019 (Also received letters from 2018 and 2017)

Letter to PREA Coordinator dated February 28, 2019

Sergeant Dews,

“The Campbell County Adult Detention Center conducted its annual staffing plan review on February

28, 2019. This review team consisted of Classification Corporal Matthew Elder, Captain Scott Sears and Lieutenant Chris Lash. The purpose of this review is to determine the adequacy of the current staffing plan and the video monitoring of inmates, staff, volunteers and contractors of the facility in the relation to the PREA standards and the Blue Ridge Regional Jail Authority's Standard Operating Policies and

Procedures. The following assessments and recommendations were made as a result of this review:

Staffing Plan: Our current staffing plan is sufficient to supervise inmates, staff, volunteers and contractors to meet the goals set forth by the PREA as well as the Agency's Standard Operating Policies and Procedures, to deter and prevent sexual abuse/sexual harassment of inmates. The current staffing plan also meets the facility's security standards for the supervision of inmates.

Video Monitoring: Our video monitoring system is sufficient to monitor inmates, staff, volunteers and contractors against the sexual abuse/sexual harassment of inmates.

Recommendations: The Campbell County Adult Detention Center is currently in the process of receiving a new camera system which will include additional cameras to cover areas of concern as discussed in our previous audit, to better observe and protect inmates from sexual abuse/sexual harassment. No additional recommendations were made by the review team.”

Lt. Chris Lash

PREA Manager

Campbell County Adult Detention Center

SOP 12.15; Supervision of Inmates

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.

Supervision of Inmates - Directive

C. 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 the Average Daily Population for CCADC 2019 is 121.

The facility states the top reasons for deviation from the staffing plan as: Medication pass (4), Booking/ Release (3), Fights (2), Emergency Room Transports (2), Suicide Watch (1), Sudden death in Staff family (1).

Sexual Violence 2019 Annual Reports for Campbell County Adult Detention Center, as noted above, had redactions of definitions from the accessed Report.

A review of housing logs showed that unannounced rounds were completed religiously and clearly documented.

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.

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>Interview with Agency PREA Coordinator</p> <p>SOP 9.01; Classification</p> <p>In the past 12 months:</p> <p>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>The number of youthful inmates placed in the SAME HOUSING UNIT as adults in this facility: 0</p> <p>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>SOP 9.01; Classification</p> <p>PREA 115.14 Youthful Inmates. (Youthful inmate means any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.)</p> <p>A. A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>B. In areas outside of housing units, agencies shall either:</p> <ol style="list-style-type: none"> 1. Maintain sight and sound separation between youthful inmates and adult inmates, or 2. Provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. <p>C. Agencies shall make best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible.</p>	

Comments:

CCADC does not house youthful inmates.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>SOP 12.09; Searches</p> <p>SOP 12.15; Supervision of Inmates</p> <p>Logs of cross-gender and/or Cross Gender Body Cavity Search</p> <p>Training Curriculum</p> <p>Staff Training Logs</p> <p>Interviews of Staff</p> <p>Interviews of Inmates</p> <p>Site Review</p> <p>In the past 12 months:</p> <p>The number of cross-gender strip or cross-gender visual body cavity searches of inmates: 0</p> <p>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> <p>In the past 12 months:</p> <p>The number of pat-down searches of female inmates conducted by male staff: 0</p> <p>The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstances: 0</p> <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 and respectful manner, consistent with security needs: 100%</p> <p>SOP 12.09; Searches</p> <ul style="list-style-type: none"> 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.

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 of the opposite sex, and under sanitary conditions.

- The strip search must be recorded on an Incident Report as well as in the log for that area. A supervisor must authorize the search.

A. Body Cavity Search

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.

PREA 115.15 (b) Limits to cross-gender viewing and searches – As of August 20, 2015, or August 20, 2017 for a facility, whose rated capacity does not exceed 50 inmates, the facility shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. Facilities shall not restrict female inmates' access to regularly available programs or other out-of-cell opportunities in order to comply with this provision.

- 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.

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.

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

B. Inmates Subject to Search

Pat Down Search

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

- 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.

C. 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.

D. Strip Search

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

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

d. Strip searches shall be done in a private location, away from public view, free from members of the opposite sex, and under sanitary conditions.

- The strip search must be recorded on an Incident Report as well as in the log for that area. A supervisor must authorize the search.

E. Body Cavity Search

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.

C. 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:

Interviews with staff showed that no cross gender strip or body cavity searches occur.

The facility does not house female inmates.

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 Brochure on PREA Contact Line – Spanish and English Language Link Instructions Language Services Contract Interview with Agency Administrator Designee Interviews with Inmates 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.

1. 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.

2. 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

1. All BRRJA employees and Volunteers will receive training on:

a. The BRRJA zero tolerance policy;

Comments:

The Language Link instructions include how to use and how to work with a telephone interpreter. An LEP inmate interview occurred utilizing Language Link and worked well.

The facility utilizes a Spanish and English Handbook as well as additional materials to ensure

that all inmates are aware of their rights under PREA. An interview with an illiterate inmate (could not read or right) showed that he was also aware of his PREA rights.

Interviews showed that no inmates are utilized as interpreters.

115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <hr/> <p>Materials Reviewed:</p> <p>SOP 2.36; Promotion and Demotion</p> <p>July 03, 2018 PREA Staff VCIN and NCIC Criminal History Checks</p> <p>SOP 1.10; Recruitment, Selection and Hiring</p> <p>Personnel Files of Contractors</p> <p>Personnel Files of Staff re: five-year background records checks</p> <p>Interview with Human Resources Supervisor</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: 6</p> <p>In the past 12 months:</p> <p>The number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates: 0</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>

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 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

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:

“July 03, 2018 PREA Staff VCIN and NCIC checks for history of sexual harassment and sexual abuse. All CCADC staff are negative for any criminal sexual harassment and sexual abuse.”

Random staff file reviews by the auditor while at BRRJA office showed that criminal history checks were timely. In addition all contractors, pre-hire and promotional individuals were required to answer questions related to PREA Misconduct.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Interview with Agency Administrator Designee</p> <p>Interview with Site Administrator</p> <p>Site Review</p> <p>2019 Staffing Plan Review</p> <p>Equipment Updated, surveillance, monitoring, etc.</p> <p>Comments:</p> <p>The facility reports it has added and expanded DVR and has replaced and upgraded 5 cameras. They are in the process of a continuation of adding/replacing additional upgraded cameras.</p> <p>The 2019 Staffing Plan Review stated: "Recommendations: The Campbell County Adult Detention Center Is currently in the process of receiving a new camera system which will include additional cameras to cover areas of concern as discussed In our previous audit, to better observe and protect inmates from sexual abuse/sexual harassment. No additional recommendations were made by the review team."</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>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 Facility PREA Compliance Manager / Assistant Site Administrator</p> <p>Interview with Inmates who Reported a Sexual Abuse</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: 1</p> <p>The number of exams performed by SANES/SAFEs: 1</p> <p>The number of exams performed by a qualified medical practitioner: 0</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>III. PREA COORDINATOR / MANAGERS:</p> <p>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.</p> <p>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.</p> <p>D. Upon the initial first response to an alleged sexual abuse incident BRRJA will make all</p>

reasonable efforts to preserve any potential crime scene and potential evidence. The local law enforcement agency, who will be conducting the criminal investigation, will follow their agency evidence protocol that maximizes the potential for obtaining usable physical evidence for criminal prosecutions.

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.

1. A victim advocate will be available to the victim provided at the hospital during the examination, as this is standard protocol at our local hospitals. As requested by the victim, the victim advocate, shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

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 conducts the administrative sexual abuse investigations. The Campbell County Sheriff's Office conducts all criminal investigations. A contract held with the Campbell County Sheriff's Office was reviewed. Language regarding responsibilities associated with PREA was included.

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

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.")

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. (Confliction 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 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.

The facility reports that it has had three (3) sexual assault allegations within the past twelve (12) months.

1. Was investigated Administratively and found to be 'Unfounded' as it was retaliatory.
2. This allegation was against a Deputy prior to arrival at the jail.

3. This allegation was found to be 'Unfounded'.

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>Investigation Files</p> <p>Interview with Agency Administrative Designee</p> <p>Interview with Investigative Staff</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: 3</p> <p>The number of allegations resulting in an administrative investigation: 1</p> <p>The number of allegations referred for criminal investigation: 2</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>Website</p> <p>The following in on the Blue Ridge Regional Jail Authority Website:</p> <p>“The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to support the</p>

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:

The number of allegations of sexual abuse and sexual harassment that were received within the last twelve months were three (3). The one (1) that constituted an administrative investigation was ‘unfounded’. The complaint was found to be retaliatory. The two (2) referred for criminal investigation had the following conclusions: 1) was a complaint against Deputy prior to being committed, was unfounded. 2) Allegation inmate on inmate was

unfounded.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Material Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>SOP 4.01; Purpose</p> <p>2019 Employee Annual PREA Class Rosters</p> <p>2019 New Employee PREA Class Rosters</p> <p>Training Sign-off Sheets</p> <p>Curriculum / Lesson Plans (Staff Orientation Training, Refresher Training, Volunteer Orientation Training)</p> <p>Interviews with Staff</p> <p>Review of Volunteer / Contractors Training Records</p> <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: 41</p> <p>SOP 28.10; Prevention and Intervention for Sexually Abusive Behavior</p> <p>A. Staff, Volunteer, and Contractor Training</p> <p>All BRRJA employees and Volunteers will receive training on:</p> <p>a. The BRRJA zero tolerance policy;</p> <p>b. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;</p> <p>c. Inmates' right to be free from sexual abuse and sexual harassment;</p> <p>d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;</p> <p>e. The dynamics of sexual abuse and sexual harassment in a confinement;</p> <p>f. The common reactions of sexual abuse and sexual harassment victims;</p> <p>g. How to detect and respond to signs of threatened and actual sexual abuse;</p>

- 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.

B. 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.

SOP 4.01; Purpose

PURPOSE:

To establish a process for coordinating, documenting, scheduling and providing training for sworn and non-sworn personnel.

POLICY:

It is the policy of BRRJA to provide training of personnel to accomplish the mission of BRRJA.

REFERENCES:

PREA 115.31 (d) Employee Training.

The agency shall document through employee signature or electronic verification, that employees understand the training they have received. Revised 07/01/13 Page 2 of 4

Comments:

The 2019 PREA Class Rosters showed dates, signatures, job title and site of the class.

The auditor was provided the curriculums for Staff Orientation Training, Refresher Training, Volunteer Orientation Training. Included were Standards, Definitions, Rights, Dynamics of Sexual Abuse and Sexual Harassment, Reactions to Sexual Abuse and Sexual Harassment, Staff/Inmate Relationships, Reporting Responsibilities, Prevention, Detection, Responding, Laws and Compliance, Supervision and Monitoring, Disciplinary Sanctions, and Communication.

Employees receive refresher training twice annually.

Staff were able to discuss their training and how it was presented.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p style="padding-left: 40px;">SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p style="padding-left: 40px;">“A Guide to Maintaining Proper Boundaries with Offenders” / A Brochure for Contractors and Volunteers to the Blue Ridge Regional Jail Authority</p> <p style="padding-left: 40px;">Training Sign-off Sheets: Staff, Medical, 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: 47</p> <p style="padding-left: 80px;">Volunteers: 14</p> <p style="padding-left: 80px;">Contractors: 33</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>Comments:</p> <p>The 2019 PREA Class Rosters showed dates, signatures, job title and site of the class.</p> <p>The auditor was provided the curriculums for Staff Orientation Training, Refresher Training, Volunteer Orientation Training. Included were Standards, Definitions, Rights, Dynamics of</p>

Sexual Abuse and Sexual Harassment, Reactions to Sexual Abuse and Sexual Harassment, Staff/Inmate Relationships, Reporting Responsibilities, Prevention, Detection, Responding, Laws and Compliance, Supervision and Monitoring, Disciplinary Sanctions, and Communication.

Employees receive refresher training twice annually.

Note: Due to Covid-19, Contractors and Volunteers have not been active at the facility. Therefore, no interviews took place with this group of individuals.

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 Inmate File Reviews Review of Posters Site Review Inmate Handbook (English and Spanish) <p>Of inmates admitted during the past 12 months:</p> <p style="padding-left: 40px;">The number who were given this information at intake: 1375 - 100%</p> <p>Of inmates admitted during the past 12 months whose length of stay in the facility was for 30 days or more:</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: 207 = 100%</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 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</p>	

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.

Inmate Handbook

PREA was enacted by Congress to address the need to protect those who are under the supervision of a U.S. Correctional agency from sexual abuse and/or sexual harassment. The Blue Ridge Regional Jail Authority (BRRJA) is committed to and has adopted a ZERO-TOLERANCE standard for sexual abuse and/or sexual harassment of inmates by staff, including contractors, volunteers and other inmates. The BRRJA strives to cultivate an environment where employees as well as inmates, regardless of age, race, gender or sex are both safe and free from any type of sexual related misconduct. Sexual contact is strictly prohibited even if the involved person(s) agree to it.

The Handbook includes: Sexual Misconduct (definitions and behavior), Prevention (strategies), Reporting (reporting and false claims) and Retaliation. The Handbook also includes directions to utilize the PREA Report Line.

The following is the instructions for Reporting:

Report sexual abuse and/or sexual harassment to a staff member or dial (434) 847-5678 for the PREA Report Line. The longer you wait to report sexual abuse or sexual harassment, the more difficult it is to obtain evidence necessary for a criminal investigation. If the abuse or harassment happened in the past, the incident can still be reported. If someone tries to intimidate you, seek assistance from a staff member you trust and report the staff member, volunteer, contractor, or inmate immediately, or call the sexual abuse hotline. The general public can report incidents of sexual abuse and/or sexual harassment by calling the BRRJA facility or the local law enforcement agency appropriate to where the incident occurred. A shift leader can provide information on external crisis intervention and emotional support, as well as other reporting options for you. 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.

1. If an assault has happened:

- Immediately contact a staff member and request medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.
- Do not shower, brush your teeth, use the restroom, or change clothes before seeking and receiving help, as this could destroy important evidence.
- Report whether you have been a victim or have witnessed a sexual assault. If you are uncomfortable reporting the incident to staff, you may report anonymously by request, or by dialing (434) 847- 5678 for the PREA Report Line.
- You may also seek the support of a trusted friend, family member, staff member, contracted staff, volunteer, or visitor, including the chaplain, medical/mental health staff or counselor. BRRJA will take reports from third parties on your behalf.

- Mental health staff and counselors are available for crisis care and other on-going services, which can be a benefit to you in the event of a sexual assault.

Comments:

The auditor questioned why the following, in the inmate handbook, does not include eating or drinking.

- Do not shower, brush your teeth, use the restroom, or change clothes before seeking and receiving help, as this could destroy important evidence.

She was told that they did not want to give all the information to a potential perpetrator. The auditor questioned this rationale, however, since the full information is provided to inmates during intake and PREA orientation, she will accept that inmates receive the full, correct information.

Inmate interviews showed that providing of PREA information was consistent. Inmates were aware of their rights and how to report. The inmate who was LEP was aware of his rights (via an interpreter), an inmate who could not read or write was also aware.

Inmate File reviews showed that inmates signed off on receiving PREA Information.

115.34	Specialized training: 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>Verification of Training of Investigators</p> <p>Interviews with Investigative Staff</p> <p>Training Curriculum</p> <p>The number of investigators the agency currently employs: 1</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>A. Specialized Training</p> <p>Investigations:</p> <p>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>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 style="list-style-type: none"> • The BRRJA shall document that such training has been completed. <p>Comments:</p> <p>The Agency Internal Affairs Investigator investigates all allegations that is referred to local law enforcement. He is supervised by an administrator who has an extensive background in 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>2019 Employee Annual PREA Class Rosters includes Signatures</p> <p>2019 New Employee PREA Class Rosters includes Signatures</p> <p>Interviews with Medical and Mental Health Staff</p> <p>Training logs of Medical and Mental Health Staff</p> <p>Training Curriculums</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>The medical staff at this facility includes 1- MD, 1 Nurse, 1 CMT/Medical Officer and 1 QMHP</p>

(Qualified Mental Health Professional).

See prior information on curriculums, 115.32. Training Records show that facility medical staff have attended the same training as facility staff.

115.41	Screening for risk of victimization and abusiveness
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 536 365">Materials Reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="293 405 608 441">SOP 9.01; Classification <li data-bbox="293 477 676 512">PREA Intake Screening Form <li data-bbox="293 548 906 584">PREA Classification Screening and Instructions <li data-bbox="293 620 600 656">Interviews with Inmates <li data-bbox="293 692 735 728">Interviews with Classification Staff <li data-bbox="293 763 823 799">Interview with Agency PREA Coordinator <li data-bbox="293 835 1238 871">Interview with Facility Compliance Manager / Assistant Site Administrator <li data-bbox="293 907 568 943">Offender File Review <li data-bbox="293 978 448 1014">Site Review <p data-bbox="331 1135 628 1171">In the past 12 months:</p> <p data-bbox="248 1211 1469 1373">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: 462</p> <p data-bbox="331 1485 628 1520">In the past 12 months:</p> <p data-bbox="248 1561 1453 1722">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: 0</p> <p data-bbox="248 1834 568 1870">SOP 9.01; Classification</p> <p data-bbox="248 1906 1134 1942">PREA 115.41 Screening for Risk of Victimization and Abusiveness.</p> <ul style="list-style-type: none"> <li data-bbox="248 1977 1422 2058">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. <li data-bbox="248 2094 1366 2130">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.

Comments:

The facility's intake screening relies heavily on determining the inmate's risk for being sexually assaulted. The inmate will remain in the intake area until being reassessed by a classification officer within 72 hours of arrival. The inmate is housed alone and is deemed safe until a lengthy reassessment is completed. It is at that time that the classification officer determines security level and the housing assignment. No one other than the classification officer can

make those determinations. If there are incidents or information that comes to the attention of the facility, the classification officer will initiate another screening document.

Inmates are not disciplined for refusing to answer questions.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>Classification Procedures; Directive</p> <p>PREA Classification Screening Form and Instructions</p> <p>Interview with Facility PREA Compliance Manager / Assistant Site Administrator</p> <p>Interview with Classification Officer</p> <p>Site Review</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</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>

Classification Procedures; Directive

A. Classification of all inmates shall be according to procedures set forth in the BRRJA Objective Jail Classification Manual.

B. PREA screening will be completed during the classification process using the PREA Screening Checklist, and all factors will be considered in accordance with PREA standards 115.14, 115.41, 115.42, 115.43 and 115.68 when determining any housing, bed, work, education, and program assignments.

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.

C. Inmates are not segregated by race, color, creed or national origin.

D. Classification will be completed within the established time frame after the Booking process has been completed.

E. Any exceptions to this policy will be documented in writing and placed in the inmate's file.

F. Inmates with a recent history of being a management problem while incarcerated may be recommended by Staff for a review by Classification to determine if they are appropriate for a transitional/increased structure housing unit. A transitional unit is not a segregation unit. It is a general population unit with stricter rules and limited inmate movement. The goal of this unit is to minimize the risk of unwanted behavior by reducing the opportunity for some inmates to have negative interactions with staff and/or other inmates. Individuals housed in this unit are encouraged to eliminate disruptive behavior, desires to act out, maintain order, and understand the need to comply with institutional rules and regulations. This transitional unit is not a disciplinary unit or an extension of segregation. Inmates will be afforded the same rights as all other inmates in general population.

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.

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

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 115.43 Protective Custody.

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.

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:

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

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

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.

PREA 115.68 Post-Allegation Protective Custody.

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.

PROCEDURES:

A. Classification of all inmates shall be according to procedures set forth in the BRRJA Objective Jail Classification Manual.

B. PREA screening will be completed during the classification process using the PREA Screening Checklist, and all factors will be considered in accordance with PREA standards 115.14, 115.41, 115.42, 115.43 and 115.68 when determining any housing, bed, work, education, and program assignments.

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.

C. Inmates are not segregated by race, color, creed or national origin.

D. Classification will be completed within the established time frame after the Booking process has been completed.

E. Any exceptions to this policy will be documented in writing and placed in the inmate's file.

F. Inmates with a recent history of being a management problem while incarcerated may be recommended by Staff for a review by Classification to determine if they are appropriate for a transitional/increased structure housing unit. A transitional unit is not a segregation unit. It is a general population unit with stricter rules and limited inmate movement. The goal of this unit is to minimize the risk of unwanted behavior by reducing the opportunity for some inmates to have negative interactions with staff and/or other inmates. Individuals housed in this unit are encouraged to eliminate disruptive behavior, desires to act out, maintain order, and understand the need to comply with institutional rules and regulations. This transitional unit is

not a disciplinary unit or an extension of segregation. Inmates will be afforded the same rights as all other inmates in general population.

Comments:

At the time of the on-site audit, there were no identified transgender or intersex inmates being held at the facility. Interviews showed that appropriate staff were aware of reassessment requirements of this population.

As noted previously during the reassessment process, the classification officer determines housing and security level. This will include work, education and program assignments.

Shower areas within the facility are private (1 person only), those allowing for privacy for all inmates.

115.43	Protective Custody
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>Materials Reviewed:</p> <p>SOP 9.01; Classification</p> <p>Interview of Staff</p> <p>Interview of Inmates</p> <p>Interview of Facility Site Administrator</p> <p>Interview of Assistant 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.

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

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, the facility has not placed anyone into involuntary segregation during the past year. Interviews indicated that because BRRJA has several jails, if the facility is unable to house an individual, the inmate can be moved to another location. The facility does not expect that involuntary segregation would be used except in a rare occasion.

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 Inmate Handbook (English and Spanish) Interviews of Staff Interviews of Inmates Interview of Facility PREA Compliance Manager / Assistant Site Administrator Site Review PREA Posters MOU with outside Advocacy Agency Website <p>Inmate Handbook</p> <p>PREA was enacted by Congress to address the need to protect those who are under the supervision of a U.S. Correctional agency from sexual abuse and/or sexual harassment. The Blue Ridge Regional Jail Authority (BRRJA) is committed to and has adopted a ZERO-TOLERANCE standard for sexual abuse and/or sexual harassment of inmates by staff, including contractors, volunteers, and other inmates. The BRRJA strives to cultivate an environment where employees as well as inmates, regardless of age, race, gender or sex are both safe and free from any type of sexual related misconduct. Sexual contact is strictly prohibited even if the involved person(s) agree to it.</p> <p>The Handbook includes: Sexual Misconduct (definitions and behavior), Prevention (strategies), Reporting (reporting and false claims) and Retaliation. The Handbook also includes directions to utilize the PREA Report Line.</p> <p>The following is the instructions for Reporting:</p> <p>Report sexual abuse and/or sexual harassment to a staff member or dial (434) 847-5678 for the PREA Report Line. The longer you wait to report sexual abuse or sexual harassment, the more difficult it is to obtain evidence necessary for a criminal investigation. If the abuse or harassment happened in the past, the incident can still be reported. If someone tries to intimidate you, seek assistance from a staff member you trust and report the staff member, volunteer, contractor, or inmate immediately, or call the sexual abuse hotline. The general</p>

public can report incidents of sexual abuse and/or sexual harassment by calling the BRRJA facility or the local law enforcement agency appropriate to where the incident occurred. A shift leader can provide information on external crisis intervention and emotional support, as well as other reporting options for you. 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.

1. If an assault has happened:

- Immediately contact a staff member and request medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.
- Do not shower, brush your teeth, use the restroom, or change clothes before seeking and receiving help, as this could destroy important evidence.
- Report whether you have been a victim or have witnessed a sexual assaulted. If you are uncomfortable reporting the incident to staff, you may report anonymously by request, or by dialing (434) 847- 5678 for the PREA Report Line.
- You may also seek the support of a trusted friend, family member, staff member, contracted staff, volunteer or visitor, including the chaplain, medical/mental health staff or counselor. BRRJA will take reports from third parties on your behalf.
- Mental health staff and counselors are available for crisis care and other on-going services, which can be a benefit to you in the event of a sexual assault.

The Handbook also covers false claims and retaliation. It also contains instructions on how to report utilized the PREA Report Line.

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

V. DETECTION AND REPORTING:

A. Inmate Reporting:

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.

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.

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.”

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:

The facility staff states that they are required to make a "Report to the Supervisor immediately" and that procedures are discussed during annual training.

The auditor questioned why the following, in the inmate handbook, does not include eating or drinking.

- Do not shower, brush your teeth, use the restroom, or change clothes before seeking and receiving help, as this could destroy important evidence.

She was told that they did not want to give all the information to a potential perpetrator. The auditor questioned this rationale, however, since the full information is provided to inmates during intake and PREA orientation, she will accept that inmates receive the full, correct information.

As viewed in the Inmate Handbook, Additional Reporting Information and the website, multiple methods for reporting are available. Interviews with inmates showed that they are aware that there are several ways to report; including private methods.

Staff interviews indicated that all are aware that there are multiple methods to report either for staff or for inmates.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Inmate Handbook (Spanish and English)</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 inmate's 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>Inmate Handbook</p> <p>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.</p> <p>Comments:</p>

The agency does not have an administrative procedure for dealing with inmate grievances regarding sexual abuse.

115.53 Inmate access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Materials Reviewed:

- 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 (English and Spanish)
- PREA Information Hand-out
- Brochure - PREA
- Posters
- Notices
- Interviews with Inmates
- Interviews with Staff
- Site Review
- Website

SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior

- 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.

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.

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. (More definition of this section is prior in report.)

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.")

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:

Every inmate arriving at the Detention Center receives multiple information as to methods of contacting victim advocates, locations to write, and other support services. Inmate information shows which contacts made through the facility will be recorded.

The Agency utilizes a Cooperative Agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority.

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

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>Website</p> <p>Inmate Handbook (English and Spanish)</p> <p>Inmate Handbook</p> <p>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.</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>P.O. Box 410</p> <p>Amherst Va. 24521</p> <ul style="list-style-type: none"> • Bedford Police Department - Attn: Investigations <p>215 East Main St.</p>

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.”

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.

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:

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

When the facility receives a third-party allegation of Sexual Abuse and/or Sexual Harassment, it will document and submit to the BRRJA Internal Affairs Lieutenant (Investigator).

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>Cooperative agreement between the YWCA of Central Virginia, Forensic Nurse Examiners at Lynchburg General Hospital, and Blue Ridge Regional Jail Authority.</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> <p>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.</p> <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. <p>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.</p> <p>3. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State</p>

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.

B. Staff and agency reporting duties:

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.

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:

Interviews with staff showed that all are aware of their responsibility to immediately report any knowledge, suspicion or information about an incident of sexual abuse, sexual harassment or retaliation. All were aware of the confidentiality of this information and are aware of the need to cooperate in any investigation.

Medical and Mental Health Staff were able to discuss their 'duty to report' and limitations 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>All interviews indicated that staff knew to act immediately if they learn that an inmate is in imminent risk. Responses showed that the inmate would be removed from the location and interviews would commence.</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>In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: n/a</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>As this situation has not occurred during the last twelve (12) months, file reviews did not occur.</p> <p>Interviews indicated that staff knew the step by step method to address such allegations.</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>Coordinated Response Plan</p> <p>Interviews with Staff</p> <p>Investigation Files</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused:</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: 1</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: 1</p> <p>Of these allegations the number of times the first security staff member to respond to the report: 1</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.</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. 1</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: 0</p> <p>Requested that the alleged victim not take any actions that could destroy physical evidence.</p> <p>Notify security staff.</p>

VI. RESPONSE: Coordinated Response

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 showed that all knew the steps necessary to respond to sexual abuse. They were aware of where the alleged victim and the alleged perpetrator were to be held pending the investigation.

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, time and person) for the facility.

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 Facility 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 noted previously, 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, time and person) for the facility.

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>Interview with Assistant 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 facility Assistant Site Administrator/PREA Manager.

Interviews showed that there are several methods to address retaliation; sanctioning of the instigator, bed assignment changes and transfer to another jail location. Inmates who report sexual abuse of sexual harassment will be monitored for a period of at least ninety (90) days per this standard. This also means that the classification officer will do personal periodic checks with inmates.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>SOP 9.01; Classification</p> <p>Interview with Facility Site Administrator</p> <p>Interview with Staff</p> <p>On-Site Visit</p> <p>The number of Inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completions of assessment: 0</p> <p>In the past 12 months, the number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH: 0</p> <p>(a) A statement of the basis for facility's concern for the inmate's safety</p> <p>(b) The reason or reasons why alternative means of separation could not be arranged.</p> <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>SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p>G. 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</p>

history, disruptive behavior, current charges, criminal history, incident reports, etc. The inmate may be placed in general population at that time.

Comments:

As previously noted, the facility tries to not use segregated housing for protecting inmates who allegedly has been sexually abused. However, if necessary, the facility will utilize the requirements noted in 115.43.

115.71	Criminal and administrative agency investigations
	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 Investigator's Training Records PREA Manager/Assistant Site Administrators Training Records Curriculum Interviews with Facility Site Administrator Interview with Agency PREA Coordinator Interview with PREA Compliance Manager / Assistant Site Administrator Interview with Investigative Staff Interviews with Inmates who Reported a Sexual Abuse Review of Investigative Files Review of Administrative Investigation reports Record Retention <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>

1. Administrative investigations:

- 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.
- b. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
- 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 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:

When an allegation of sexual abuse is shared, the Assistant Site Administrator/ PREA Manager, the Agency PREA Coordinator and the Internal Affairs Investigator is notified. Investigations commence immediately by the trained investigators. If the incident appears to be criminal in nature, it is turned over to local law enforcement (the Campbell County Sheriffs Department). The facility and the I.A. Investigator cooperates with the Sheriffs Department in any requested way and receives information regarding pending charges.

If the investigation does not look to be criminal, the I.A. Investigator and the PREA Manager work together in completing an investigation; including any gathering of evidence, interviews, credibility, mental health, etc.

All investigations are documented.

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 Investigative Staff</p> <p>Interview with Assistant Site Administrator / PREA Manager</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 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>Comments:</p> <p>Investigators review the accumulated evidence to determine if there is a 'preponderance of evidence' before deciding the outcome of the investigation.</p>

115.73	Reporting to 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>PREA Hotline Activation Report</p> <p>Interview with Site Administrator</p> <p>Interview with Investigative Staff</p> <p>Review of Sexual Abuse Investigations</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: 2</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: 1 by facility; 1 by outside agency</p> <p>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: 1</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: 1 (The second complaint was another inmate that alleged that the female deputy sexually abused/harassed him prior to him arriving at the jail. The Campbell County Sheriff's Office was notified. They conducted their own investigation.)</p> <p>In the past 12 months:</p> <p>The number of notifications to inmates that were provided pursuant to this standard: 0</p> <p>The number of those notifications that were documented: 0</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>E. Reporting to inmates.</p>

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.

Comments:

Contained in the OAS was a PREA Hotline Activation Report. In reading the report, the situation was determined as 'unfounded'. This auditor did not find it to be associated with a PREA complaint.

This was an investigation by CCSC for allegation on a Deputy Sheriff prior to commitment, as mentioned earlier in this report. The third allegation was determined to be 'unfounded'. Results of the investigations were verbalized to the inmates.

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.</p> <p>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>

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.

Comments:

During the past twelve (12) months, the facility has not sanctioned or terminated a staff member for sexual abuse or sexual harassment. Interviews indicated that all are aware of the strict enforcement of policies. If those policies are broken, law enforcement would be notified.

115.77	Corrective action for contractors and volunteers
	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 of Site Administrator</p> <p>In the past 12 months, contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates: 0</p> <p>SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior</p> <p>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.</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> <p>Comments:</p> <p>Due to the Covid-19 pandemic, contractors and volunteers were unavailable for interviews. However, documentation/training/phamplets show that sexual abuse and/or sexual harassment is prohibited and could result in notification of law enforcement.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <ul style="list-style-type: none"> SOP 28.11; Prevention and Intervention for Sexually Abusive Behavior Interview with Site Administrator Interview with Assistant Site Administrator Interviews with Medical Staff Interviews with Mental Health Staff Interviews with Inmates Inmate Handbook (Spanish and English) <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:

The inmate handbook describes the disciplinary sanctions that could be administered for sexual abuse or sexual harassment.

Both the Medical Director and the Mental Health Practitioner stated that if there was an investigation into a sexual abuse, they would be asked to contribute their observations. Both a victim and a perpetrator would be referred for Mental Health follow-up.

Interviews with inmates showed that they were aware that good faith reporting would not result in sanctioning.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Inmate Medical, Mental Health and Medical Laboratory Services Contract with Mediko, PC</p> <p>SOP 9.01; Classification</p> <p>Referral to Jail Counselor/Classification</p> <p>Medical and MH Informed Consent Form</p> <p>Interview with Inmates who Disclose Sexual Victimization at Risk Screening</p> <p>On-Site Review</p> <p>In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow up meeting with a medical or mental health practitioner: 1</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>

Several PREA related "Referral to Jail Counselor Forms" were reviewed (MH). The forms were well documented by staff and given to the Mental Health Practitioner.

The form contains: Date, Name, Location.

Reasons for Referral: (Depressed, Anxious, Aggressive, Sleep Problems, Suicidal, Hearing Things, Tearful, Appetite Changes, Eating Strange Things, Stays to Self, Bizarre Behavior, On Edge, Change in Behavior, Change in mood, Substance Abuse, Fighting and other.)

Who Asks that the Counselor See This Inmate: (Inmate, Family, BRRJA, Outside Professional.)

How long has it been going on? When did it come to your attention? How often does it occur?

Please tell us anything you can that will help us understand what you are seeing in this inmate?

Form completed by _____ and date.

Form given to _____ and date.

Interviews with inmates that had reported prior victimization during intake stated that they had been offered a meeting with the mental health practitioner. Those that chose to attend a meeting said it occurred quickly after arrival. Information regarding this victimization is confidential, only available on a 'as needed basis'.

115.82	Access to emergency medical and mental health services
	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 Checklist</p> <p>Interviews with Medical and Mental Health Staff</p> <p>Interview with Staff</p> <p>On-site visit</p> <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>Comments:</p> <p>Staff interviews showed that medical intervention (forensic examinations) are critical for a victim of sexual abuse. Staff were able to explain in a step by step fashion the steps necessary when a sexual assault report is made. If medical staff are unavailable, security staff ensure that a hospital trip is arranged.</p> <p>The interview with the SAFE/SANE Supervisor (note previously in report) that inmates are given information about sexually transmitted infections.</p>

Note: Inmates do not receive a bill for medical services.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 536 360">Materials Reviewed:</p> <p data-bbox="293 400 1209 434">SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p data-bbox="293 474 911 508">Interviews with Medical and Mental Health Staff</p> <p data-bbox="293 548 408 582">Site Visit</p> <p data-bbox="252 694 1166 728">SOP 28.01; Prevention and Intervention for Sexually Abusive Behavior</p> <p data-bbox="252 768 1342 801">B. Ongoing medical and mental health care for sexual abuse victims and abusers.</p> <ol data-bbox="252 842 1461 1507" style="list-style-type: none"> <li data-bbox="252 842 1461 958">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. <li data-bbox="252 999 1461 1072">4. Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. <li data-bbox="252 1113 1422 1232">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. <li data-bbox="252 1272 1378 1346">6. Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. <li data-bbox="252 1386 1461 1507">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 data-bbox="252 1624 413 1657">Comments:</p> <p data-bbox="252 1697 1481 1859">As noted previously, those individuals who reported a previous sexual abuse occurrence or are sexually abused while in the facility are offered both medical and mental health appointments. If accepted, continued appointments and/or referrals are made if or when an inmate either leaves the facility or are transferred.</p> <p data-bbox="252 1899 1474 2018">Both the Medical Director and the Mental Health Practitioner indicate that the care provided to their incarceration population exceeds the level of care in the community. To include: continued testing for sexually transmitted infections and any follow-up care.</p> <p data-bbox="252 2058 1082 2092">Note: Treatment Services are provided at no cost to the inmate.</p>

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>Campbell County Sheriff’s Office PREA Investigation Report</p> <p>Interview with Site Administrator</p> <p>Interview with the Assistant Site Administrator</p> <p>Interview with Agency PREA Compliance Manager</p> <p>Interview with Staff</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:

A Campbell County Sheriff's Office PREA Investigation Report was included in the OAS. The report showed the steps taken by the Sheriff's Office upon immediate report by the facility. In discussion with the facility and the reading collaborating. The findings of "unfounded", were appropriate.

As noted, there has not been a convening of the Incident Review Team due to no findings of 'Substantiated' or Unsubstantiated'. Interviews with the Site Administrator and the Assistant Site Administrator showed that they were aware of the key components of a Review.

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>Statistical Report</p> <p>Website Data</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.

Comments:

When a PREA incident occurs at a facility, BRRJA is notified. These notifications must match the reports made to the PREA Coordinator. A yearly report is completed by the facility, with BRRJA incorporating it into its annual report.

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 Annual Review dated February 28, 2020</p> <p>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 Facility PREA Compliance Manager / Assistant Site Administrator</p> <p>Review of Annual Report</p> <p>Website: www.BRRJA.state.va.us or https://www.brrja.state.va.us/prison-rape-elimination-act/</p> <p>PREA Annual Review dated February 28, 2020</p> <p>To: Sergeant Dews,</p> <p>“The Campbell County Adult Detention Center conducted its PREA Annual Date Review on February 28, 2019. The review team consisted of Sergeant Kevin Barker, Classification Corporal Matthew Elder, and Lieutenant Chris Lash. The facility did not have any substantiated reports of sexual abuse or sexual harassment from January 1, 2019 thru December 31, 2019. The purpose of this review is to assess and improve the effectiveness of its sexual abuse and sexual harassment; prevention, detection, response policies, and training. After reviewing these topics, the review team did not identify any problem areas and did not make any recommendations of change.”</p> <p>Respectfully,</p> <p>Lt. Chris Lash</p> <p>PREA Manager</p> <p>Campbell County Adult Detention Center</p>

2019 PREA Report

The following excerpts are from the "Sexual Violence 2019 Annual Report for Campbell County Adult Detention Center"

"Data included in this report is from January 1, 2019 to December 31, 2019"

"Inmates confined in CCADC on December 31, 2019 were 124 males and females 0."

"During 2019, new admissions to the jail were 1403 males and 400 females."

"The average daily population at CCADC in 2019 was 120 males and 1 female."

Inmate on Inmate Sexual Violence

"The Blue Ridge Regional Jail Records all allegations of inmate on inmate sexual violence.

There were zero (0) allegations of inmate on inmate Non-consensual acts during this period.

There were zero (0) allegations of inmate on inmate Abusive Sexual Contact during this period."

Staff Sexual Misconduct and Harassment

"The Blue Ridge Regional Jail Records all allegations of Staff Sexual Misconduct and Sexual Harassment.

There were zero (0) allegations of Staff Sexual Misconduct during this period.

There were zero (0) allegations 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. While we had no cases of sexual abuse in 2019, I believe that our PREA policies and training previously set forth greatly enhanced our ability to detect and deter sexual abuse in our facility going forward."

History:

Between January 1, 2013 and December 31, 2018 there were zero (0) allegations of inmate on inmate nonconsensual 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 was one (1) allegation of staff sexual misconduct.

Between January 1, 2013 and December 31, 2018 there were zero (0) allegations of staff

sexual harassment.

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:

As noted in the above reports, an annual report is submitted by the facility. It includes data comparisons and actions taken. The facility report is forwarded to the PREA Coordinator who includes it in the annual report, approved by the agency Administrator.

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>Interview with Facility PREA Compliance Manager / Assistant Site Administrator</p> <p>Website</p> <p>Historical Data</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>The annual reports by BRRJA is posted on the agency website. No personal identifiers are contained in the report. All data collected is maintained as required by this standard.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor had access to all areas of the facility. Any requested information, data, files, questions were immediately addressed by personnel.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This facility meets the Standards required in the PREA Audit. Staff and Inmate interviews showed knowledge of PREA posed questions. The facility is aware of its needs for additional cameras. Additionally, the facility is well organized.</p> <p>The auditor would like to thank the Site Administrator, Assistant Site Administrator/PREA Manager, Agency PREA Coordinator as well as staff for a well organized review.</p>

Appendix: Provision Findings		
115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	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.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

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

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	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.)	na
	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.)	na
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).	na
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.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	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.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

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

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