

# PREA Facility Audit Report: Final

**Name of Facility:** Baskerville Correctional Center

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 07/01/2021

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Alton Baskerville	<b>Date of Signature:</b> 07/01/2021

AUDITOR INFORMATION	
<b>Auditor name:</b>	Baskerville, Alton
<b>Email:</b>	abville42@aol.com
<b>Start Date of On-Site Audit:</b>	05/18/2021
<b>End Date of On-Site Audit:</b>	05/19/2021

FACILITY INFORMATION	
<b>Facility name:</b>	Baskerville Correctional Center
<b>Facility physical address:</b>	
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	

Primary Contact	
<b>Name:</b>	Linda Walker
<b>Email Address:</b>	linda.walker@vadoc.virginia.gov
<b>Telephone Number:</b>	(434)233-3164

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	David Zook
<b>Email Address:</b>	david.zook@vadoc.virginia.gov
<b>Telephone Number:</b>	(434) 233-3160

Facility PREA Compliance Manager	
<b>Name:</b>	Linda Walker
<b>Email Address:</b>	linda.walker@vadoc.virginia.gov
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Facility Health Service Administrator On-site	
<b>Name:</b>	Gayle Harris
<b>Email Address:</b>	gayle.harris@vadoc.virginia.gov
<b>Telephone Number:</b>	(434) 233-3167

Facility Characteristics	
<b>Designed facility capacity:</b>	481
<b>Current population of facility:</b>	360
<b>Average daily population for the past 12 months:</b>	398
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Males
<b>Age range of population:</b>	20-65
<b>Facility security levels/inmate custody levels:</b>	27
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	165
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	7
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	11

AGENCY INFORMATION	
<b>Name of agency:</b>	Virginia Department of Corrections
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	6900 Atmore Drive, Richmond, Virginia - 23225
<b>Mailing Address:</b>	P.O. Box 26963, Richmond, Virginia - 23261
<b>Telephone number:</b>	804-674-3000

Agency Chief Executive Officer Information:	
<b>Name:</b>	Harold Clarke
<b>Email Address:</b>	Harold.Clarke@vadoc.virginia.gov
<b>Telephone Number:</b>	804-887-8080

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Tammy Barbetto	<b>Email Address:</b>	tammy.barbetto@vadoc.virginia.gov

## AUDIT FINDINGS

### Narrative:

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

On May 18-19, 2021, DOJ Certified PREA Auditor Alton Baskerville conducted a PREA Recertification Audit at Baskerville Correctional Center (BACC). Phyllis Baskerville assisted in the audit. The Pre-Audit Notification was sent to (BACC) to be posted. The notices were posted throughout the center on March 24, 2021. The notifications will remain posted at least six weeks after the onsite audit. I received a letter from one offender prior to the onsite audit.

The audit team arrived at Baskerville Correctional Center around 8:15 A.M. for our 8:30 A.M. with Warden David Zook and his executive team. The following persons were present during the entry meeting: David Zook, Warden, Gloria Robinson, Chief of Housing and Programs, Linda Walker, Operations Manager/PREA Compliance Manager, David Hamlette, Chief of Security, William King, Institution Program Manager, and Joseph Allotey, Regional PREA Analyst. Warden Zook introduced his staff to the team. We introduced ourselves, and shared the audit schedule, purpose and expectations of the audit. At the conclusion of the audit, Auditor Baskerville began a tour of the Center with Warden Zook, Major Hamlette, Gloria Robinson, and Joseph Allotey. Phyllis Baskerville was escorted to an office inside the compound to begin interviewing inmates. There were 353 inmates assigned to the Center on the first day of the audit.

During the tour, I saw the PREA Notification letters posted throughout the Center. PREA posters in English and in Spanish were posted in the housing areas near the telephones. In addition, recommendation was made to place PREA posters in classrooms, kitchen (near serving line), dining hall, and the visitation room. These additional posters were put on May 19, 2021. Cameras were visible throughout the compound. Cameras were in the front and rear of the housing units. There has been an upgrade of cameras and monitors since the last PREA audit. However, there are some blinds spots because of double bunks in the middle of the dorms. Officers are required to make thirty minute rounds throughout the shifts.

The toilet areas provided an adequate degree of privacy for the inmates. However, some inmates complained that the urinals and the sinks were too close to provide privacy in housing units 2 and 3. Recommendation was made to put a petition on the wall that separated the urinal from the sink. This recommendation was accepted and implemented by Warden Zook.

Some of the inmates that the auditor interviewed complained about not having easy access to the inmate telephones because inmate gangs controlled the telephones. I shall this concern with Warden Zook. He agreed to send out a memo to all inmates. A memo was given to all inmates warning disciplinary charges for controlling use of telephones and kiosks. This memo was passed out to all inmates around 4:00 P.M. on May 19, 2021.

This auditor made a test call on the PREA Hotline in Housing unit one, B-side. The call was acknowledged and emailed to me the next day.

A review of the officer log books show frequent rounds completed by officers and supervisors. Auditor observed female staff making announcements prior to entering the housing units.

After completing the tour, I began to interview staff and review documentation, policies and procedures. Twenty-seven random interviews and two targeted interviews were conducted by the auditors. The two targeted inmates were one LEP and one Gay. All inmates demonstrated a some understanding of the PREA program and their rights regarding preventing and reporting sexual abuse or sexual harassment at BAC. A random selection of inmate record files showed lack of documentation of risk assessment and reassessment for one inmate. On June 2, 2021, the certified auditor received training documentation for inmates who were interviewed. Also, all inmates at the Center were given a Classification Risk Assessment and a Reassessment. All documentation needed for the inmates who were interviewed, and for inmates whose files were randomly selected were uploaded to the OAS under the supplementary folders.

Twelve random staff and sixteen specialized staff were interviewed. Random staff interviewed represented day and night shifts. The specialized staff included the Director, Agency Contract Administrator, Investigative staff, Warden, Intake Staff, Higher-Level Facility Staff, PREA Compliance Manager, PREA Coordinator, Designated Staff Member charged with monitoring retaliation, Contractor, Medical and Mental Health Staff, Security and Non-Security Staff who acted as first responders, Staff who perform screening for risk of victimization and abusiveness, Incident Review Team, Volunteer, and Human Resources Staff.

Documentation of PREA training was not readily available on all staff who were interviewed during the onsite audit. The requested documentation has been received and uploaded to the OAS under the supplementary folder. The certified auditor reviewed six random employee personnel and training records. The certified auditor looked for performance of criminal record background checks, consideration of prior incidents of sexual harassment when determining whether to hire or to promote anyone, or to enlist the services of any contractor who may have contact with inmates, and whether the Center imposed upon the employees a continuing duty to disclose any previous misconduct. The six files were missing PREA training documentation for the employees selected. The PREA training documentation was sent to me on June 2, 2021.

After concluding the onsite portion of the audit, the audit team held an exit meeting with Warden David Zook, Gloria Robinson, Chief of Housing and Programs, Linda Walker, PREA Compliance Manager, David Hamlette, Chief of Security, William King, Institution Program Manager, and Joseph Allotey, Regional PREA Analyst. We expressed our appreciation for the hospitality, cooperation, and timely assistance with inmate and staff interviews, as well as unrestricted access to documents and files that were needed. The team shared with the warden and his staff documents and actions that need to be made before the 45 day period in order to get a final report. The Center was clean, orderly and was run by experienced staff.

## 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.

Baskerville Correctional Center is a medium security facility located in Mecklenburg County at 4150 Hayes Mill Road, Baskerville, Virginia. It sits on 362 acres of farm land. The Center operates a moderate farm program with over a hundred cows and calves, hay fields and vegetable gardens. There are a number of ponds located around the facility grounds. The facility compound is within seven acres surrounded by a twelve foot high security fence. The rated facility capacity is 481. The actual population is 360, and the average daily population for the last 12 months is 398. The average length of stay is 60 months. The security levels are one and two; the custody levels are medium and minimum. The age range of the inmates is 20-65 years. This is a male facility.

Baskerville Correctional Center has 165 full-time staff; 4 part-time staff (transport officer, office assistant, LPN and Dental ) There are 4 contract employees. (Keefe-2, Physician-1 and Chaplain-1)

The Center has 20 buildings on the property. There are 6 housing units which are open bay dorms. There are 14 segregation cells.

BACC was opened as a minimum security level field unit with only Housing Unit 1. In the late 1980's, BACC's physical layout expanded its mission and increase the number of staff. On January 1, 1990, two additional housing units and a new dining hall were opened. The operational capacity was increased to 497 offenders of mostly Level 1 with a hand full of level 2 offenders. In August 2016, BACC's mission was modified to permit BACC to house mostly level 2 inmates. The three housing units are HU-1, HU-2 and HU-3; each housing unit has an A and a B side. HU 1 has 74 beds on side A and 62 beds on side B. HU 2 and HU 3 house up to 88 offenders on each of the two sides. Each offender has access to a dayroom area, wash basins, restrooms and communal showers. Inmates have access to wall telephones, GTL Kiosks and personal televisions.

## AUDIT FINDINGS

### Summary of Audit Findings:

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

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

Baskerville Correctional Center has met all the standard requirements.

## 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	<p><b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3 Prison Rape Elimination Act, pg. 3, 15  OP 135.2 Rules of Conduct Governing Employees Relationships with Offenders, pg. 5  Inter Office Memorandum  Memorandum to the Population  VADOC Organizational Chart  Baskerville Organizational Chart  VADOC Work Description and Performance Plan - PREA/ADA Analyst /PREA/ADA Supervisor/Institutional Operations Manager  Staff Interviews  Offender Interviews</p> <p>Operating Procedure 135.2 states the Department of Corrections has zero tolerance for all forms of sexual abuse and sexual harassment. This procedure defines prohibited behaviors regarding sexual assault and sexual harassment, and includes sanctions for those found to have participated in behaviors of a sexual nature. Operating Procedure 038.3 states the DOC prohibits and will not tolerate any fraternization or sexual misconduct by staff, contractors, or volunteers with offenders, or between offenders as defined in this operation procedure.</p> <p>The DOC actively works to prevent, detect, report, and respond to any violation. In addition, this procedure provides information on preventing, detecting, and responding to such conduct, and also includes definitions of bad behaviors regarding sexual assault and sexual harassment. The PREA Coordinator and PREA Compliance Manager acknowledge they have sufficient time to manage their PREA. Responsibilities. The Agency has divided up the state into three regions and has assigned a PREA Analyst to each region to assist with PREA Compliance. Staff and offender interviews affirm the policy of zero tolerance of sexual abuse and sexual harassment.</p> <p><b>Conclusion:</b>  VADOC and BACC have shown they meet the standard 115.11. The agency and facility have met PREA standards in the past and the coordinators, analysts and managers display exceptional efforts in maintaining that status. Policy is very good requiring zero tolerance and adherence to efforts to prevent, detect and respond to sexual abuse of harassment of offenders under VADOC charge.</p> <p>^</p>
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115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3 Prison Rape Elimination Act, pg. 4  OP 260.1 Procurement of Goods and Services, pg. 10  OP 940.1 Community Residential Programs, pg. 4  Contracts  Contract Renewals  Quarterly Facility Site Visits Reports  Lawrenceville Correctional Center Audit Report</p> <p><b>Operating Procedure 038.3</b>  Through contracts and Board of Corrections operating standards, facilities and jails that contract for the confinement of DOC offenders must include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards. (§115.12[a], §115.212[a]) Any new contract or contract renewal will provide for DOC contract monitoring to ensure that the contractor is complying with the PREA standards. (§115.12[b], §115.212[b])</p> <p><b>Operating Procedure 260.1</b>  All contracts for the confinement of DOC offenders must include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards. (§115.12[a], §115.212[a]) Any new contract or contract renewal must provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards. (§115.12[b], §115.212[b])</p> <p><b>Operating Procedure 940.1</b>  The DOC must include in all new contracts and contract renewals for the confinement of DOC offenders the CRPs obligation to adopt and comply with the PREA standards and 6VAC15-70, Standards for Community Residential Programs. (§115.12[a], §115.212[a]) 1. Any new contract or contract renewal must provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards. (§115.12[b], §115.212[b])</p> <p>The Virginia Department of Corrections contracts for confinement of its inmates with GEO Corrections &amp; Detention, LLC. The GEO Group operates a private prison in Lawrenceville, Virginia. The prison is designed to hold up to 481 offenders for the Virginia Department of Corrections. The auditor reviewed the PREA Audit report of the Lawrenceville Correctional Center. The facility was last audited in November 2019. The Lawrenceville Correctional Center was found to have exceeded 9 standards and met the requirements of all additional standards. The Auditor reviewed the contract between the Virginia Department of Corrections and GEO Corrections &amp; Detention, LLC. The Auditor reviewed the contract entered in March 2013 and all contract extensions and renewals since 2013. Each included provisions for the GEO Group to adopt and comply with the Prison Rape Elimination Act standards. The Auditor observed a provision in contracts that allows the VADOC to monitor GEO's compliance with PREA standards.</p> <p>The Eastern Regional PREA/ADA Analyst conducts quarterly site visits at the Lawrenceville Correctional Center to monitor for compliance with the Prison Rape Elimination Act standards. The analyst completes a report following the site visit. The Quarterly Facility Site Visit Report requires the analyst document findings related to each PREA standard. The Virginia Department of Corrections staffs a VADOC person onsite at the Lawrenceville Correctional Center. The VADOC staff member monitors the agency's contract with GEO. The Contract Monitor is empowered to address concerns with the GEO Group's compliance with the Prison Rape Elimination Act.</p> <p>The Virginia Department of Corrections houses inmates in local and regional jails across the state. There is no written agreement between the facilities and the Virginia Department of Corrections. Virginia Code allows for the confinement of VADOC inmates in those facilities. Each facility confining VADOC inmates is required to adopt and comply with the Prison Rape Elimination Act of 2003.</p> <p><b>Conclusion:</b>  The Auditor reviewed agency policies, contracts, contract renewals with the GEO Group, Quarterly Facility Site Visits Report, and the Lawrenceville Correctional Center's Audit Report. Agency contracts and renewals for the confinement of VADOC offenders include the requirements of this standard and require monitoring by agency personnel. The Auditor determined the Virginia Department of Corrections meets the requirements of this standard.</p>

115.13	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 588 331">OP 401.2 Security Staffing, pg. 8</p> <p data-bbox="240 338 424 365">OP 401.3, pg. 4-5</p> <p data-bbox="240 371 908 398">OP 401.1 Development and Maintenance of Post Orders, pg. 4-5</p> <p data-bbox="240 405 442 432">BACC Staffing Plan</p> <p data-bbox="240 439 432 465">BACC Post Audit</p> <p data-bbox="240 472 483 499">BACC Camera Report</p> <p data-bbox="240 506 448 533">Daily Duty Rosters</p> <p data-bbox="240 539 411 566">Post Logbooks</p> <p data-bbox="240 573 488 600">Interviews with Staff</p> <p data-bbox="240 607 379 633">Observations</p> <p data-bbox="240 663 533 689"><b>Operating Procedure 401.2</b></p> <p data-bbox="240 696 1490 1227">The staffing plan for each facility is a combination of the facility's current Post Audit, approved Shift Design, and proper roster management utilizing the annual Master Roster and Daily Duty Rosters. (§115.13[a]; §115.213[a]) 1. The facility staffing plan takes into account posts that required specialized training or certification and Corrections Officer supervision of the opposite gender. 2. The facility staffing plan provides for adequate levels of staffing, and, where applicable, video monitoring, to protect offenders against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities will take into consideration: (§115.13[a]; §115.213[a]) a. Generally accepted detention and correctional practices b. Any judicial findings of inadequacy c. Any findings of inadequacy from Federal investigative agencies d. Any findings of inadequacy from internal or external oversight bodies e. All components of the facility's physical plant (including "blind-spots" or areas where staff or offenders may be isolated) (§115.213[a]) f. The composition of the offender population (§115.213[a]) g. The number and placement of supervisory staff h. Institution programs occurring on a particular shift i. Any applicable State or local laws, regulations, or standards j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse (§115.213[a]) k. Any other relevant factors (§115.213[a]) B. Each facility must make its best efforts to comply on a regular basis with the facility staff plan. In circumstances where the staffing plan is not complied with, the Facility Unit Head or designee must document and justify all deviations from the facility staffing plan. (§115.13[a], §115.13[b]; 115.213[b]) C. By January 31 of each year and more frequently if needed, the Facility Unit Head or designee will review their existing staffing plan for the facility. (§115.13[c]; §115.213[c])</p> <p data-bbox="240 1256 533 1283"><b>Operating Procedure 401.3</b></p> <p data-bbox="240 1290 1490 1417">Between the Facility Unit Head and the Assistant Facility Unit Head, each institution's living and activity areas shall be visited weekly. Conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Unannounced rounds should be made intermittently during the month and can be scheduled as part of the 24-hour clock. (§115.13[d])</p> <p data-bbox="240 1447 533 1473"><b>Operating Procedure 401.1</b></p> <p data-bbox="240 1480 1490 1641">Post Orders will require that Lieutenants and above conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. (§115.13[d]) 1. Supervisors are prohibited from notifying staff of unannounced rounds. 2. Supervisors of the opposite gender must announce their presence when entering an offender housing unit to conduct their unannounced rounds; this announcement must be document in the post logbook. 3. Unannounced rounds must be conducted intermittently during the month and must be conducted on both night and day shifts.</p> <p data-bbox="240 1671 1490 1933">The Auditor reviewed the BACC Post Audit. The post audit is developed to ensure appropriate staffing levels are determined. The most recent post audit includes 112 full time staff. The post audit ensures there is sufficient security staffing to safely manage the offender population. The January 2021 staffing plan notates corrective actions for addressing vacant positions in the facility. The facility documented justifications for deviations from the staffing plan. The most common reasons for deviations from the staffing plan are "short term disability, public health emergency leave, medical transportation, regular 40-hour in-service/Glock training, vacations and retirements. The Warden documented the BACC efforts to provide adequate staffing levels and adjustments to make best efforts to comply with the facility's staffing plan. The facility utilizes overtime and/or a draft procedure to fill vacant posts.</p> <p data-bbox="240 1962 1490 2123">The Auditor reviewed a sampling of BACC unannounced rounds documented in PREA Logbooks. The sampling covered each shift from the 12 months prior to the audit. Facility Lieutenants, Captains, Major, Administrative Duty Officer, Assistant Warden and Warden each conduct unannounced rounds through all facility areas. Unannounced rounds are documented in the PREA Logbook by date and time. Each supervisor initials the logbook after including their name. The Auditor observed unannounced rounds are occurring on each shift at various times throughout the shift in all housing areas.</p>

While touring the facility the Auditor observed staff making security rounds in housing units and support areas of the facility. Staff were present in all areas toured by the Auditor. Security and medical personnel were observed interacting with the inmate population. The Auditor observed camera placements throughout the facility. Cameras were strategically placed to assist in the prevention, detection and response to incidents of sexual abuse. Facility areas that are not monitored by cameras are toured by security personnel. The Auditor observed supervisors making unannounced rounds throughout various facility areas, to include housing units.

The Auditor conducted formal interviews with staff and supervisors from various shifts. Staff were asked if supervisors conduct unannounced rounds throughout the facility. Each staff member stated supervisors do make unannounced rounds throughout the facility. Supervisors were asked if they were required to make unannounced rounds. The Auditor conducted formal interviews with offenders. Offenders were asked if supervisors announce their presence when entering housing units. Offenders informed the Auditor male supervisors do announce their presence as a male when entering housing units. The Auditor observed PREA Logbooks include a notation of opposite gender announcements for male supervisors.

**Conclusion:**

The Auditor concluded the facility has an adequate staffing plan to ensure the protection of offenders from sexual abuse. The staffing plan is reviewed in accordance with this standard. The Auditor reviewed policies, procedures, post audit, post audit review, Daily Duty Rosters, PREA Logbook, camera reports, interviewed staff and offenders and made observations to determine the facility meets the requirements of this standard.

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<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	There are no youthful offenders housed BACC, therefore this standard is Non-applicable. Â

115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP - 350.2, pg. 9Â  OP - 401.1 Development and Maintenance of Post Orders, pg. 4  OP - 401.2 Security Staffing, pg. 7  OP - 445.1, pg. 16-18  OP - 720.2, pg. 6  OP - 801.1, pg. 3  Post Logbooks  BACC MemorandumÂ  Training Curriculum Training RecordsÂ  Interviews with StaffÂ  Interviews with Offenders</p> <p><b>Operating Procedure 350.2</b>  Security Staff a. All new Corrections Officers (and any other offender care workers at Community Corrections Alternative Programs - CCAP) receive at least 120 hours of training (in addition to orientation) during their first year of employment. At a minimum this training covers the following areas: (5- ACI-1D-12; 4-4084; 4-ACRS-7B-17; 1-CTA-3A-21) i. Security and safety procedures ii. Emergency and fire procedures iii. Supervision of offenders iv. Suicide intervention/prevention v. Use-of-force vi. Offender rights vii. Key control viii. Interpersonal relations ix. Communication skills x. Standards of conduct xi. Cultural awareness xii. Sexual abuse/assault interventions xiii. Code of ethics xiv. Cross gender frisk searches and searches of transgender and intersex offenders in a professional and respectful manner and in the least intrusive manner possible consistent with security needs (§115.15[f], §115.215[f])</p> <p><b>Operating Procedure 401.1</b>  General instructions similar to the following, and others deemed important by the Facility Unit Head: i. Any employee taken hostage, or otherwise under duress is without any authority, regardless of rank. ii. Post orders cannot cover every incident or eventuality. iii. Employees assigned to any post must use good judgment and pay careful attention to the general and specific issues and details related to the post of assignment. iv. Staff of the opposite gender must announce their presence when entering an offender housing unit. (§115.15[d], §115.215[d]) v. Staff assigned to any post are prohibited from alerting other employees that a supervisor is conducting rounds to identify and deter sexual abuse and sexual harassment. (§115.13[d])</p> <p><b>Operating Procedure 401.2Â</b>  Housing Unit Supervision 1. Corrections Officers of the opposite gender should be allowed to supervise an offender housing unit when appropriate physical modifications have been made to the toilet and shower areas to provide offenders with a reasonable degree of privacy. a. Offenders must be allowed to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia; except in exigent circumstances or when such viewing is incidental to routine housing unit checks. (§115.15[d]; §115.215[d]) b. Staff of the opposite gender must announce their presence when entering an offender housing unit and must document these announcements in the logbook. (§115.15[d]; §115.215[d])</p> <p><b>Operating Procedure 445.1Â</b>  Strip searches shall be conducted by trained DOC employees of the same sex gender as the offender being searched or of the sex gender indicated on an approved Strip Search Deviation Request. (5-ACI3A-21; 4-4194; 4-ACRS-2C-06; §115.15[a], §115.215[a]) (changed 10/1/19)</p> <p><b>Operating Procedure 720.2</b>  A physical examination will not be conducted for the sole purpose of determining the genital status when a transgender or intersex inmate's offender's genital status is unknown. This information may be determined during an interview, by reviewing medical records, or if, necessary, by learning this information as part of a broader medical examination conducted in private. (§115.15[e], §115.215[e])</p> <p><b>Operating Procedure 801.1</b>  Facility procedures and practices shall enable offenders 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. (§115.15[d], §115.215[d])</p> <p>The Baskerville Correctional Center houses male offenders. The Auditor conducted a review of facility shift rosters. Offenders were asked if they had been pat-searched or strip searched by a staff member of the opposite gender of the</p>

offender. Offenders informed the Auditor they had not been pat searched or strip searched by a female staff member. The Auditor conducted formal interviews with male and female staff members. Each staff member was asked if opposite gender announcements were being made in the housing units. Each staff member informed the Auditor opposite gender announcements are being made when entering any opposite gender housing unit. The Auditor observed each PREA Logbook includes documentation that opposite gender supervisors are announcing their presence when entering offender housing units. The Auditor observed opposite gender announcements documented in post logbooks. BACC did not house transgender or intersex inmates. This facility did not conduct any strip searches of inmates for the sole purpose of determining the inmate's genital status.

Conclusion:

The Auditor conducted a review of VADOC policies and procedures, training curriculum, training attendance rosters, shift assignment rosters, post logbooks, interviewed staff, offenders and made observations. The Auditor concluded the BACC staff had been appropriately trained to conduct cross-gender searches and how to make opposite gender announcements when entering housing units. Offenders have the ability to shower, change clothes and use the restroom with a level of privacy. The Auditor determined the BACC meets the requirements of this standard.

115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 1015 629"> OP - 038.3 Prison Rape Elimination Act, pg.7  Offender Handbook  Zero Tolerance Brochure  Vernacular Language Services Contract Purple Communications, Inc.  Contract Propio-LS, LLC. Contract  Acknowledgement of Preventing Sexual Abuse and Sexual Assault Training  Training Records  Interviews with Staff  Interviews with Offenders  Observations </p> <p data-bbox="242 663 533 692"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 696 1485 1088"> Offenders with disabilities and offenders who are limited English proficient (§115.16, §115.216) 1. Facility staff must take appropriate steps to ensure that offenders with disabilities have an equal opportunity to participate in or benefit from all aspects of the DOC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such disabilities include but are not limited to offenders who are deaf or hard of hearing, blind or have low vision, and those who have intellectual, psychiatric, or speech disabilities. a. When necessary, to ensure effective communication with offenders who are deaf or hard of hearing, access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary must be provided. b. Written materials will be provided in formats or through methods that ensure effective communication with offenders with disabilities, including offenders who have intellectual disabilities, limited reading skills, and who are blind or have low vision. c. The facility is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in 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. </p> <p data-bbox="242 1122 1493 1283"> The VADOC and Baskerville Correctional Center work to provide PREA information to offenders in many formats to ensure that all offenders are able to understand what PREA is and how they can report sexual abuse or sexual harassment. All written materials are provided in both English and Spanish for all offenders. The posters that are put up around the facility are in both English and Spanish. The reporting line (#55) can be accessed in either English or Spanish. Per memo from the Warden, BACC has not received nor phased with any inmate with limited English proficiency. </p> <p data-bbox="242 1317 1477 1608"> The contract for Propio translation services was provided. This contract began November 1, 2018 and was active for a one-year period, with an additional (3) one-year renewals, which takes the contract through October 31, 2022. The agency also has a contract for sign language translation services when needed. The contract for these services was provided for review. Information is available for offenders in Braille for those that are blind but able to read through Braille. This translation was completed by the Virginia Correctional Enterprises Braille at the Fluvanna Correctional Center for Women. Interviews with staff indicated that if there was an offender who had an intellectual disability would be seen one to one and the information provided verbally by a staff member and questions would be asked to ensure the offender does understand the information provided. Also, when questioned, staff indicated that they would not use inmate interpreters when it comes to finding information out about issues related to PREA. </p> <p data-bbox="242 1641 373 1671"><b>Conclusion:</b></p> <p data-bbox="242 1675 1485 1899"> The Auditor concluded the agency provides information that ensures equal opportunity to offenders who are disabled. The facility takes reasonable steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment are provided to offenders who are Limited English proficient and those who are disabled. The Auditor conducted a thorough review of the agency's policies, procedures, Offender Handbook, Zero Tolerance for Sexual Abuse and Sexual Harassment handout, comprehensive educational video, interpretive services contracts, offender records, training records, conducted interviews with staff, offenders and made observations to determine the agency meets the requirements of this standard. </p>

115.17	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 102.2 Recruitment, Selection and Appointment, pg.5  OP 102.3 Background Investigation Program, pg. 4  OP 260.1 Procurement of Goods and Services, pg. 10  OP 135.1, pg. 15  Employee Records  Contractor Records  Background Investigation Questionnaire  Employment Application  Employee Self-Assessment Form  Criminal History Background Tracking Mechanism  Interviews with Staff</p> <p><b>Operating Procedure 102.2</b>  Eligibility 1. The DOC will not hire or promote anyone for a position that may have offender contact who has been: (§115.17[a], §115.217[a]) a. 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, Civil Rights of Institutionalized Persons); b. 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 c. Civilly or administratively adjudicated to have engaged 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.</p> <p><b>Operating Procedure 102.3</b>  The DOC will not hire or promote anyone who may have contact with offenders, and will not enlist the services of any contractor who may have contact with offenders, who: (§115.17[a], §115.217[a]) 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, Definitions. 2. Has been civilly or administratively adjudicated to have engaged or 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</p> <p><b>Operating Procedure 260.1</b>  All contracts for the confinement of DOC offenders must include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards. (§115.12[a], §115.212[a]) The DOC must not enlist the services of any contractor who may have contact with offenders, who: (§115.17[a,b], §115.217[a]) i. 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 et seq. Civil Rights of Institutionalized Persons) ii. Has been civilly or administratively adjudicated to have engaged or 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</p> <p><b>Operating Procedure 135.1</b>  Material omissions regarding convictions or charges of sexual abuse or sexual harassment in an institutional setting, sexual activity by force or coercion (or if the victim could not or did not consent), civil or administrative adjudication for sexual activity by force shall be grounds for termination. (§115.17[g], §115.217[g])</p> <p>During the onsite audit visit, this Auditor randomly selected (10) employee personnel files to review at the time of the interview with the Human Resource professional onsite. The VADOC requires that all applicants apply for any positions online. Included in the employment application are the (3) required PREA questions. If any of those questions are answered with a "yes", the system will automatically kick the application out of the system as ineligible for employment. The application also contains a statement that must be acknowledged that the applicant understands that any false information provided to the Commonwealth could result in termination and/or prosecution. The local facility will run an initial background check on those that are chosen to move forward through the interview/hiring process. This background check is known as a VCIN check, which standards for Virginia Commonwealth Information Network. If an applicant is selected for employment, their information is then sent to the Background Unit at VADOC headquarters in Richmond for a more in-depth background. This is when references are checked and if the applicant has worked at another correctional facility, this unit reaches out to that institution to ask the required questions. Those responses are noted on the background report. The institution's Human Resource office tracks the required background checks. These are done every five years. Background checks are required as part of the promotion process. In addition, the applicant for promotion is also required to answer the (3) questions regarding any PREA related cases against the applicant. These questions are also required of every employee during the</p>



annual performance review process. Contractors and volunteers are also required to have background checks prior to contact with offenders.Â

**Conclusion:**

The Auditor concluded the Baskerville Correctional Center is performing appropriate practices to identify previous acts of sexual misconduct prior to hiring staff and enlisting the services of contractors, and before promoting staff members. The Auditor conducted a thorough review of the agency's policies, procedures, employee records, contractor records, Background Investigation Questionnaire, Confidential Summary Background Investigation Report, Employment Application, Employee Self-Assessment, Criminal History Background Check Tracking, and interviewed staff and contractors to determine the agency meets the requirements of this standard.

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<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 801.1, pg. 2  BACC Memorandum  Interviews with Staff</p> <p><b>Operating Procedure 801.1</b>  The effect of the facility's design, acquisition, expansion, or modification on the facility's ability to protect the offender from sexual abuse shall be taken into consideration when designing or acquiring any new facility and in planning any substantial expansion or modification to an existing facility. (§115.18[a], §115.218[a])</p> <p>The Virginia Department of Corrections has not designed or acquired any new facility or planned any substantial expansion or modification of the Baskerville Correctional Center since its last PREA audit. The Baskerville Correctional Center has not installed or updated its video monitoring system, electronic surveillance system, or other monitoring technologies during this audit period. There were no upgrades during this audit period. The Auditor observed camera placements (112) throughout the facility while touring. The facility conducts a weekly review of all cameras within the facility. The review documents a check that each camera in the facility is functioning.</p> <p><b>Conclusion:</b>  The Auditor conducted a review of the agency's policies, procedures, interviewed staff and made observations to determine the facility meets the requirements of this standard.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 030.1, Evidence Collection and Preservation, pg. 1  OP 030.4 Special Investigations Unit, pg. 10-11  OP 038.3 Prison Rape Elimination Act, pg. 13  OP 720.7 Emergency Medical Equipment and Care, pg. 9Â  OP 730.2, Mental Health Services: Screening, Assessment and Classification pg. 8  Virginia Forensic Nurse Examiner Programs  Virginia Sexual and Domestic Action Alliance Contract  Interviews with Staff  Interview with SANE  Interview with Victim Advocate</p> <p><b>Operating Procedures 030.1</b>  This operating procedure provides a uniform protocol for the preservation, control, and disposition of all physical, digital, recorded, electronic, and other evidence obtained in connection with a violation of standards of conduct, law, facility rules, or conditions of supervision. Â All aspects of collection, documentation, chain of custody, preservation, and disposal of evidence will be addressed. §115.21[a, b], §115.221[a, b]) (added 11/1/18)</p> <p>The Sexual Assault Victim Search/ Evidence Collection Protocol (see Operating Procedure 038.3, Prison Rape Elimination Act (PREA)) shall be followed for all investigations into allegations of sexual abuse to maximize the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. Â See Operating Procedure 030.4, Special Investigations Unit, and Operating Procedure 720.7, Emergency Medical Equipment and Care, for additional guidance. (§115.21[a, b], §115.221 [a, b])</p> <p><b>Operating Procedure 030.4</b>  Evidence Protocol and Forensic Medical Examinations a. SIU has an established uniform evidence protocol which maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. (§115.21[a], §115.221[a]) The established protocol is developmentally appropriate for youth and is based on or similar to other comprehensive and authoritative protocols developed after 2011. (115.21[b], §115.221[b]) c. If requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interview. (§115.21[e], §115.221[e])</p> <p><b>Operating Procedure 038.3</b>  The established protocol is developmentally appropriate for youth and is based on or similar to other comprehensive and authoritative protocols developed after 2011. (115.21[b], §115.221[b]) c. If requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interview. (§115.21[e], §115.221[e])</p> <p><b>Operating Procedure 720.7</b>  If evidentiary or medically appropriate, offender victims of sexual assault are referred under appropriate security provisions to an outside facility for treatment and gathering of evidence. (5-ACI-6C-14; 4-4406) 1. A history is taken by a health care professional who will conduct a forensic medical examination to document the extent of physical injury. Such examinations will be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. There will be no financial cost to the offender victim for this examination. (§115.21[c], §115.221[c]) a. As requested by the offender victim, a victim advocate, qualified DOC staff member, or a qualified community-based organization staff member will accompany and support the offender victim through the forensic medical examination process and investigatory interviews and will provide emotional support, crisis intervention, information, and referrals. (§115.21[e], §115.221[e]) A qualified DOC mental health/counseling staff member or a qualified community-based staff member must be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general. (§115.21[h], §115.221[h])</p> <p><b>Operating Procedure 730.2</b>  The DOC will attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the DOC must make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. (§115.21[d], §115.221[d])</p> <p>The Auditor reviewed the agency's policies and procedures. The agency has included the elements of this standard in its</p>

policies and procedures. The Virginia Department of Corrections conducts administrative and criminal investigations of sexual abuse and sexual harassment. All allegations of sexual abuse and sexual harassment that appear criminal in nature are reported to the Special Investigations Unit (SIU) for investigation. BACC personnel are required to preserve any crime scene until the SIU Investigator arrives to collect or process physical evidence from the scene.

The Auditor reviewed the agency's Memorandum of Understanding with the Virginia Sexual and Domestic Violence Action Alliance (VSDVAA). The Auditor conducted a telephone interview with a victim advocate with the Virginia Sexual and Domestic Violence Action Alliance. The representative confirmed the VSDVAA provides victim advocacy for offender victims of sexual abuse. The Auditor asked if a representative has attended a forensic examination for an offender at the Baskerville Correctional Center. The advocate stated the VSDVAA has not been asked to accompany a victim from the BACC. The advocate stated if requested the advocate would also accompany the victim during investigatory interviews. The Auditor asked who contacts the VSDVAA following a sexual abuse incident. The representative stated either the hospital or facility would normally make the notification to the VSDAA. Emotional support services are provided on site or by telephone with offenders when requested. The BACC has not used a staff member to perform the services of victim advocacy.

The agency has entered a Memorandum of Understanding with the Mountain States Health Alliance for forensic services. The most recent revision was effective on June 22, 2020. The agreement is effective for one year and renewable by the parties. The agreement may be terminated by either party, without penalty, upon 60 days written notice to the other party. The agreement allows the VADOC the opportunity to add additional facilities as agreed upon by the parties.

The Memorandum of Understanding is applicable to multiple VADOC facilities. The Auditor did not observe the Baskerville Correctional Center named in the original Memorandum of Understanding or in any renewals. The Auditor reviewed the Virginia Forensic Nurse Examiner Programs list by region. The Baskerville Correctional Center is located in the Central Region. The Central Region includes forensic services performed at the Virginia Commonwealth University Medical Center. The Auditor observed the contact information of the SANE at the VCU Medical Center. The Auditor conducted a telephone interview with a Sexual Assault Nurse Examiner from the VCU Medical Center. The SANE explained the forensic examination is conducted at the hospital. The SANE explained the process of the forensic examination and the services and tests offered at the time of the examination. The Auditor asked the SANE if a victim advocate is allowed to accompany the victim during the forensic examination. The SANE informed an advocate is allowed to accompany the victim if the victim requests the accompaniment. The SANE informed the Auditor no forensic examination has been performed on a victim from the Baskerville Correctional Center in the past 12 months. The facility reported no offender was sent to the hospital for a forensic examination during the previous 12 months.

The Auditor conducted formal interviews with medical practitioners. The Auditor asked if medical practitioners conduct forensic examinations at the facility. Medical practitioners stated they do not conduct forensic examinations at the BACC. The Auditor was informed forensic examinations are conducted at the VCU Medical Center by a certified SANE. The Auditor asked when the last offender was sent for a forensic examination following an allegation of sexual abuse. Medical practitioners stated they are not aware of an offender being sent for a forensic examination. Investigations are conducted both administratively and criminally, when appropriate. If a case involves a staff member, the case will be investigated by the Special Investigations Unit (SIU). This is the internal affairs unit of the Department of Corrections. If the case may be criminal, the case is investigated by SIU as they have arrest powers in the Commonwealth.

If the case is a claim of sexual harassment or is not criminal in nature, it will be investigated by the Institutional Investigators. Staff from both the institutional investigation office and SIU were interviewed as part of this audit. Both were able to discuss evidence collection protocols. If an offender fits the criteria to have a rape kit, or PERK kit, done, those offenders are taken to Community Memorial Hospital. Operating Procedure 038.3 includes information that an offender shall not be held financially responsible for the PERK kit being completed, or any other medical or mental health services related to a PREA related case. During the preceding (12) months to this audit, the facility had (0) allegations.

Advocates are available to provide accompaniment and advocacy services to offenders at the Baskerville Correctional Center. Advocates are available to go to Community Memorial Hospital (CMH) if an offender is taken for a forensic examination. The VADOC has an extensive history with The Virginia Sexual and Domestic Action Alliance, the statewide victim service provider. The contracts dating back from 2015 through 2021 were provided to this Auditor for review.

**Conclusion:**

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

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115.22	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 030.4 Special Investigations Unit, pg. 1-18  OP 038.3 Prison Rape Elimination Act, pg. 11-12  Code of Virginia 53.1-10  Investigative Records  Agency Website  Interviews with Staff  Interviews with Offenders</p> <p>Operating Procedure 030.4 states the SIU is responsible for conducting administrative and/or criminal investigations into allegations of sexual abuse or sexual harassment in DOC facilities as outlined in this procedure. The SIU is responsible for conducting investigations on all incidents of sexual abuse and sexual harassment. SIU investigators will receive special training in sexual abuse investigations before conducting PREA investigations.</p> <p>In addition to the general PREA training provided to all employees, investigators shall receive specialize training in conducting sexual abuse investigations in confinement settings. Specialize training shall include the following:</p> <ol style="list-style-type: none"> <li>i. Techniques for interviewing sexual abuse victims</li> <li>ii. Proper use of Miranda and Garrity warnings</li> <li>iii. Sexual abuse evidence collection in confinement settings</li> <li>iv. Criteria and evidence required to substantiate a case for administrative action or prosecution referral</li> </ol> <p>During the past 12 months, there has been (1) allegation of sexual abuse and sexual harassment that was received. During the past 12 months, there has been (1) allegation resulting in an administrative investigation. During the past 12 months, there have been no (0) allegations referred for criminal investigation.</p> <p>Operating Procedure 038.3 states an administrative or criminal investigation conducted in accordance with PREA standards shall become completed for all allegations of sexual abuse and sexual harassment. Initial investigation may be conducted by the facility investigator. Unless it is quickly and definitively determined that the allegation is unfounded, allegations of sexual abuse or sexual harassment shall be referred for investigation to the DOC Special Investigations Unit (SIU). The facility shall document all such referrals. The SIU shall conduct investigations into criminal behavior, procedural or administrative violations, or employee misconduct affecting the operations of the DOC.</p> <p>The Code of Virginia, §53.1-10 Powers and duties of Director allows the Director of the Virginia Department of Corrections, "To designate employees of the Department with internal investigations authority to have the same power as a sheriff or a law-enforcement officer in the investigation of allegations of criminal behavior affecting the operations of the Department. Such employees shall be subject to any minimum training standards established by the Department of Criminal Justice Services under § 9.1-102 for law-enforcement officers prior to exercising any law-enforcement power granted under this subdivision..."</p> <p>The Chief of Special Investigations Unit or a designee shall review the nature of the allegations received to determine if an investigation is warranted. Upon notification of an allegation of sexual abuse or misconduct, investigative staff shall follow Operating Procedure 030.4, Special Investigations Unit. During the pre-audit, the auditor located the policy stating referrals of allegations of sexual abuse or sexual harassment for criminal investigation on the agency website (<a href="https://vadoc.virginia.gov/about/procedures/documents/030/038-3.pdf">https://vadoc.virginia.gov/about/procedures/documents/030/038-3.pdf</a>).</p> <p>Staff interviews indicate the DOC has a Special Investigation Unit (SIU) with law enforcement authority to investigate crimes in facilities within the DOC. Institutional Investigators handle administrative or criminal investigations at the facility. When an allegation is received, the warden of the facility, the institutional investigator, and the PREA Analyst are notified. If the allegation is criminal in nature, SIU would also be notified. Staff would ensure the victim is protected and all protocols are instituted. Any allegation received from another agency is processed the same way. If an allegation is received that happened at another agency, the DOC reports these allegations to the respective authority. Review of Operating Procedures, review of case files, interviews of staff and offenders verify compliance of this standard.</p> <p><b>Conclusion:</b>  The Auditor concluded the Baskerville Correctional Center appropriately refers criminal allegations of sexual abuse and sexual harassment to the SIU office who maintains the legal authority to conduct criminal investigations in the facility. The Auditor observed evidence the facility is investigating all allegations of sexual abuse and sexual harassment. After reviewing agency policies, procedures, website, investigative records, interviewing staff and offenders, the Auditor determined the facility meets the requirements of this standard.</p>



115.31	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 102.6 Staff Orientation, pg. 8  OP 350.2, pg. 11-12  Training Curriculum Training Test  Trainer Outline Training Checklist  Training Records  PREA/ADA News Letters  Interviews with Staff  Interviews with Offenders</p> <p><b>Operating Procedure 102.6</b>  1. The DOC will train all employees who may have contact with offenders on: (§115.31[a], §115.231[a]) a. Its zero-tolerance policy for sexual abuse and sexual harassment b. How to fulfill their responsibilities under DOC sexual abuse and sexual harassment prevention, detection, reporting, and response procedures c. The offenders' right to be free from sexual abuse and sexual harassment d. The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment e. The dynamics of sexual abuse and sexual harassment in 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 offenders i. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities 2. Training is tailored to the gender of the offenders at the employee's facility. The employee must receive additional training if the employee is reassigned from a facility that houses only male offenders to a facility that houses only female offenders, or vice versa. (§115.31[b], §115.231[b]) 3. The agency will document through employee signature or electronic verification that employees understand the training they have received. (§115.31[d], §115.231[d])</p> <p><b>Operating Procedure 350.2</b>  Prison Rape Elimination Act (PREA) In-service (§115.31[a, c], §115.231[a, c]) a. In-service training programs shall include refresher training on current DOC sexual abuse and sexual harassment policies and procedures and will cover the following areas: i. Its zero-tolerance policy for sexual abuse and sexual harassment ii. How to fulfill responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures iii. Offenders' right to be free from sexual abuse and sexual harassment iv. The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment v. The dynamics of sexual abuse and sexual harassment in confinement vi. The common reactions of sexual abuse and sexual harassment victims vii. How to detect and respond to signs of threatened and actual sexual abuse viii. How to avoid inappropriate relationships with offenders (Operating Procedure 130.1, Rules of Conduct Governing Employees Relationships with Offenders) ix. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders x. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. b. Such training shall be tailored to the gender of the offenders at the employee's facility. The employee shall receive additional training, to include gender diversity, if the employee is reassigned from a facility that houses only male offenders to a facility that houses only female offenders, or vice versa. (§115.31[b], §115.231[b]) c. The agency shall document, through employee signature or electronic verification, that employees understand the training they have received. (§115.31[d], §115.231[d])</p> <p>Such training shall be tailored to the gender of the offenders at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male offenders to a facility that houses only female offenders, or vice versa. The agency shall document through employee signature or electronic verification that employees understand the training they have received. There have been 165 staff employed by the facility, who may have contact with offenders, who were trained or retrained on the PREA requirements listed above. Staff training is conducted annually. During the pre-audit, the auditor was provided with copies of the agency's PREA curriculum, training logs, certificates of completion, training acknowledgement forms. The training curriculum meets all requirements under 115.31 (a)-1. Random staff interviews indicate staff have received the training required under 115.31. This standard is in compliance based on review of DOC procedures, proper documentation and staff interviews.</p> <p>All employees of the VADOC are required to participate in PREA education. There are several levels of training provided. First, all new employees are required to participate in initial PREA training during their orientation to the agency/facility. Second, employees will receive PREA information during the</p> <p>Phase training, held at the local training center for the facility. If the new employee is a Corrections Officer, they will receive PREA training when they go to the Academy. Every staff member, and medical contractor, is required to participate in (40) hours of in-service training on an annual basis. Two hours of that in-service training is dedicated to PREA. Typically, the staff</p>

are required to complete online "pre-training" and then follow up with in person training. Each individual is required to take a test at the end of the training and pass with 100%. If they do not pass with 100%, the staff member is allowed to take the test one additional time. If they do not pass with 100% on the re-test, they will be required to retake the entire training course.

Due to COVID-19, the amount of in person training being conducted has been significantly reduced. Most training for 2020 is being conducted online. Each person is required to also sign off on a form indicating that they have not only participated in the required training, but also verify they understand the training that was provided to them. This documentation is kept in training files. During the onsite audit visit, training files were reviewed and found to include the required information for each person. One additional training item provided by the PREA office, which goes above and beyond the required training, is a monthly newsletter sent out to all staff members regarding PREA. This is a one-page document that highlights different aspects of PREA. It is used to reinforce any information which staff may be unclear about.Â

Interviews were conducted with staff, contractors and volunteers for the facility. All were able to provide information regarding the PREA training they have received. This information included a broad overview of the topics that have been covered in this training. When asked more specific questions regarding the training content, the majority of staff were able to discuss, with detail, the topics.Â

**Conclusion:**

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

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115.32	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p>OP 027.1 Volunteer and Internship Programs, pg. 11  OP 038.3, Prison Rape Elimination Act pg. 5  OP 350.2, pg. 8  OP 102.6 Staff Orientation, pg. 8  Volunteer/Contractor PowerPoint Presentation  Volunteer/Contractor Trainer Outline  A Guide to Maintaining Appropriate Boundaries with Offenders Brochure  PREA Training Acknowledgement  Contractor Log Volunteer Log  Interview with Contractor  Interview with Volunteer</p> <p>Operating Procedures 027.1, 038.3, 350.2 states the Volunteer Coordinator shall ensure that all volunteers who have contact with offenders have been trained on their responsibilities under the DOC sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers shall be based on the services they provide and level of contact they have with offenders, but all volunteers who have contact with offenders have been trained on their responsibilities under the DOC sexual abuse and sexual harassment prevention, detection, and response policies and procedures. </p> <p>According to agency operating procedures and directive memos, all volunteers and contractors who may have contact with offenders are required to participate in PREA training. Contractors, such as medical personnel, are required to participate in the same level of training as a staff member since they have as much contact with offenders as regular employees do. They are required to participate in PREA training before any contact with offenders and also required to participate in annual in-service training.</p> <p>Other contractors, with less constant contact with offenders and volunteers are required to participate in a one-time training which includes PREA, as well as other important components. After the training, each participant is required to sign that they have participated and understand the information provided to them. Again, due to the COVID-19 pandemic, volunteers have not been allowed to come to the facility since March 2020 to provide services to offenders. However, this Auditor was able to talk with a volunteer over the phone to confirm the training that had been provided. In addition to the interviews conducted with the volunteer and contractors, documentation was reviewed that provided verification of the training provided to this population.</p> <p><b>Conclusion:</b></p> <p>The Auditor concluded the facility is appropriately training volunteers and contractors and staff ensures documentation of training is maintained. The Auditor determined through a review of agency policies, procedures, training curriculum, brochure, acknowledgment forms and interviewing contractors and volunteer personnel the facility meets the requirements of this standard.</p>

115.33	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3 Prison Rape Elimination Act, pg. 4-5  OP 810.2 Transferred Offender Receiving and Orientation, pg. 7  Zero Tolerance Brochure  Preventing Sexual Abuse and Assault Training Acknowledgement  Preventing Sexual Abuse and Sexual Assault Trainer Comprehensive Outline  Preventing Sexual Abuse and Sexual Assault Trainer Intake Outline  BACC Offender Handbook  Interviews with Staff  Interviews with Offenders  Observations</p> <p><b>Operating Procedure 038.3</b>  Prevention A. Offender Training All offenders newly received into the DOC from a jail or other non-DOC facility will receive information explaining the DOC's Zero Tolerance Policy for sexual abuse and sexual harassment and instructions on how to report incidents or suspicions of sexual abuse or sexual harassment. (5-ACI3D-09; 4-4281-1; §115.33[a], §115.233[a]) a. This information must be communicated verbally and in writing, in language clearly understood by the offender and will include the following topics: (5-ACI-3D-09; 4-4281-1) i. Definition of sexual misconduct/assault, and behaviors prohibited by staff, contractors, volunteers and offenders ii. DOC Zero Tolerance Policy iii. Prevention/ Intervention iv. Self-protection v. Reporting sexual abuse/assault/harassment vi. Treatment and counseling vii. Offender telephone sexual abuse Hotline Number #55 viii. Free Emotional Support through Hotline Number #55, Option 2 Facilities must make arrangements for offenders that speak languages other than English or Spanish, and with offenders who are deaf, visually impaired, or otherwise disabled, as well as to offenders with limited reading skills, to receive training and materials in a language understood by the offender. (§115.33[d] §115.233[c])</p> <p>Within 10 days of arrival, the offender will receive a comprehensive PREA training, utilizing Attachment 2b, Preventing Sexual Abuse &amp; Sexual Assault - Trainer Outline (Comprehensive) and the video PREA: What You Need to Know. (§115.33[b], §115.233[a]) The offender must document receiving the Preventing Sexual Abuse and Sexual Assault Trainings (Comprehensive) by signing the Preventing Sexual Abuse and Assault Training Acknowledgement 038_F4 (Spanish 038_F4S). (§115.33[e], §115.233[d])</p> <p>Offenders received from another DOC facility must be provided a copy of the Zero Tolerance for Sexual Abuse and Sexual Harassment attachment that includes the Sexual Assault Hotline Number. (See Attachment 1E, Attachment 1H for Hearing Impaired, or Attachment 1S for Spanish Version.) (§115.33[c], §115.233[b]) a. If the signed Preventing Sexual Abuse and Assault Training Acknowledgement 038_F4 (Spanish 038_F4S) is not available in VACORIS, the offender must be provided the comprehensive PREA training as described for an offender newly received into the DOC. b. The signed Acknowledgement must be uploaded as an external document in VACORIS and identified as a Special Entry Note on the date the training was completed. Once uploaded, the paper form does not need to be retained. 3. In addition to providing such training and education, each facility will ensure that key information is continuously and readily available or visible to offenders through posters, offender handbooks, or other written formats. (§115.33[f] §115.233[e])</p> <p><b>Operating Procedure 810.2</b>  Prison Rape Elimination Act (PREA) offender training and information must be presented and documented in accordance with Operating Procedure 038.3, Prison Rape Elimination Act (PREA). 1. An offender received from another institution via transfer will be provided a copy of the appropriate Zero Tolerance for Sexual Abuse and Sexual Harassment brochure that includes the Sexual Assault Hotline number. 2. If documentation of Preventing Sexual Abuse and Sexual Assault Training is not found in the offender's record, the offender must be provided the PREA training as described for a new intake. (§115.33[c])</p> <p>The agency provided the offender education curriculum for review as part of the pre-audit information to review. All required elements of the standard are included in the offender education. When offenders arrive at Baskerville Correctional Center, they are provided with a paper on PREA which provides information on what PREA is and how to make a report at the facility. This is provided at intake. They will also receive a more comprehensive training on PREA within the first few days at the orientation training. They will watch a video and have the opportunity to ask questions. Once they participate in this training, they will sign the "Preventing Sexual Abuse and Assault Training Acknowledgement". This documentation is kept on file for review. PREA information is also included in the Offender Orientation Handbook. This handbook not only includes information on PREA, but also on the grievance process and how to use that process when PREA is involved. During the onsite audit visit, this Auditor randomly selected offenders to view the signed acknowledgement forms. This information was</p>

provided.

In addition, during the interviews with offenders, questions were asked regarding the education they were provided on PREA, what it is, how to report, etc. The vast majority of offenders were able to provide information on PREA and discuss how and when the facility provided them with this information. Different formats of information are available to ensure that all offenders are able to receive education and understand PREA and reporting methods at the facility. These were reviewed by this Auditor onsite.

**Conclusion:**

The Auditor concluded the offender population at the Baskerville Correctional Center have been appropriately educated in the agency's zero-tolerance policy, how to report allegations, rights to be free from sexual abuse, sexual harassment, retaliation, and the agency's policies and procedures for responding to such. The facility maintains appropriate documentation of such in each offender's record. The Auditor reviewed the agency's policies, procedures, offender records, Offender Handbook, Zero Tolerance Brochure, training outlines, interviewed staff and offenders to determine the facility meets the requirements of this standard.

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115.34	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 416 331">OP 030.4, pg. 10</p> <p data-bbox="240 338 432 365">OP 350.2, pg. 15</p> <p data-bbox="240 371 456 398">Training Curriculum</p> <p data-bbox="240 405 451 432">Investigations Matrix</p> <p data-bbox="240 439 636 465">Investigator Power Point Presentation</p> <p data-bbox="240 472 416 499">Training Records</p> <p data-bbox="240 506 526 533">Interviews with Investigators</p> <p data-bbox="240 562 547 589"><b>Operating Procedure 030.4</b></p> <p data-bbox="240 595 1485 824">In addition to the general PREA training provided to all employees, investigators shall receive specialized training in conducting sexual abuse investigations in confinement settings. Specialized training shall include: (§115.34[a], §115.234[a], §115.34[b], §115.234[b]) i. Techniques for interviewing sexual abuse victims. ii. Proper use of Miranda and Garrity warnings iii. Sexual abuse evidence collection in confinement settings iv. Criteria and evidence required to substantiate a case for administrative action or prosecution referral. b. The PREA Compliance Manager shall maintain documentation that the required specialized training in conducting sexual abuse investigations has been completed by the investigators. (§115.34[c], §115.234[c])</p> <p data-bbox="240 853 531 880"><b>Operating Procedure 350.2</b></p> <p data-bbox="240 887 1485 1115">PREA Investigators (§115.34, §115.234) a. Sexual abuse and sexual harassment investigations shall only be conducted by investigators who have received special training in sexual abuse investigations. b. In addition to the general PREA training provided to all employees, facility investigators shall receive specialized training in conducting sexual abuse investigations in confinement settings. Specialized training shall include: i. Techniques for interviewing sexual abuse victims ii. Proper use of Miranda and Garrity warnings iii. Sexual abuse evidence collection in confinement settings iv. Criteria and evidence required to substantiate a case for administrative action or prosecution referral c. See Operating Procedure 030.4, Special Investigations Unit for guidance on the requirements for PREA Investigations.</p> <p data-bbox="240 1144 1477 1373">The VADOC trains all Special Investigations Unit Investigators and select staff at facilities. The Baskerville Correctional Center has one (1) staff member (pending the arrival of a new investigator for a total of (2) investigators) who have received the specialized training. There are 19 SIU staff who have been trained to conduct sexual abuse investigations in a confinement setting. The Auditor reviewed the training curriculum utilized to train agency investigators. The training developed for Institutional Investigators is titled, "PREA Specialized Training: Investigating Sexual Abuse in Confinement Settings." The PowerPoint Presentation is 174 slides and includes all the bulleted topics as previously listed in the Auditor Discussion portion of this standard.</p> <p data-bbox="240 1402 1485 1697">The Auditor reviewed the agency's training curriculum utilized to train the Special Investigations unit Investigators. The first two modules of the training PowerPoint was developed by the Moss Group, Inc. There are a total of 10 training modules in the 2.5-day class. In addition to the in-person training, the agency requires its investigators complete the National Institute of Corrections, "PREA: Investigating Sexual Abuse in a Confinement Setting" online course. The Auditor verified each investigator course includes interviewing victims, Miranda and Garrity Warnings, evidence collection, and criteria and evidence to substantiate a case. The Auditor reviewed the training records of all SIU and BACC Investigators. Each investigator had received specialized training for investigators. The agency maintains a training certificate for each investigator. In addition, the training records revealed each investigator received the same training offered to all VADOC employees.</p> <p data-bbox="240 1727 1477 1928">The Auditor formally interviewed BACC Sexual Abuse Investigator. The Auditor asked the Investigator to explain the topics included in the specialized training he received. The Investigator was able to articulate the topics as bulleted above in this standard. The Auditor asked the Investigator to explain the process utilized when conducting investigations. His responses indicate the investigator had been appropriately trained to conduct sexual abuse investigations in confinement settings. The Investigator discussed interviewing techniques, Miranda and Garrity warnings, evidence collection and the criteria and evidence to support administrative and prosecutorial referral.</p> <p data-bbox="240 1957 1485 2152">The Auditor conducted a telephone interview with an agency SIU Investigator. The SIU Investigator informed the Auditor he had received training offered by the agency to conduct sexual abuse investigations in a confinement setting. The Investigator explained the SIU conducts sexual abuse and sexual harassment investigations in the facility when the act appears to be criminal in nature. The Investigator had been trained on the bulleted items listed above. The SIU Investigator issues Miranda and Garrity, interviews those involved, collects evidence, and is familiar with the criteria and evidence to substantiate a case. The Investigator explained he is a sworn law enforcement officer and consults with the Commonwealth Attorney's office to</p>

discuss sufficient evidence to prosecute a case.

There were no allegations in the facility within the past 12 months that required referral for criminal investigation by an SIU Investigator. The Auditor reviewed investigative reports from the previous 12 months. A review of investigative reports appear to support the Investigators have been appropriately trained to conduct investigations in a confinement setting. The agency utilizes an Investigations Matrix. A review of the Investigations Matrix revealed the facility is required to conduct an initial PREA, Fraternalization and harassment investigation. The matrix informs confirmed PREA allegations are to be passed on to the SIU and the SIU is required to conduct confirmed PREA allegations, confirmed fraternization and sexual assault investigations.

**Conclusion:**

The Auditor concluded the agency has provided appropriate training to its Sexual Abuse Investigators. The Auditor conducted a review of policies, procedures, training curriculum, Investigation Matrix, PowerPoint Presentations, training records, investigative reports and conducted interviews with agency investigators to determine the agency meets the requirements of this standard.

115.35	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 820 463">OP 701.1, pg. 8 OP 720.7 Emergency Medical Equipment and Care, pg. 9 Training Curriculum Training Records Interviews with Medical Practitioners Interview with Mental Health Practitioner</p> <p data-bbox="242 497 533 524"><b>Operating Procedure 701.1</b></p> <p data-bbox="242 530 1485 689">The Health Authority and/ or Institutional Training Officer shall document that all full and part-time medical and mental health staff who work regularly in DOC facilities receives specialized training in: (§115.35[a, c], §115.235[a, c]) a. How to detect and assess signs of sexual abuse and sexual harassment b. How to preserve physical evidence of sexual abuse c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment</p> <p data-bbox="242 723 533 750"><b>Operating Procedure 720.7</b></p> <p data-bbox="242 757 1377 817">All health care providers will be trained in the appropriate response to allegations of sexual abuse and appropriate procedures to preserve relevant evidence. (§115.35[b], §115.235[b])</p> <p data-bbox="242 848 1485 1106">Medical and mental health services (there are no mental health staff physically at the facility. The staff is located at a major facility that provides services to the inmate population) at the Baskerville Correctional Center are conducted by VADOC employees and supplemented with contractors. The agency utilizes contract personnel who provide services in the facility. The agency employs 8 staff in the medical section. All personnel in the medical and mental health department are required by agency policy to complete specialized training. The Auditor reviewed the records of all medical and mental health practitioners. Records reveal each practitioner completed the specialized medical training. The facility documents attendance in specialized medical training. In addition to the specialized medical training, the Auditor verified each medical and mental health practitioner had been provided the training offered to all staff and/or contract personnel.</p> <p data-bbox="242 1137 1485 1332">Specialized medical training is provided to medical and mental health practitioners utilizing the National Institute of Corrections, "PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting." The specialized training includes detecting and assessing signs of sexual abuse and sexual harassment, preserving physical evidence, responding effectively and professionally to victims, and how to report allegations or suspicions of sexual abuse and sexual harassment. Each medical and mental health professional is provided the specialized training during their orientation and prior to performing services in the facility.</p> <p data-bbox="242 1364 1485 1590">The Auditor conducted formal interviews with medical and mental health practitioners. Each practitioner informed the Auditor they had received both specialized training and the training offered to all VADOC employees. The Auditor was informed the training was provided during their orientation to the facility and each year thereafter. The Auditor questioned each medical practitioner about the training topics as required by this standard. The Auditor asked each to explain how medical staff treat victims while preserving physical evidence. Each explained they treat the victim's life-threatening injuries while preserving any evidence in the process. Each explained if there are no life-threatening injuries the nurse will obtain vital sign and obtain as much information as possible from the victim while waiting transportation to the hospital.</p> <p data-bbox="242 1621 1485 1816">The Auditor verified each medical practitioner has been educated regarding the requirements of this standard. The Auditor was informed medical and mental health personnel are required to attend in-service training on an annual basis. The in-service includes a review of the agency's policies and procedures towards sexual abuse and sexual harassment and the National Institute of Corrections Specialized Medical Training. Medical personnel at the Baskerville Correctional Center do not conduct forensic examinations. Forensic examinations are performed by a Sexual Abuse Nurse Examiner at the Virginia Commonwealth University Medical Center.</p> <p data-bbox="242 1848 373 1874"><b>Conclusion:</b></p> <p data-bbox="242 1881 1449 2040">The Auditor concluded medical and mental health professionals at the Baskerville Correctional Center have been appropriately trained. The facility maintains documentation that medical and mental health professionals have received specialized medical training and the same training offered to all VADOC staff. The auditor conducted a review of VADOC policies, procedures, training curriculum, training records and interviewed medical and mental health professional and determined the facility meets the requirements of this standard.</p>

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 730.2, pg. 8  OP 810.1, pg. 5-7  OP 810.2, pg. 4,6  OP 861.1, pg. 6  Offender Records  Interviews with Staff  Interviews with Offenders</p> <p><b>Operating Procedure 730.2</b>  An inmate's offender's risk level must be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's offender's risk of sexual victimization or abusiveness. (§115.41[g], §115.241[g])</p> <p><b>Operating Procedure 810.1</b>  Utilizing the results of the Classification Assessment in VACORIS and available offender records, staff will screen the offender for potential vulnerabilities or tendencies for acting out with sexually aggressive or other violent behavior, and will interview and evaluate the offender for High-Risk Sexual Aggressor (HRSA) and/or High-Risk Sexual Victim (HRSV) tendencies. (5-ACI-3D-10; 4- 4281-2; §115.41[a], §115.41[d])</p> <p>Within 21 days from the offender's arrival at the institution, staff will meet with the offender and will reassess the offender's risk of victimization or abusiveness based upon any additional, relevant information received by the institution since the intake screening. (§115.41[f]) (added 5/1/19) i. The PREA Reassessment 810_F1 must be completed no sooner than 14 days and no later than 21 days after the offender's arrival at the institution. ii. Completion of the Reassessment must be documented as a PREA Reassessment in the Facility Notes section of VACORIS. iii. The PREA Reassessment will must be scanned and uploaded as an external document to the corresponding PREA Reassessment note on the same day it is conducted. (changed 9/1/19).</p> <p>The Classification Assessment will include a review of the following factors: history of assaultive behavior, potential for victimization, history of prior victimization, special medical or mental health status, escape history, age, enemies or offender separation information, and any other related information and must be approved within 72 hours of the offender's arrival at the institution. (§115.41[b], §115.41[e]).</p> <p>Within 24 hours of arrival, prior to bed assignment, a Classification Assessment will be completed in VACORIS for each new offender entering the DOC and housing assignments made accordingly. (5- ACI-3D-10; 4-4281-2; 4-ACRS-2A-07; §115.41[c]) (changed 12/1/20) a. Upon arrival, staff will review the Classification Assessment questions with the offender to ensure that the offender's pending housing and bed assignment in VACORIS is appropriate. When the offender's responses indicate these assignments may not be appropriate, staff must consult with the staff member responsible for offender housing and bed assignments to determine if a new assignment is warranted. (added 12/1/20)</p> <p><b>Operating Procedure 810.2</b>  Within 21 days from the offender's arrival at the institution, institution staff will meet with the offender and will reassess the offender's risk of victimization or abusiveness based upon any additional, relevant information received by the institution since the intake screening. (§115.41[f])</p> <p>Screenings and Assessments  A. The offender will receive a medical and mental health screening by health trained or qualified health care personnel upon arrival in accordance with Operating Procedure 720.2, Medical Screening, Classification, and Levels of Care, and Operating Procedure 730.2, Mental Health Services: Screening, Assessment, and Classification. B. A counselor or other non-clerical facility staff must assess all offenders upon transfer from one DOC facility to another for their risk of being sexually abused by other offenders or sexually abusive toward other offenders. (§115.41[a])  A Classification Assessment must be completed and approved within 72 hours of arrival at the institution. (§115.41[b], §115.41[c])</p> <p><b>Operating Procedure 861.1</b>  a. Sexual assault upon or making forcible sexual advances toward a non-offender (§115.78[e]) b. Sexual assault upon or making forcible sexual advances toward an offender (§115.78[a, g]) Offenses 106a and 106b - An offender convicted of sexual assault and any offender victims should be referred to their counselor for reassessment of the offender's risk of sexual victimization or abusiveness. At the discretion of the Hearings Officer, a conviction of Offenses 233a and 233b may also warrant referral. (§115.41[g])</p>

All offenders that arrive at BACC are asked questions from a classification assessment. This assessment is conducted in the CORIS software system. It is conducted the first day of arrival at the facility. After reviewing this assessment, the required questions are included in this assessment. There is a "PREA Reassessment" that is required to be conducted between day (14) and (21) after the arrival at the institution. This reassessment is conducted by the offender's Case Management Counselor. This Auditor reviewed the risk assessments and reassessments of (13) offenders that were interviewed at the facility. While some offenders indicated that they could not remember being asked the questions on the risk assessment, the documentation showed that they did in fact answer the assessment questions. Additionally, Operating Procedure 730.2 directs that "An offender's risk level must be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the offender's risk of sexual victimization or abusiveness."

**Conclusion:**

There were (27) inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake. The auditor interviewed intake staff and reviewed intake screening forms of random offenders. In addition, the auditor questioned random staff and offenders in reference to offender screening for risk of sexual victimization or risk of sexually abusing other offenders within 72 hours of intake. BACC is in compliance of this standard.

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115.42	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 400 331">OP 038.3 pg. 6</p> <p data-bbox="242 338 405 365">OP 425.4, pg. 3</p> <p data-bbox="242 371 405 398">OP 810.1, pg. 5</p> <p data-bbox="242 405 405 432">OP 810.2, pg. 4</p> <p data-bbox="242 439 411 465">OP 830.5, pg.10</p> <p data-bbox="242 472 405 499">OP 841.2, pg. 6</p> <p data-bbox="242 506 411 533">OP 940.4 pg. 10</p> <p data-bbox="242 539 620 566">High Risk of Sexual Abusiveness Log</p> <p data-bbox="242 573 635 600">High Risk of Sexual Victimization Log</p> <p data-bbox="242 607 461 633">Interviews with Staff</p> <p data-bbox="242 640 497 667">Interviews with Offenders</p> <p data-bbox="242 701 520 728"><b>Operating Procedure 38.3</b></p> <p data-bbox="242 734 1493 1025">D. Offender Screening and Use of Screening Information 1. Utilizing the results of the offender's Classification Assessment in VACORIS and available offender records, all offenders are screened for potential vulnerabilities or tendencies for acting out with sexually aggressive or other violent behavior at intake, transfer, and as needed. (See Operating Procedure 730.2, Mental Health Services: Screening, Assessment, and Classification, Operating Procedure 810.1, Offender Reception and Classification, and Operating Procedure 810.2, Transferred Offender Receiving and Orientation.) 2. Facility staff will use information from the offender's Classification Assessment in determining appropriate housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. (§115.42[a], §115.242[a]) a. Staff will make individualized determinations about how to ensure the safety of each offender. (§115.42[b], §115.242[b])</p> <p data-bbox="242 1059 533 1086"><b>Operating Procedure 425.4</b></p> <p data-bbox="242 1093 1469 1283">IV. BED AND CELL ASSIGNMENTS A. Use of Offender Classification Assessment 1. Institutional staff will use information from the offender's Classification Assessment when determining appropriate housing and bed assignments with the goal of protecting offenders from personal abuse, personal injury, disease, property damage, harassment, and to separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive in accordance with Operating Procedure 810.1, Offender Reception and Classification, and Operating Procedure 810.2, Transferred Offender Receiving and Orientation. (5-ACI-3D-08, 5-ACI-3D-10; 4-4281, 4- 4281-2; §115.42[a])</p> <p data-bbox="242 1290 1342 1317">a. Staff will make individualized determinations about how to ensure the safety of each offender. (§115.42[b])</p> <p data-bbox="242 1323 1477 1417">b. Housing and bed assignments for transgender or intersex offenders will be made on a case-by-case basis and will take into consideration whether an assignment would ensure the offender's health and safety and whether the assignment would present management or security problems. (§115.42[c])</p> <p data-bbox="242 1424 1477 1451">i. A transgender or intersex offender's views with respect to their own safety will be given serious consideration. (§115.42[e])</p> <p data-bbox="242 1458 1477 1552">ii. When an offender indicates they are transgender or intersex during the Classification Assessment or at any time during their incarceration, a "six month follow up" alert must be placed in VACORIS. A Counselor or the staff member completing the Classification Assessment will add the alert and notify mental health staff by email. (§115.42[d])</p> <p data-bbox="242 1559 1485 1619">iii. Lesbian, gay, bisexual, or intersex offenders will not be placed in a dedicated housing unit or wing solely on the basis of such identification or status. (§115.42[g])</p> <p data-bbox="242 1653 533 1680"><b>Operating Procedure 810.1</b></p> <p data-bbox="242 1686 1457 1780">Information from the offender's Classification Assessment will be used by institutional staff in determining appropriate housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. (§115.42[a])</p> <p data-bbox="242 1814 533 1841"><b>Operating Procedure 810.2</b></p> <p data-bbox="242 1848 1453 2033">II. Screenings and Assessments A. The offender will receive a medical and mental health screening by health trained or qualified health care personnel upon arrival in accordance with Operating Procedure 720.2, Medical Screening, Classification, and Levels of Care, and Operating Procedure 730.2, Mental Health Services: Screening, Assessment, and Classification. 3. Institutional staff will use information from the Classification Assessment to inform housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. (§115.42[a])</p> <p data-bbox="242 2067 533 2094"><b>Operating Procedure 830.5</b></p> <p data-bbox="242 2101 1453 2157">C. Classification to Protective Custody Units 1. The ICA or MDT, as appropriate, should reach a decision for a protective custody assignment based on substantial, credible information, and after an investigation confirms the need for protective</p>

custody; see Operating Procedure 830.1, Institution Classification Management, and Operating Procedure 830.6, Offender Keep Separate Management. For example, the offender:

- a. Has multiple documented keep separates
- b. Is a documented former public official, law enforcement or other employee from a criminal justice agency
- c. Gave documented testimony against gang or other crime organization
- d. Is a High-Risk Sexual Victim (HRSV) or sexual abuse victim
- i. The institution will make individualized determinations about how to ensure the safety of each offender. (§115.42[b])
- ii. In deciding whether to assign a transgender or intersex offender to a Protective Custody Unit, institution staff must consider on a case-by-case basis whether this placement would ensure the offender's health and safety, and whether the placement would present management or security problems. (§115.42[c])
- iii. A transgender or intersex offender's own views with respect to their own safety will be given serious consideration. (§115.42[e])
- iv. Lesbian, gay, bisexual, transgender, or intersex offenders will not be placed in the Protective Custody Unit solely based on their identification or status. (§115.42[g])

**Operating Procedure 841.2**

10. Reviewing the Classification Assessment in VACORIS, and ensuring that those offenders at high risk of being sexually victimized are separated from those at high risk of being sexually abusive (§115.42[a])

**Operating Procedure 940.4**

Facility staff will use information from the Classification Assessment to make informed individualized determinations about how to ensure the safety of each offender in order in regards to housing, bed, work, education, and program assignments, with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. (§115.242[a, b])

Housing and programming assignments for transgender or intersex offenders will be made on a case by-case basis and will take into consideration whether a placement would ensure the offender's health and safety and whether the placement would present management or security problems. (§115.242[c])

- a. A transgender or intersex offender's own views with respect to their own safety will be given serious consideration. (§115.242[d])
- b. Lesbian, gay, bisexual, or intersex offenders will not be placed in a dedicated housing unit or wing solely on the basis of such identification or status. (§115.242[f])
- c. Transgender and intersex offenders will be given the opportunity to shower separately from other offenders. (§115.242[e])

**Conclusion:**

Staff interviews indicate medical and mental health staff are made aware of any offenders who screen as victims as well as those screening as being abusive. Medical and mental health staff will conduct follow-up evaluations. Housing is determined based on the screenings with the goal of housing these two types of offenders separate from one another. These bunk assignments will typically be assigned closer to the control rooms for more direct observation by security staff. Transgender or intersex offenders' views with respect to his or her own safety are given serious consideration in placement and programming assignments. Interviews of offenders did not raise any concerns about inappropriate placement which caused offenders to be fearful of sexual assaults or aggressive sexual behavior.

In this Auditor's assessment, there are no dedicated housing units specifically for those who are part of the LGBTI population. During the audit review period, Baskerville Correctional Center did not house any offenders that were high risk of being sexually abused (HRSA) or high risk of being sexually victimized (HRSV). Also, the facility did not house any transgender or intersex inmates during the audit cycle. BACC is in compliance with this standard.

115.43	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 306 442 333">OP 425.4, pg. 8, 23</p> <p data-bbox="242 338 403 365">OP 810.1, pg. 5</p> <p data-bbox="242 369 403 396">OP 810.2, pg. 4</p> <p data-bbox="242 400 448 427">OP 830.5, pg. 11-12</p> <p data-bbox="242 432 435 459">Interview with Staff</p> <p data-bbox="242 495 533 521"><b>Operating Procedure 425.4</b></p> <p data-bbox="242 526 1493 891">Offenders identified as HRSV or offenders alleged to have suffered sexual abuse or sexual harassment will not be placed in the restrictive housing unit without their consent unless an assessment of all available alternatives has been made, and it has been determined by the Psychology Associate QMHP in consultation with the Shift Commander and Regional PREA Analyst that there are no available alternative means of separation from likely abusers. (§115.43[a], §115.68). (changed 4/1/20) a. The institution must clearly document the basis for the institution's concern for the offender's safety and the reason why no alternative means of separation can be arranged. (§115.43[d] Offenders will remain in the restrictive housing unit only until an alternative means of separation from likely abuse can be arranged; this assignment will not ordinarily exceed 30 days. (§115.43[c] b. If access to activities and services is more restrictive for offenders identified as HRSV or who have alleged to have suffered sexual abuse or sexual harassment than for others in their housing status, staff will document the opportunities that have been limited, the duration of the limitation and the reasons for such limitations on the Denial of Activity or Service 425_F3. (§115.43[b]</p> <p data-bbox="242 920 533 947"><b>Operating Procedure 810.1</b></p> <p data-bbox="242 952 1493 1081">vi. Offenders identified as HRSV will not be placed in the Restrictive Housing Unit without their consent unless an assessment of all available alternatives has been made, and it has been determined by the QMHP Psychology Associate, in consultation with the Shift Commander and Regional PREA Analyst, that there is no available alternative means of separation from likely abusers. (§115.43[a]) (changed 5/1/19)</p> <p data-bbox="242 1111 533 1137"><b>Operating Procedure 810.2</b></p> <p data-bbox="242 1142 1493 1272">f. Offenders identified as HRSV will not be placed in the restrictive housing unit without their consent unless an assessment of all available alternatives has been made, and it has been determined by the Psychology Associate, in consultation with the Shift Commander and Regional PREA Analyst, that there is no available alternative means of separation from likely abusers. (§115.43[a])</p> <p data-bbox="242 1301 533 1328"><b>Operating Procedure 830.5</b></p> <p data-bbox="242 1332 1493 2000">2. When an offender's need for personal protection is documented and no alternatives exist, the Shift Commander may authorize an offender's assignment to General Detention and placement in the restrictive housing unit pending review for protective custody assignments; see Operating Procedure 425.4, Management of Bed and Cell Assignments (Restricted), and Operating Procedure 841.4, Restrictive Housing Units. a. Offenders identified as HRSV or offenders alleged to have suffered sexual abuse should not normally be placed in a restrictive housing unit without their consent unless it has been determined by a Psychology Associate, in consultation with the Shift Commander and Regional PREA Analyst, that there are no available alternative means of separation from likely abusers. (§115.43[a] f. The Regional PREA Analyst must be notified of this assignment and kept informed of any changes in the offender's status. (§115.43[a] D. General Provisions of Protective Custody Units (§115.43[b], §115.68) 1. Protective Custody Units should provide programs and services similar to those available to general population offenders, to the extent feasible. 2. The Facility Unit Head at institutions operating Protective Custody Units should develop local operating procedures to specify the services and programs that will be available to protective custody offenders. Procedures should generally address the following programs and services: a. Commissary purchases b. Correspondence c. Counseling d. Education e. Exercise/Recreation f. Legal Services/Law Library g. Medical Services h. Orientation i. Personal Property j. Telephone Calls k. Visitation l. Work Assignments Interviews with staff and review of provided documentation both indicated that offenders are not placed involuntarily in segregated housing for being at risk of sexual abuse. If there should be a reason to place an offender involuntarily in segregated housing, there is a process to follow for this placement. It is outlined in Operating Procedure 830.5. Should an offender be placed in segregated housing involuntarily, that offender is to be reassessed for alternative placements utilizing the "Sexual Abuse/Sexual Harassment Available Alternatives Assessment" form. This form should be used for those placements in both §115.43 and §115.68. BACC did not have any inmates housed in involuntary segregated housing.Â</p> <p data-bbox="242 2029 376 2056"><b>Conclusion:</b></p> <p data-bbox="242 2060 1493 2157">The facility has appropriate procedures in place to ensure offenders identified at high risk of sexual victimization who are placed in involuntary segregated housing receive appropriate placement, reviews and other privileges. The Auditor reviewed VADOC policies, procedures, classification records, housing records, Sexual Abuse/Sexual Harassment Available</p>

Alternatives Assessment form, Offender Alert Report, made observations and interviewed staff and offenders to determine the facility meets the requirements of this standard.

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115.51	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 403 331">OP 038.3, pg. 8</p> <p data-bbox="240 338 403 365">OP 801.6, pg. 1</p> <p data-bbox="240 371 403 398">OP 803.3, pg. 9</p> <p data-bbox="240 405 403 432">OP 866.1, pg. 4</p> <p data-bbox="240 439 443 465">Offender Handbook</p> <p data-bbox="240 472 512 499">MOU with Action Alliance</p> <p data-bbox="240 506 435 533">Interview with Staff</p> <p data-bbox="240 539 467 566">Interview with Inmates</p> <p data-bbox="240 595 531 622"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 629 1493 1025">III. Detection and Reporting A. Offender Responsibilities 1. Offenders can report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member including chaplains, medical, mental health or counseling staff, security staff, or administrators. §115.51[a], §115.251[a]) a. Any offender who is sexually assaulted must immediately notify staff that a sexual assault has occurred. b. Any offender who observes, is involved in, or has any knowledge or suspicion of a sexual assault or unauthorized relationship must immediately notify staff. c. Offenders are not required to report only to the immediate point-of-contact line officer; an offender may report such incidents to any staff member using any available manner to include: i. Verbally in person to a staff member or through another third party who can assist the offender in filing requests for administrative remedies ii. Verbally through the offender telephone system Sexual Assault Hotline Number #55 iii. Written using an Offender Request or Informal Complaint, Regular Grievance, or Emergency Grievance. (See Operating Procedure 801.6, Offender Services, and Operating Procedure 866.1, Offender Grievance Procedure.)</p> <p data-bbox="240 1055 531 1081"><b>Operating Procedure 801.6</b></p> <p data-bbox="240 1088 1493 1317">3. Offender Request Alleging Sexual Abuse and Sexual Harassment a. The Offender Request is one internal way that offenders can privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. (§115.51[a], §115.251[a]) b. Staff shall accept any report of PREA related issues submitted and immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to the Facility Unit Head and facility PREA Compliance Manager. If applicable, an Internal Incident Report checked PREA shall be submitted in accordance with Operating Procedure 038.1, Reporting Serious or Unusual Incidents. (§115.51[c],</p> <p data-bbox="240 1346 531 1373"><b>Operating Procedure 803.3</b></p> <p data-bbox="240 1379 1493 1608">VIII. Offender Hotline A. Offenders who have complaints or questions about the telephone service should be referred to the vendor's hotline, accessible by dialing 1 for English or 2 for Spanish, then dialing 0 for collect call, then entering their offender identification code (DOC state ID + 4 digit GTL assigned PIN), and dialing #21 from the offender telephone system. 1. The hotline is available from 7:00 A.M. to 9:00 P.M., Monday through Thursday, and 7:00 A.M. to 3:00 P.M. on Friday. 2. The hotline is closed on weekends and holidays. 3. The vendor is not required to respond to messages left on the Hotline outside of business hours; see ICM Offender Dialing Instructions. B. PREA/Sexual Abuse Hotline is available by dialing #55 at any time the offender telephones are available. (§115.51[a])</p> <p data-bbox="240 1637 531 1664"><b>Operating Procedure 866.1</b></p> <p data-bbox="240 1671 1493 1899">The Offender Grievance Procedure is one way in which offenders can privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and/or any staff neglect or violation of responsibilities that may have contributed to such incidents. (§115.51[a]) Offenders in the VADOC have multiple methods of reporting sexual abuse and sexual harassment. During interviews with both offenders and staff, it was clear that these options are well publicized. The main method of reporting impressed upon offenders is to dial #55 on the phone in any housing unit. This reporting option prompts the caller to either leave a message or they can talk with an advocate from the Action Alliance. It was noted that when staff were asked where this call went to, they were unclear.</p> <p data-bbox="240 1928 1493 2089">The Auditor reviewed the facility's Offender Handbook. The handbook includes a section regarding grievances alleging sexual abuse. The Emergencies and Emergency Grievances section informs offenders emergency grievances are provided for offender reporting and expedited staff responses to allegations that an offender is subject to a substantial risk of imminent sexual abuse and to situations or conditions which may subject the offender to immediate risk of serious personal injury or irreparable harm. The Offender Handbook informs offenders they may report allegations:</p> <ul data-bbox="240 2096 344 2157" style="list-style-type: none"> <li>• Verbally</li> <li>• Dial #55</li> </ul>

- Offender Request
- Informal Complaint or Emergency Grievance
- Writing the Action Alliance (Address provided)
- Third Party (address, email address, telephone number provided)

The Auditor reviewed the agency's Zero Tolerance Brochure. Each offender is provided the brochure during their intake. The brochure informs offenders to report sexual abuse or sexual harassment by:

- Verbally to staff
- Call #55
- Ask family or friends to report (email address, telephone number and address provided)

The Auditor reviewed the Memorandum of Understanding with the Virginia Sexual and Domestic Violence Action Alliance (VSDVAA) and participated in a detailed tour of the Baskerville Correctional Center. The tour included all offender housing units and support areas. Observations were made of posters and postings throughout the facility that inform offenders about the agency's zero-tolerance to sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. The postings include the agency's available hotline number to the Family Violence and Sexual Assault Hotline. Offenders are not required to input a designated PIN number to dial the hotline number. This ensures offenders can remain anonymous upon request. The Auditor tested the agency's reporting hotline from an offender telephone. The Auditor received an immediate response after placing the telephone call.

The Auditor reviewed staff training records. The agency's training includes the reporting avenues available to the offender population. All staff are provided the training in orientation, during the Correctional Officer Basic Course and during annual in-service training. Staff are informed of their avenue for privately reporting allegations of sexual abuse and sexual harassment in the agency's policy. The policy states, "Staff can privately report the sexual abuse and sexual harassment of offenders through the established reporting hotline at [number provided]."

The Auditor reviewed the Virginia Department of Corrections website. The website includes a link to access its PREA information. The public has access to the VADOC reporting avenues. The public is informed how to make an allegation on behalf of an offender. The website's "Report Abuse" states, "If you have or someone you know has been sexually abused or sexually harassed while in custody or under supervision of the Virginia Department of Corrections (VADOC), safely report the incident:

- Call the 24/7 confidential reporting hotline at (number provided)
- File a complaint by completing the Third-Party Reporting Form. The form is also available in Spanish
- Send an email to (email address provided)."

The Auditor conducted formal interviews with randomly chosen staff. Each staff member was asked if he/she is required to accept any and all reports of sexual abuse, sexual harassment, retaliation and staff neglect. Staff informed the Auditor they are required to accept such reports. Staff stated they are required to report allegations immediately to the Shift Commander and include the information on an Internal Incident Report. Each staff member was asked how they would privately report an allegation. The Auditor was informed staff would report the allegation to the facility investigator or use the sexual abuse hotline.

The Auditor conducted formal interviews with randomly chosen and specifically targeted offenders. Offenders were asked to explain how they would report an allegation of sexual abuse, sexual harassment, retaliation, or staff neglect. Each offender interviewed stated they are confident in staff's ability to maintain their information confidentially and were confident staff would handle the allegation appropriately. The offenders understood the available reporting avenues and are aware of the hotline, anonymous reporting and third-party reporting. Offenders understood they could make an allegation through the formal grievance mechanism.

The Auditor conducted a telephone interview with a facility volunteer and formal interviews with contractors. The Auditor asked each if they were required to report any knowledge, suspicion or information regarding an act of sexual abuse or sexual harassment. Each informed the Auditor they are required to immediately report such. When asked if they are required to document the information, each stated they would be required to write a report.

**Conclusion:**

The Virginia Department of Corrections provides multiple ways for offenders to report allegations of sexual abuse and sexual harassment, including a public office that is not part of the agency who immediately forwards reports of sexual abuse and sexual harassment to the Regional PREA/ADA Analyst. The facility requires staff accept, report and document all allegations of sexual abuse and sexual harassment. The Auditor reviewed the agency's policies, procedures, Offender Handbook, Zero Tolerance Brochure, Website, postings, investigative reports, MOU, training records, made observations, interviewed staff and offenders and determined the facility meets the requirements of this standard.

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115.52	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 403 331">OP 038.3, pg. 8</p> <p data-bbox="240 338 424 365">OP 866.1, pg. 6-8</p> <p data-bbox="240 371 456 398">Offender Handbook</p> <p data-bbox="240 405 461 432">Investigative Records</p> <p data-bbox="240 439 320 465">Memos</p> <p data-bbox="240 472 435 499">Interview with Staff</p> <p data-bbox="240 506 469 533">Interview with Inmates</p> <p data-bbox="240 562 533 589"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 595 1481 790">III. Detection and Reporting A. Offender Responsibilities 1. Offenders can report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member including chaplains, medical, mental health or counseling staff, security staff, or administrators. d. There is no time limit on when an offender may submit a Complaint, Informal Complaint, or Regular Grievance, regarding an allegation of sexual abuse. (See Operating Procedure 866.1, Offender Grievance Procedure, and Operating Procedure 866.2, Offender Complaints, Community Corrections.) (§115.52[b])</p> <p data-bbox="240 819 533 846"><b>Operating Procedure 866.1</b></p> <p data-bbox="240 853 1485 1216">PREA Exception to Informal Complaint Process 1. An offender is not required to use the informal complaint process or otherwise attempt to resolve with staff any alleged incident of sexual abuse or sexual harassment. (§115.52[b (3)]) b. Exceptions to the 30-day timeline for filing: i. The delay is beyond the offender's control, i.e., injury, sickness, etc. The offender has five days to file their grievance once the reason for delay is no longer valid. ii. The offender has not received formal orientation on accessing the Offender Grievance Procedure at that institution. Provisions should be made for staff to provide assistance so that the offender's ability to grieve an issue is in no way hindered. iii. A more restrictive time limit has been established in operating procedures to prevent loss of remedy or the issue becoming moot. iv. There is no time limit on when an offender may submit a grievance regarding an allegation of sexual abuse or sexual harassment. (§115.52[b (1)]) (a) Otherwise-applicable time limits apply to any portion of a grievance that does not allege an incident of sexual abuse. (§115.52[b (2)]) (b) The DOC retains their ability to defend against an offender lawsuit, on the grounds, that the applicable statute of limitations has expired. (§115.52[b (3)])</p> <p data-bbox="240 1245 1485 1641">The Auditor reviewed the Baskerville Correctional Center Offender Handbook. The handbook includes a section regarding the submission of grievances. The Emergencies and Emergency Grievance section informs offenders, "Emergency Grievances are provided for offender reporting and expedited staff responses to allegations that an offender is subject to a substantial risk of imminent sexual abuse and to situations or conditions which may subject the offender to immediate risk of serious personal injury or irreparable harm." The handbook informs offenders to read VADOC Operating Procedure 866.1 regarding the agency's response to emergency grievances. The "Grievance Procedure for Sexual Abuse/Sexual Harassment" section states, "There is no time limit on when you may file a grievance regarding an allegation of sexual abuse or sexual harassment. You are not required to resolve an incident of sexual abuse or sexual harassment with staff or submit the grievance to the staff member who is the subject of your sexual abuse or sexual harassment allegation. Grievances regarding sexual abuse or sexual harassment will not be referred to the staff member who is the subject of the grievance. You will not be charged for filing a grievance regarding sexual abuse or sexual harassment unless it is determined that you filed the report in bad faith."</p> <p data-bbox="240 1671 1485 1832">The Auditor conducted formal interviews with offenders. Offenders were asked to explain the different ways of reporting allegations of sexual abuse and an imminent risk of sexual abuse. Most offenders asked were aware the facility accepts allegations of sexual abuse through the grievance mechanism. Offenders were aware they could file a grievance to report sexual abuse anonymously. None of the offenders interviewed by the Auditor had filed a grievance alleging an imminent risk of sexual abuse or an allegation of sexual abuse.</p> <p data-bbox="240 1861 1485 2089">The Auditor conducted interviews with facility staff. Staff were asked if offenders could submit a grievance alleging sexual abuse and/or alleging an imminent risk of sexual abuse. Each staff member was aware offenders could file such grievances. Supervisors interviewed by the Auditor explained their responsibilities in responding to grievances alleging an imminent risk of sexual abuse. Supervisors informed the Auditor they take immediate action to ensure the safety of the offender. The Auditor was informed the offender is provided a response within 8 hours. The Auditor asked what is included in the written response. The Auditor was informed the response to the offender includes whether the offender is at substantial risk of imminent sexual abuse and the supervisor's actions taken in response to the emergency grievance.</p> <p data-bbox="240 2119 1442 2145">The Auditor discussed disciplining an offender who has submitted an emergency grievance alleging sexual abuse in bad</p>

faith. Staff informed the Auditor they must have proof the offender submitted an allegation in bad faith. The Auditor was informed the facility has to get approval from the Regional PREA/ADA Analyst prior to placing a disciplinary charge on an offender for such. The Regional PREA/ADA Analyst informed the Auditor he reviews details of the allegation and investigative findings to ensure there is sufficient evidence to prove the offender submitted the allegation in bad faith. If such is determined, the Regional PREA/ADA Analyst will authorize the disciplinary charge. The Baskerville Correctional Center reported no offender submitted a grievance alleging sexual abuse or an imminent risk of sexual abuse within the previous 12 months and did not have any disciplinary reports filed against an inmate for false allegations.

**Conclusion:**

The Auditor determined the VADOC has appropriate policies and procedures in place for addressing offender allegations of sexual abuse and an imminent risk of sexual abuse. Facility staff understand the agency's procedures and the offender population is aware they can submit grievances alleging sexual abuse and/or risk of imminent sexual abuse. The Auditor reviewed the agency's policies, procedures, Offender Handbook, grievances, investigative records, and conducted interviews with staff and offenders to determine the facility meets the requirements of this standard.



115.53	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3 Prison Rape Elimination Act, pg. 13  Zero Tolerance Brochures  Virginia Sexual and Domestic Violence Action Alliance Contract  Offender Handbook  Interviews with Staff  Interviews with Offenders</p> <p><b>Operating Procedure 038.3</b>  B. Offender access to free outside confidential support services 1. The DOC maintains a Memorandum of Understanding (MOU) with a community service provider who is able to provide offenders with access to free confidential emotional support services related to sexual abuse. A copy of this agreement is available from the PREA/ADA Supervisor. (§115.53[c], §115.253[c]) 2. Offenders should contact their facility PREA Compliance Manager, Unit Manager, or Mental Health staff for information on accessing outside victim advocates for free emotional support services related to sexual abuse or may utilize the Sexual Abuse Hotline (#55), Option 2. (§115.53[a], §115.253[a]) 3. The facility will inform offenders, 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. (§115.53[b], §115.253[b]) 4. The facility will enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible. (§115.53[a], §115.253[a])</p> <p>The Virginia Sexual and Domestic Violence Action Alliance, or Action Alliance for short, provides advocacy services to the BACC. The agency provided the Memorandum of Understanding (MOU) which the two entered into beginning in 2015. This MOU outlines what each agency will provide as part of this agreement. Offenders can reach out to the Action Alliance by calling #55 on the phone system and choosing Option #2. The phone call is not recorded when calling the #55 number, however, it can be determined who called this option by reviewing the video surveillance system to see who was calling at a particular time. They may also write to the Action Alliance at the address provided on posters hung in the housing units.</p> <p>The auditor was provided with PREA Brochures in English, Spanish, and for those who are hearing impaired. The posters contained phone numbers and mailing addresses for victim emotional support services. The auditor established telephone contact with a representative of Action Alliance. They affirmed their service to DOC offenders alleging sexual abuse. The facility informs offenders, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law.</p> <p><b>Conclusion:</b>  The facility maintains documentation it provides emotional support services for sexual abuse victims through written agreements. Contact information with the organization is provided by intake personnel through the Offender Handbook, Zero Tolerance Brochure and comprehensive education. The Auditor reviewed the VADOC policies, procedures, Memorandum of Understanding, Offender Handbook, Zero Tolerance Brochure, training acknowledgements and interviewed staff, offenders and victim advocate to determine the facility meets the requirements of this standard.</p>

115.54	<b>Third-party reporting</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 518 600"> OP 038.3, pg. 8  Agency Website  Third Party Reporting Form  Zero Tolerance Brochure  Offender Handbook  Facility Posters  Interviews with Staff  Interviews with Offenders  Observations </p> <p data-bbox="242 629 533 658"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 663 1473 723"> Contact information on how to report sexual abuse and sexual harassment on behalf of an offender is provided on the DOC public web site. (§115.54) </p> <p data-bbox="242 728 1458 891"> The agency has three methods established and published for reporting sexual abuse. The first is a confidential reporting hotline with a toll-free number, 1-855-602-7001. The second is a "Third Party Reporting Form" which can be found on the agency's website in English and Spanish. The last is an email address for reporting, <a href="mailto:PREAGrievance@vadoc.virginia.gov">PREAGrievance@vadoc.virginia.gov</a>. This information can be found at <a href="https://vadoc.virginia.gov/offender-resources/prison-rape-eliminationact/">https://vadoc.virginia.gov/offender-resources/prison-rape-eliminationact/</a> </p> <p data-bbox="242 920 1489 1182"> The Auditor participated in a detailed tour of the Baskerville Correctional Center. During the tour the Auditor observed PREA materials posted in all housing units and service areas, written in English and Spanish. The BACC materials provided to and for offenders inform they may have a third party make an allegation of sexual abuse and sexual harassment on their behalf. The Auditor conducted formal interviews with staff. Staff were asked about accepting reports of sexual abuse and sexual harassment. Each staff member stated they were required to accept all reports of sexual abuse and sexual harassment, including third party reports. Staff stated they immediately report the allegation to their supervisor and document the information on an Internal Incident Report. Staff stated the agency's policy requires them to document all verbal allegations received. </p> <p data-bbox="242 1211 1485 1375"> The Auditor conducted formal interviews with offenders. Each offender was asked what avenues were available for making an allegation of sexual abuse or sexual harassment. The offenders stated they could tell a staff member or any person they trust, file an emergency grievance, call the sexual abuse hotline, or have another person make the allegation on their behalf. Each offender understood how to have a third-party file an allegation on their behalf. Each offender understands they can file an allegation anonymously. </p> <p data-bbox="242 1404 1485 1500"> The Auditor conducted formal interviews with facility and SIU Investigators. Investigators were asked in what ways they have received reports of sexual abuse and sexual harassment. Each explained they have received allegations by a third-party. Investigators explained they conduct investigation of all allegations, regardless of how they are made. </p> <p data-bbox="242 1529 373 1559"><b>Conclusion:</b></p> <p data-bbox="242 1563 1481 1727"> The Auditor determined the facility accepts all reports, including third party reports, of sexual abuse and sexual harassment. The public is informed through the agency's website how to make a third-party report on behalf of an offender. The Auditor reviewed agency policy, procedures, website, posted PREA materials, Offender Handbook, Zero Tolerance Brochure, Third Party Reporting Form, Investigative Records, interviewed staff and offenders, made observations and determined the facility meets the requirements of this standard. </p> <p data-bbox="242 1756 261 1785"> </p>

115.61	<b>Staff and agency reporting duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 403 331">OP 038.1, pg. 5</p> <p data-bbox="240 338 687 365">OP 038.3 Prison Rape Elimination Act, pg. 9</p> <p data-bbox="240 371 403 398">OP 730.2, pg. 8</p> <p data-bbox="240 405 588 432">OP 801.6 Offender Services, pg. 1</p> <p data-bbox="240 439 461 465">Investigative Records</p> <p data-bbox="240 472 442 499">Training Curriculum</p> <p data-bbox="240 506 416 533">Training Records</p> <p data-bbox="240 539 446 566">Interviews with Staff</p> <p data-bbox="240 573 497 600">Interviews with Offenders</p> <p data-bbox="240 629 531 656"><b>Operating Procedure 038.1</b></p> <p data-bbox="240 663 1481 860">Reporting of Sexual Misconduct a. Any employee, volunteer, or contractor shall immediately report to their supervisor or the officer in charge 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 DOC; retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. If applicable, an Internal Incident Report shall be submitted with PREA checked in the description field; a PREA Report of Incident Review 038_F11 may be required at the conclusion of the investigation. (§115.61[a], §115.261[a]) (changed 6/1/19)</p> <p data-bbox="240 889 531 916"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 922 1493 1149">Staff, volunteers, and contractors must immediately report to their supervisor, or the OIC any knowledge, suspicion, or information on the following incidents; and if applicable, an Incident Report will be submitted in accordance with Operating Procedure 038.1 Reporting Serious or Unusual Incidents. (§115.61[a], §115.261[a]) a. Staff, volunteers, and contractors must immediately report the following: (§115.61[a], §115.261[a]) i. Any incident of sexual abuse or sexual harassment that occurred in a facility, whether or not the facility is part of the DOC ii. Any incident of retaliation against staff or offenders who reported sexual abuse or sexual harassment iii. Any incident of staff neglect or violation of responsibilities that may have contributed to the sexual abuse or sexual harassment and/or retaliation.</p> <p data-bbox="240 1178 531 1205"><b>Operating Procedure 730.2</b></p> <p data-bbox="240 1211 1489 1375">Any QMHP Psychology Associate , who has knowledge, suspicion, or information regarding an incident or alleged incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against inmates offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation, must immediately notify the Facility Unit Head of the allegation, unless the referral is from the Facility Unit Head. (§115.61[a], §115.261[a])</p> <p data-bbox="240 1404 531 1431"><b>Operating Procedure 801.6</b></p> <p data-bbox="240 1438 1481 1532">Information related to a sexual abuse report shall not be revealed to anyone other than to the extent necessary, as specified in operating procedures, to make treatment, investigation, and other security and management decisions. (§115.61[b], §115.261[b])</p> <p data-bbox="240 1561 1485 1722">Staff interviews indicate staff are aware the agency requires all staff to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, as well as retaliation against offenders or staff who reported such an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. All allegations of sexual abuse and sexual harassment (including those from third-party and anonymous sources) are reported directly to designated facility investigators.</p> <p data-bbox="240 1751 1481 1948">Medical and mental health staff indicate they disclose the limitations of confidentiality and their duty to report, at the initiation of services to an offender. Medical and mental health staff also acknowledged being required to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to a designated supervisor or official immediately upon learning it. A Volunteers who were interviewed indicated their requirement to report immediately any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility.</p> <p data-bbox="240 1977 1461 2107">The Auditor conducted formal interviews with a facility investigator. The Auditor asked the investigator if he had conducted investigations of allegations that were reported by third parties. The investigator stated he conducts investigations of all allegations no matter the reporting avenue chosen. The Auditor asked if he has conducted investigations that were made anonymously.</p> <p data-bbox="240 2136 1430 2163">The Auditor conducted formal interviews with randomly selected and specifically targeted offenders. Each offender was</p>

asked if they were confident in staff's ability to maintain confidentiality of an allegation of sexual abuse after learning of a reported incident. Most offenders stated they do feel staff would maintain confidentiality of the information. There were no youthful offenders housed at the facility and zero (0) third party reporting. Â

The Auditor reviewed agency training curriculum. Training curriculum for staff, volunteers and contractors include reporting of sexual abuse and sexual harassment allegations. Each isÂ required to read the agency's policies and sign receipt for such on an annual basis. The Auditor verified through training records each staff member, contractor and volunteer had received training and read the policies how to report sexual abuse and sexual harassment information.

The Auditor conducted a telephone interview with a facility volunteer. The volunteer was asked if he is required to report allegations of sexual abuse and sexual harassment. The volunteer stated the agency requires him to immediately report such allegations. The Auditor asked if he had received training from the facility. The volunteer stated he had received training and he was informed in training of the agency's requirement to report all allegations.

**Conclusion:**

The Auditor concluded staff, volunteers and contractors are aware of the VADOC requirement to report any knowledge, suspicion or information related to sexual abuse and sexual harassment. Staff understands the requirement to maintain confidentiality with the information obtained by an allegation. Interviews with medical and mental health practitioners revealed they understand the requirements for reporting sexual abuse that occurred in a community setting and for youthful offenders. The Auditor reviewed agency policies, procedures, training curriculum, investigative reports and conducted interviews with staff, contractors, volunteer and offenders to determine the facility meets the requirements of this standard.

115.62	<b>Agency protection duties</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 687 331">OP 038.3 Prison Rape Elimination Act, pg. 9</p> <p data-bbox="240 336 403 362">OP 730.2, pg. 8</p> <p data-bbox="240 367 588 394">OP 830.6 Offender Services, pg. 3</p> <p data-bbox="240 398 461 425">Investigative Records</p> <p data-bbox="240 430 491 456">Internal Incident Reports</p> <p data-bbox="240 461 445 488">Interviews with Staff</p> <p data-bbox="240 492 497 519">Interviews with Offenders</p> <p data-bbox="240 555 533 582"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 586 1469 689">Staff, Volunteer, and Contractor Responsibilities 1. When a staff member, volunteer, or contractor learns that an offender is subject to a substantial risk of imminent sexual abuse, the individual must notify their supervisor, or the Officer-in-Charge (OIC) so that immediate action can be taken to protect the offender. (§115.62, §115.262)</p> <p data-bbox="240 725 533 752"><b>Operating Procedure 730.2</b></p> <p data-bbox="240 757 1493 846">The QMHP Psychology Associate will immediately consult with the Facility Unit Head or designee and recommend housing interventions or other immediate action to protect an inmate offender when it is determined that the inmate offender is subject to a substantial risk of imminent sexual abuse, or is considered at risk for additional sexual victimization, (§115.62, §115.262)</p> <p data-bbox="240 882 533 909"><b>Operating Procedure 830.6</b></p> <p data-bbox="240 913 1477 1205">Keep Separate - A classification action whereby an offender is not to be housed at a specific location, or with access to specific DOC staff, or offender; a "Keep Separate" determination is not required but may be based on: • Two or more offenders who are a serious threat to one another as demonstrated by a verified, prior, aggravated assault (or contract for assault) where serious harm or death was clearly the intent of the aggressor • One offender has testified against another offender in court and the offender's conviction and/or length of sentence was likely influenced by the testimony • An offender's felony was committed against DOC staff, another offender, or the immediate family of the staff or offender • The offender is a family member, friend, and/or prior associate with a DOC staff member • The offender's crime was committed against a current or former institutional employee or in the locality where the institution is located • The offender is subject to a substantial risk of sexual abuse from a specific, identified offender (§115.62) facility.</p> <p data-bbox="240 1240 1445 1330">The facility reported there were no instances in the previous 12 months where facility personnel learned an offender was identified at a substantial risk of imminent sexual abuse. Â There was no offender who alleged an imminent risk of sexual abuse in the previous 12 months.</p> <p data-bbox="240 1366 1493 1590">The Auditor conducted formal interviews with facility supervisors. Supervisors were asked to explain what steps are taken to protect an offender after learning the offender is at a substantial risk of imminent sexual abuse. The Auditor was informed the potential victim and potential aggressor would be separated from one another. The facility investigator would immediately be notified so an investigation could begin to determine the risk. One of the offenders would be moved to another housing unit to maintain the safety of both offenders. Randomly selected staff were interviewed by the Auditor. Each was asked what steps they would take after learning an offender was at imminent risk of substantial sexual abuse. Each informed the Auditor they would immediately notify their supervisor and stay with the at-risk offender.</p> <p data-bbox="240 1626 1493 1747">The Auditor participated in a detailed tour of the BACC. The Auditor observed multiple housing units that provide an opportunity to ensure offenders who are identified at a substantial risk of imminent sexual abuse could be housed safely from a potential aggressor. The facility has the ability to transfer offenders to another facility if the offender could not be housed safely.</p> <p data-bbox="240 1783 373 1809"><b>Conclusion:</b></p> <p data-bbox="240 1814 1445 1935">The Auditor concluded the BACC takes immediate and appropriate actions to ensure the protection of offenders who are identified at a substantial risk of imminent sexual abuse. The Auditor reviewed agency policy, procedures, investigative records, conducted interviews with staff and offenders, made observations and determined the BACC meets the requirements of this standard.</p>

115.63	<b>Reporting to other confinement facilities</b>
	<p data-bbox="242 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 273 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 416 331">OP 030.4, pg. 10</p> <p data-bbox="242 336 687 362">OP 038.3 Prison Rape Elimination Act, pg. 9</p> <p data-bbox="242 367 435 394">Interview with Staff</p> <p data-bbox="242 430 533 456"><b>Operating Procedure 030.4</b></p> <p data-bbox="242 461 1485 555">When the Facility Unit Head receives notification from another facility that an offender was sexually abused while confined at that facility, they shall ensure that the allegation is investigated in accordance with the PREA Standards (§115.63[d], §115.263[d])</p> <p data-bbox="242 591 533 618"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 622 1493 882">Any staff member, volunteer, or contractor, who receives an allegation that an offender was sexually abused while confined at another facility, must notify the Organizational Unit Head. a. The Organizational Unit Head or designee will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. (§115.63[a], §115.263[a]) (changed 8/3/20) i. Notification must be provided as soon as possible, but no later than 72 hours after receiving the allegation. (§115.63[b], §115.263[b]) ii. The Organizational Unit Head or designee must document that it provided such notification. (§115.63[c], §115.263[c]) b. The facility head or agency office that receives the notification is responsible for ensuring that the allegation is investigated in accordance with the requirements of the Prison Rape Elimination Act National Standards. (§115.63[d], §115.263[d])</p> <p data-bbox="242 913 1485 1008">The Baskerville Correctional Center reported there were no allegations received that an offender had allegedly been sexually abuse while confined at another facility. The facility reported there were no notifications received from another facility that a former BACC offender alleged sexual abuse while incarcerated at the Baskerville Correctional Center.</p> <p data-bbox="242 1039 1493 1263">The Auditor conducted formal interviews with BACC staff. Each staff member was asked what actions they take if an offender alleges to have been sexual abused while confined at another facility. Each staff member stated they would immediately report the allegation to their supervisor and submit an Incident Report including the details of the allegation as reported to them. The Auditor asked facility supervisors what their actions would be after receiving such information. The Auditor was informed the agency investigator would immediately be notified. The investigator stated he would ensure the Warden is notified so proper notification could be made in a timely manner. The investigator stated he would conduct an investigation into the allegation.</p> <p data-bbox="242 1294 1485 1518">The Auditor conducted a formal interview with the facility's Warden. The Warden explained he notifies another facility once the BACC receives an allegation that an offender alleges suffering sexual abuse at another facility. The Warden places a telephone call followed by an email to make notification. When asked when the notification would occur the Warden explained he has up to 72 hours to make the notification but would make the notification as soon as he receives it. The Auditor asked the Warden to explain what takes place when he receives notification from another facility that a former BACC offender has alleged suffering sexual abuse at the BACC. The Warden stated he would ensure the investigator is notified so an investigation would be conducted.</p> <p data-bbox="242 1550 1493 1644">The Warden explained there has not been an instance where he has had to notify another facility and has received no notices from another facility since he has been assigned to the Baskerville Correctional Center. The Auditor discussed notification requirements of this standard with the Warden. The Warden is clear of the requirements.</p> <p data-bbox="242 1675 373 1702"><b>Conclusion:</b></p> <p data-bbox="242 1706 1493 1841">The Auditor reviewed the agency's policies, procedures, and conducted interviews with agency staff and determined the facility has appropriate procedures in place to comply with this standard. Although the facility's Warden has not been required to make a notification in the previous 12 months, he is clear on the notification requirements. The Auditor determined the facility meets the requirements of this standard.</p>

115.64	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 702 398">OP 030.4, pg. 6 OP 038.3 Prison Rape Elimination Act, pg. 10 OP 075.1, pg. 6</p> <p data-bbox="240 405 707 566">BACC Coordinated Response Plan Sexual Assault Response Checklist Investigative Reports Interviews with Security First Responders Interviews with Non-Security First Responders</p> <p data-bbox="240 595 533 622"><b>Operating Procedure 030.4</b></p> <p data-bbox="240 629 1485 1025">The Organizational Unit Head or the individual in charge at the scene of a serious incident must take appropriate action necessary to protect physical evidence and crime scenes until released to the responding Special Agent. a. All staff in the immediate area at the time of a serious incident will be identified and directed to record their observations on Internal Incident Reports. b. All offenders in the area will be identified, separated, and secured. c. Upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to: (§115.64[a], §115.264[a]) i. Separate the alleged victim and abuser ii. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence iii. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. iv. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. d. The scene will not be disturbed until released by the responding Special Agent.</p> <p data-bbox="240 1055 533 1081"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 1088 533 1115">Facility Staff Responsibilities</p> <p data-bbox="240 1122 1409 1184">1. Upon learning of an allegation that an offender was sexually assaulted or abused, the first security staff member to respond to the report will be required to: (§115.64[a])</p> <p data-bbox="240 1214 533 1240"><b>Operating Procedure 075.1</b></p> <p data-bbox="240 1247 1497 1375">Upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to: (§115.64[a], §115.264[a]) If the first staff responder is not a security staff member, 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. (§115.64[b], §115.264[b])</p> <p data-bbox="240 1404 1497 1666">The Auditor conducted interviews with security and non-security staff first responders. All security first responders were asked to explain the actions they take when responding to a sexual abuse incident. First responders stated they would maintain separation of the victim and abuser and immediately notify the Shift Commander. Security staff stated they would request the victim and ensure the abuser not shower, eat, use the restroom, brush their teeth, drink or take any actions that could destroy physical evidence. The Auditor asked each what action they take regarding the crime scene. Staff stated they ensure the crime scene is secured. The Auditor asked each if they knew who would be allowed in the crime scene to process the evidence. Staff understood the VADOC Special Investigations Unit Investigator would process evidence from the crime scene.</p> <p data-bbox="240 1695 1469 1859">Each staff member interviewed by the Auditor was asked how they preserve evidence of a crime scene. Staff informed the Auditor a cell door would be locked if the incident occurred in a cell. Staff stated a security member would be posted in an area if the alleged incident occurred in an area outside of a cell. Staff stated the population would be locked down following an incident until the evidence could be processed. The Auditor asked how they document their actions. Each staff member stated they are required to submit an Incident Report and required to include information in the housing unit logbook.</p> <p data-bbox="240 1888 1477 1982">The Auditor reviewed the BACC Coordinated Response Plan. The Coordinated Response Plan includes first responders' duties of security officers and security supervisors following an incident of sexual abuse. The Auditor observed the following required actions of security officers:</p> <ul data-bbox="240 1989 1477 2150" style="list-style-type: none"> <li>• Notify the Shift Commander immediately;</li> <li>• Notify ADO, Institutional Investigator, PREA Coordinator as soon as the alleged victim and abuser have been separated;</li> <li>• Notify Medical staff immediately;</li> <li>• Preserve any crime scene;</li> <li>• Request the alleged victim not to take any actions that might destroy physical evidence (washing, brushing teeth, changing</li> </ul>

clothes, urinating, defecating, drinking, eating);

- Ensure alleged abuser - if this person can be identified - does not take any action to destroy physical evidence (washing, brushing teeth, changing clothes, urinating, • defecating, drinking, eating);
- Escort the victim to the Medical Department as soon as possible to provide examination, treatment and evaluation; and
- Create Internal Incident Report on VACORIS.

The BACC Coordinated Response plan includes the following actions of security supervisor first responders:

- Notify the Shift Commander immediately;
- Notify ADO, Institutional Investigator, PREA Coordinator as soon as the alleged victim and abuser have been separated;
- Notify Medical staff immediately;
- Preserve any crime scene;
- Request the alleged victim not to take any actions that might destroy physical evidence (washing, brushing teeth, changing clothes, urinating, defecating, drinking, eating);
- Ensure alleged abuser - if this person can be identified - does not take any action to destroy physical evidence (washing, brushing teeth, changing clothes, urinating, defecating, drinking, eating);
- Escort the victim to the Medical Department as soon as possible to provide examination, treatment and evaluation;
- Make arrangements to have alleged victim taken to a hospital that provides a PERK test if advised by Medical;
- Create Internal Incident Report on VACORIS;
- In the event that the alleged abuser is identified as a staff person, have that staff member removed from the area and not returned to that area until the investigation is complete; and
- Once returned from the hospital and abuse is confirmed, have that offender placed in the Medical Observation Unit until investigation is complete.

The Agency uses a Sexual Assault Response Checklist to document staff actions in response to a sexual abuse incident. The Sexual Assault Response Checklist includes all required actions listed in the facility's Coordinated Response Plan. In addition to security officer and security supervisor actions, the checklist includes follow-up services offered by counseling and mental health practitioners. The checklist requires the staff member include the date and time each action on the checklist was completed.

The Auditor reviewed the agency's training records. Training curriculum includes first responder duties of both security and non-security personnel. The Auditor observed all staff, contractors and volunteers have been trained to appropriately respond to incidents of sexual abuse.

The Auditor conducted formal interviews with non-security first responders. Non-security first responders informed the Auditor they have received training by the agency to respond to incidents of sexual abuse. The Auditor asked each what action they would take if they discovered an offender had been sexually abused. Each informed the Auditor they would remain with the offender and immediately notify a security staff member. Each was asked if they would be required to write a report regarding their knowledge and actions in response to the information. Each stated they are required to document such. The Auditor asked how they ensure any evidence would be protected. Each non-security first responder stated they would ask the offender not to take any actions that would destroy physical evidence. The Auditor asked each what action would destroy evidence. The Auditor was informed brushing teeth, using the bathroom, bathing, eating and drinking could potentially destroy physical evidence.

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

The BACC reported no allegations of sexual abuse were received within the previous 12 months. There were no instances that required a security staff member or non-security staff member follow the first responder duties as required by this standard. Interviews with staff reveal they are aware of the requirements as a first responder following an incident of sexual abuse. Â At the time of the audit there were no offenders at the facility who made an allegation of sexual abuse.Â

**Conclusion:**

The Auditor determined the facility has trained its staff in their responsibilities as a first responder to an incident of sexual abuse. Staff interviewed by the Auditor appeared proficient in their duties. The Auditor reviewed agency policies, procedures, Coordinated Response Plan, Sexual Assault Response Checklist, investigative reports, interviewed staff and determined the facility meets the requirements of this standard.



<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3, pg. 10  OP 075.1, pg. 6  Sexual Assault Response Checklist  BACC Coordinated Response Plan  Training Records  Interviews with Staff  Interviews with Offenders</p> <p><b>Operating Procedure 038.3</b>  Response A. Each facility will develop a written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, Psychology Associates, investigators, and facility leadership. (See Sexual Assault Response Checklist 038_F6.) (§115.65, §115.265) (changed 3/5/20)</p> <p><b>Operating Procedure 075.1</b>  Sexual Assault Response Checklist 038_F6 should guide initial coordinated response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. (§115.65)</p> <p>The Baskerville Correctional Center has developed a written Coordinated Response Plan. The BACC Coordinated Response Plan includes actions required of the following personnel:</p> <ul style="list-style-type: none"> <li>• First Responder/Security (Officer)</li> <li>• First Responder/Security (Supervisor)</li> <li>• Medical (mental health actions are included in this section)</li> <li>• Investigator/PREA Compliance Manager</li> <li>• Administration</li> </ul> <p>The agency has created a Sexual Assault Response Checklist that documents staff actions following an incident of sexual abuse. The Sexual Assault Checklist includes the following actions:</p> <ul style="list-style-type: none"> <li>• Incident Began/Discovered</li> <li>• Notify Security Staff</li> <li>• Separate the alleged victim and abuser</li> <li>• Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence</li> <li>• Request 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</li> <li>• Escort the victim to the facility medical unit as soon as possible to provide examination, treatment, and evaluation</li> <li>• Notify the Unit Head and Administrative Duty Officer</li> <li>• Contact the Special Investigation Unit , (name and number provided)</li> <li>• Ensure that photographs are taken to document any physical evidence such as torn clothing, bruises, abrasions, etc.</li> <li>• If there is indication of sexual assault, ensure the victim is transported to the local hospital for further treatment, examination, documentation, collection of forensic evidence (PERK kit), and testing for sexually transmitted diseases</li> <li>• Ensure referral for counseling and mental health service needs if warranted</li> <li>• Ensure that upon return from the hospital emergency room, the victim is interviewed for protective custody needs</li> <li>• Ensure follow up medical treatment or mental health service needs are arranged</li> <li>• Notify the State-wide PREA Coordinator or Regional PREA Analyst (name and number provided)</li> <li>• Complete an IIR or IR (recent sexual assaults only)</li> <li>• Notify the Operations and Logistics Unit for recent sexual assaults only. Advise "Alleged recent sexual assault at (facility name)." No additional information will be reported.</li> </ul> <p>The Sexual Assault Response Checklist requires the staff include the date and time each action listed above is taken.</p> <p>The Auditor conducted formal interviews with staff listed in the agency's Coordinated Response Plan. Each were asked questions related to their specific duties in response to a sexual abuse incident. Each person interviewed was knowledgeable regarding their specific duties as required in the BACC Coordinated Response Plan. The Auditor determined the facility has prepared its staff to take appropriate actions in response to sexual abuse. The Auditor found facility staff, volunteers and contractors have been trained in their responsibilities in response to an allegation of sexual abuse. The agency's training includes elements of its coordinated response plan. The Auditor verified all agency personnel, volunteers and contractors had received the training.</p>

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

There were no offenders incarcerated at the time of the audit who filed an allegation of sexual abuse. The facility reported no allegations of sexual abuse were received in the past 12 months. Through interviews the Auditor determined staff understands they are required to immediately ensure the safety of each offender who alleges sexual abuse. There were no incidents that required staff implement first responder duties as required in the facility's Coordinated Response Plan.

**Conclusion:**

The Auditor determined the facility maintains an appropriate response plan that coordinates the actions of personnel following an incident of sexual abuse and trained its personnel to follow the plan. Based on a review of the agency's policies, procedures, Coordinated Response Plan, Sexual Assault Response Checklist, training records, and interviews with staff and offenders, the Auditor determined the BACC meets the requirements of this standard.

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  Code of Virginia  Memorandum  Interviews with Staff</p> <p>Virginia Code 40.1-57.2 stipulates, "No state, county, municipal, or like governmental officer, agent or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any public officers or employees, or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment or service."</p> <p>The Virginia Department of Corrections has not entered into any agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with offenders pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. There were no allegations of sexual abuse against a staff member alleged during the previous 12 months at the BACC. Interviews with staff reveal they do not participate with or are members of any organization or agency responsible for collective bargaining on their behalf.</p> <p><b>Conclusion:</b>  The Auditor concluded the VADOC has not entered into any collective bargaining that would restrict its ability to remove staff sexual abusers from contact with offenders. The Auditor determined the facility meets the requirements of this standard.</p>

115.67	<b>Agency protection against retaliation</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 448 333">OP 038.3, pg. 13-14</p> <p data-bbox="242 338 403 367">OP 075.7, pg. 2</p> <p data-bbox="242 371 403 400">OP 135.2, pg. 7</p> <p data-bbox="242 405 461 434">Investigative Records</p> <p data-bbox="242 439 507 468">Retaliation Monitoring Log</p> <p data-bbox="242 472 576 501">Interview with Retaliation Monitor</p> <p data-bbox="242 506 497 535">Interviews with Offenders</p> <p data-bbox="242 562 533 591"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 595 1485 723">VII. Protection against Retaliation A. All staff and offenders who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations will be protected from retaliation by other offenders or staff. (§115.67[a], §115.267[a])1. Allegations of retaliation will be reported through the same methods as available for reporting sexual abuse or sexual harassment. 2. Such allegations must be investigated in the same manner as allegations of sexual abuse.</p> <p data-bbox="242 752 1485 983">For at least 90 days following a report of sexual abuse, the PREA Compliance Manager or other designated facility staff will monitor the conduct and treatment of offenders and staff who reported sexual abuse or cooperated with a sexual abuse investigation, and of offenders who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by offenders or staff, and will act promptly to remedy any such retaliation. (§115.67[a], §115.67[c], §115.267[a], §115.267[c]) a. Items to be monitored include any offender disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. b. The PREA Compliance Manager must continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.</p> <p data-bbox="242 1010 533 1039"><b>Operating Procedure 135.2</b></p> <p data-bbox="242 1043 1477 1274">All offenders and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations will be protected from retaliation by other offenders or staff. (§115.67[a, c], §115.267[a, c]) 1. The Organizational Unit Head will designate appropriate staff to monitor the conduct and treatment of offenders or staff who reported or cooperated with an investigation into sexual abuse or sexual harassment. a. Designated staff will monitor for retaliation at least 90 days following the report to determine if there are changes that may suggest possible retaliation by offenders or staff. b. If the initial monitoring indicates a continuing need, designated staff will continue monitoring beyond 90 days and notify the unit PREA Compliance Manager.</p> <p data-bbox="242 1303 1477 1397">During the pre-audit, the auditor was provided with copies of the PREA Compliance Managers log book that she uses to make notes documenting her retaliation monitoring. Â In the past 12 months, there have not been any incidents of retaliation that have occurred.</p> <p data-bbox="242 1426 1485 1590">Staff interviews indicate the PREA Compliance Manager monitors retaliation for up to 90 days. Retaliation may be monitored beyond 90 days, if warranted. If a staff member was involved, the staff member would be separated from the offender and may receive disciplinary action commensurate with the type of behavior taken. If an offender retaliates against another offender, they would be kept separate from one another. Other options to protect against retaliation include protective custody and/or transfer to another facility.</p> <p data-bbox="242 1619 376 1648"><b>Conclusion:</b></p> <p data-bbox="242 1653 1453 1747">The Auditor determined the agency has appropriate policies and practices in place to ensure staff and offenders are protected from retaliation. The Auditor reviewed the VADOC policies, procedures, retaliation monitoring log, investigative reports, conducted interviews with staff and offenders and determined the facility meets the requirements of this standard.</p> <p data-bbox="242 1776 261 1805">Â</p>

115.68	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 306 497 333">OP 425.4, pg. 6-7, 12, 21</p> <p data-bbox="242 338 424 365">OP 830.5, pg. 8-9</p> <p data-bbox="242 369 938 396">Sexual Abuse/Sexual Harassment Available Alternatives Assessment</p> <p data-bbox="242 400 461 427">Investigative Records</p> <p data-bbox="242 432 419 459">Housing Records</p> <p data-bbox="242 463 446 490">Interviews with Staff</p> <p data-bbox="242 495 497 521">Interviews with Offenders</p> <p data-bbox="242 526 378 553">Observations</p> <p data-bbox="242 593 533 620"><b>Operating Procedure 425.4</b></p> <p data-bbox="242 624 1493 1090">Offenders identified as HRSV or offenders alleged to have suffered sexual abuse or sexual harassment will not be placed in the restrictive housing unit without their consent unless an assessment of all available alternatives has been made, and it has been determined by the Psychology Associate QMHP in consultation with the Shift Commander and Regional PREA Analyst that there are no available alternative means of separation from likely abusers. (§115.43[a], §115.68). (changed 4/1/20) a. The institution must clearly document the basis for the institution's concern for the offender's safety and the reason why no alternative means of separation can be arranged. (§115.43[d], §115.68) i. A Sexual Abuse/Sexual Harassment Available Alternatives Assessment 425_F6 must be completed by the Shift Commander prior to placing the offender in a restrictive housing unit. ii. If the Sexual Abuse/Sexual Harassment Available Alternatives Assessment cannot be conducted immediately, the Shift Commander may place the offender in a restrictive housing unit on General Detention for up to two hours while completing the assessment. (§115.43[a], §115.68) iii. A copy of the completed Sexual Abuse/Sexual Harassment Available Alternatives Assessment must be sent to the Regional PREA Analyst immediately upon completion with a copy maintained in the PREA Investigation file. (§115.68) b. Offenders will remain in the restrictive housing unit only until an alternative means of separation from likely abuse can be arranged; this assignment will not ordinarily exceed 30 days. (§115.43[c], §115.68)</p> <p data-bbox="242 1120 533 1146"><b>Operating Procedure 830.5</b></p> <p data-bbox="242 1151 1493 1650">When an offender's need for personal protection is documented and no alternatives exist, the Shift Commander may authorize an offender's assignment to General Detention and placement in the restrictive housing unit pending review for protective custody assignments; see Operating Procedure 425.4, Management of Bed and Cell Assignments (Restricted), and Operating Procedure 841.4, Restrictive Housing Units. a. Offenders identified as HRSV or offenders alleged to have suffered sexual abuse should not normally be placed in a restrictive housing unit without their consent unless it has been determined by a Psychology Associate, in consultation with the Shift Commander and Regional PREA Analyst, that there are no available alternative means of separation from likely abusers. (§115.43[a], §115.68) b. The ICA or MDT should clearly document on the Institutional Classification Authority Hearing report the basis for the institution's concern for the offender's safety and the reason why no alternative means of separation can be arranged. (§115.43[d], §115.68) c. Involuntary assignment to a restrictive housing unit will only be made until an alternative means of separation from likely abusers can be arranged. (§115.43[c], §115.68) d. This assignment to restrictive housing will not ordinarily exceed a period of 30 days (§115.43[c], §115.68) e. Mental Health staff will advise the ICA on whether the offender can be released to general population or whether they must be assigned to restrictive housing and/or transferred to the DOC Protective Custody Unit. (§115.43[c], §115.68) f. The Regional PREA Analyst must be notified of this assignment and kept informed of any changes in the offender's status. (§115.43[a], §115.68)</p> <p data-bbox="242 1680 1493 2042">The following information should be provided in the Institutional Classification Authority Hearing report: (§115.43[d], §115.68)</p> <p data-bbox="242 1713 1493 2042">a. The reason(s) the offender is in need of protective custody b. How long the offender has been in restrictive housing for their protection c. Any disciplinary infractions the offender has received while in restrictive housing for protection d. Any other documentation that would provide CCS staff with information to assess the institution's recommendation for an assignment to the Protective Custody Unit D. General Provisions of Protective Custody Units (§115.43[b], §115.68) 1. Protective Custody Units should provide programs and services similar to those available to general population offenders, to the extent feasible. 2. The Facility Unit Head at institutions operating Protective Custody Units should develop local operating procedures to specify the services and programs that will be available to protective custody offenders. Procedures should generally address the following programs and services: a. Commissary purchases b. Correspondence c. Counseling d. Education e. Exercise/Recreation f. Legal Services/Law Library g. Medical Services h. Orientation i. Personal Property j. Telephone Calls k. Visitation l. Work Assignments</p> <p data-bbox="242 2072 1461 2134">During the past 12 months, there has been no offender who alleged to have suffered sexual abuse who were held in involuntary segregated housing for one to 24 hours awaiting completion of an assessment.Â During the past 12 months,</p>

there has been no offender who alleged to have suffered sexual abuse who was assigned to involuntary segregated housing for longer than 30 days while awaiting an alternative assessment. During the pre-audit, the auditor was provided with documentation showing a statement for the basis for facility's concern for the offender's safety, and the reason why alternative means of separation could not be arranged. If an involuntary segregated housing assignment is made, the facility affords each such offender a review every 30 days to determine whether there is a continuing need for separation from the general population.

Staff interviews confirm the agency's policy prohibiting placing offenders at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from likely abusers. If an offender were to be held in involuntary segregated housing for this reason, they would be moved as soon as less restrictive housing became available.

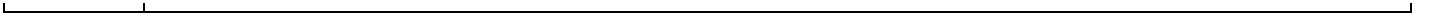
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**Conclusion:**

The agency's policy includes the elements of PREA standard 115.43 to ensure sexual abuse victims receive privileges, programming, education, and work opportunities if a victim is placed in segregated housing for protection. After a thorough review of the agency's policies and procedures, Sexual Abuse/Sexual Harassment Available Alternatives Assessment form, housing records, investigative records, making observations, interviewing staff and offenders, the Auditor determined the facility meets the requirements of this standard.

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115.71	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 488 499">OP 030.4 pg. 10-11 OP 038.3, pg. 11-12, 15 Training Curriculum Investigative Records Investigative Matrix Interviews with Investigators</p> <p data-bbox="240 528 533 555"><b>Operating Procedure 030.4</b></p> <p data-bbox="240 562 1398 622">6. All investigations into allegations of sexual abuse and sexual harassment shall be done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. (§115.71[a])</p> <p data-bbox="240 651 533 678"><b>Operating Procedure 038.3</b></p> <p data-bbox="240 685 1489 815">Upon completion of the investigation, a PREA Investigative Report 038_F9 must be completed and submitted to the facility PREA Compliance Manager who will review the Investigative Report and ensure that each required component of the Report is addressed. a. The investigative report must include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and any investigative facts and findings. (§115.71[f(2)], §115.271[f(2)])</p> <p data-bbox="240 844 1489 1106">The Auditor conducted a formal interview with a facility investigator. The investigator discussed the procedures utilized when conducting sexual abuse investigations. The process starts by interviewing the alleged victim. During the investigation he interviews the alleged victim, perpetrator and all witnesses, including staff witnesses. The Auditor asked what information is reviewed concerning the victim and abuser. The Investigator stated he reviews criminal record, institutional history, grievances, discipline history, Incident Reports, Request Forms, video footage, telephone records, previous complaints and any other relevant information. The investigator was asked how he determines the credibility of a victim, abuser and witnesses. The Auditor was informed credibility is not based solely on a person's status and is based on a review of documents, information, video footage, phone records, and statements made during the interview and subsequent interviews.</p> <p data-bbox="240 1135 1489 1330">The Investigator was asked if he attempts to determine if staff actions or failure to act may have contributed to an incident of sexual abuse. The Investigator stated he does attempt to determine if staff actions or lack thereof contributed to the incident. The Auditor asked the Investigator what types of evidence he attempts to gather. The Auditor was informed the Investigator gathers staff reports, housing records, log books, video footage, telephone records, grievances, discipline records, testimonial evidence, physical evidence and any other relevant documents or information. The Investigator was asked when he begins investigative efforts. The Auditor was informed the Investigator begins efforts as soon as he is notified.</p> <p data-bbox="240 1359 1473 1453">The Auditor asked how investigations are conducted when he is not on site. The Investigator stated when he receives a call to conduct an investigation he comes into the facility after receiving the call. The facility Investigator also stated the SIU investigator conducts investigations in his absence.</p> <p data-bbox="240 1482 1473 1612">The Auditor toured the area where investigative records are maintained. Facility Investigators maintain all investigative documents and reports in their individual locked office. All information related to investigations is forwarded to the Regional PREA/ADA Analyst for data compiling. Electronic data is securely maintained on Investigators and the PREA/ADA Analyst's computer. Each has a unique username and password.</p> <p data-bbox="240 1641 1489 1800">The Auditor asked each Investigator and the Regional PREA/ADA Analyst how long they maintain investigative records. The Auditor was informed the data is maintained for at least 5 years after the abuser has either been released or is no longer employed by the VADOC. Each Investigator was asked if they require the victim to submit to a polygraph examination or other truth telling device. The Auditor was informed they do not polygraph an alleged victim or use any other truth telling device.</p> <p data-bbox="240 1830 376 1856"><b>Conclusion:</b></p> <p data-bbox="240 1863 1473 2096">During the past 12 months, no allegations were referred for prosecution. There was one allegation of sexual harassment filed by an inmate against a staff member. The investigation was concluded and was determined to be unsubstantiated. The Auditor determined the VADOC has appropriate policies to ensure investigations are conducted appropriately, objectively and thorough. The facility trains its investigators to conduct investigations in a confinement setting. Facility investigators are aware all criminal allegations must be referred to the Special Investigations Unit for criminal investigation. The Auditor reviewed agency policy, procedures, training records, investigative records, investigative matrix, made observations, interviewed staff and offenders to determine the facility meets the requirements of this standard.</p> <p data-bbox="240 2125 261 2152">Â</p>





115.72	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 135.2 pg. 5  OP 861.1, pg. 31  Investigative Records  Interviews with Investigators</p> <p><b>Operating Procedure 135.2</b>  A preponderance of the evidence will be adequate in determining whether allegations of sexual abuse or sexual harassment are substantiated. (§115.72)</p> <p><b>Operating Procedure 861.1</b>  A preponderance of evidence presented at the hearing shall be sufficient to support a finding of guilt. (§115.72)</p> <p>The Auditor conducted a formal interview with facility Sexual Abuse Investigators. Each Investigator informed the Auditor the agency's policy requires the use of preponderance as the standard of evidence to substantiate an allegation of sexual abuse or sexual harassment. The Auditor asked the investigators to explain the meaning of preponderance. Investigators explained a preponderance means there is more evidence to justify the investigator's determination.</p> <p><b>Conclusion:</b>  The Auditor was able to determine Investigators understand preponderance as the basis for determining investigative outcomes. The Auditor reviewed the agency's policies, procedures, investigative reports and interviewed facility Investigators and determined the facility meets the requirements of this standard.</p>

115.73	<b>Reporting to inmates</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 416 333">OP 030.4, pg. 11</p> <p data-bbox="242 338 702 367">OP 038.3 Prison Rape Elimination Act, pg. 12</p> <p data-bbox="242 371 461 400">Investigative Records</p> <p data-bbox="242 405 446 434">Interviews with Staff</p> <p data-bbox="242 463 533 492"><b>Operating Procedure 030.4</b></p> <p data-bbox="242 497 1441 560">Upon completion of the investigation, SIU should report to the Facility Unit Head to inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded. (§115.73 [a], §115.273[a])</p> <p data-bbox="242 586 533 616"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 620 1485 851">Reporting to offenders 1. Following an investigation into an offender's allegation that they suffered sexual abuse or sexual harassment in a DOC facility, the offender must be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. (See Attachment 3, Response to Offender PREA Allegation - Sample Letters.) (§115.73[a], §115.273[a]) (added 8/3/20) All such notifications or attempted notifications must be documented and sent to the offender in the same manner as legal mail. (See Operating Procedure 803.1, Offender Correspondence, for legal mail requirements.) (§115.73[e], §115.273[e]) d. Any obligation to report under this standard terminates if the offender is released from DOC custody. (§115.73[f], §115.273[f])</p> <p data-bbox="242 878 1493 1243">Following an investigation into an offender's allegation that they suffered sexual abuse or sexual harassment in a DOC facility, the offender must be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. (See Attachment 3, Response to Offender PREA Allegation - Sample Letters.) (§115.73[a], §115.273[a]) (added 8/3/20) a. Following an offender's allegation that a staff member committed sexual abuse against the offender, the PREA Compliance Manager or investigator must subsequently inform the offender whenever: (§115.73[c], §115.273[c]) i. The allegation has been determined to be unfounded ii. The allegation has been determined to be unsubstantiated iii. The staff member is no longer posted within the offender's unit iv. The staff member is no longer employed at the facility v. The DOC learns that the staff member has been indicted on a charge related to sexual abuse within the facility vi. The DOC learns that the staff member has been convicted on a charge related to sexual abuse within the facility. b. Following an offender's allegation that they have been sexually abused by another offender, the PREA Compliance Manager or investigator must subsequently inform the alleged victim whenever: (§115.73[d], §115.273[d])</p> <p data-bbox="242 1270 1493 1467">The Auditor conducted a formal interview with the PREA Compliance Manager. Either the investigator or the PCM informs offender victims of the investigative outcome at the conclusion of an investigation. The Auditor asked the PCM who notifies the offender following an indictment and/or criminal charges placed against an offender or staff member. The PCM stated that information is obtained from the SIU and the notification would be made by either the investigator or PCM. The Auditor asked the PCM how notifications to offenders are documented by the facility. The Auditor was informed notifications are documented on a letter to the offender and process as legal mail.</p> <p data-bbox="242 1494 1493 1758">The Auditor asked the PCM how notification is received from the SIU regarding criminal charges and indictments. The PCM stated the SIU Investigator contacts the Warden, PCM or investigator so proper notification can be made to the offender. The PCM informed the Auditor retrieving that information is not difficult as the SIU is part of the agency and required by policy to provide the information. The Auditor conducted a formal interview with an SIU Investigator. The SIU Investigator was asked if he notifies the facility following the placement of criminal charges and/or indictments. The SIU Investigator stated he does contact the facility and share that information. The SIU investigator was asked if he would ever notify an offender of the investigative or prosecutorial efforts. The investigator stated he is not obligated to make that notification but is obligated to inform the facility.</p> <p data-bbox="242 1785 376 1814"><b>Conclusion:</b></p> <p data-bbox="242 1818 1485 1982">Baskerville Correctional Center had one case of sexual harassment allegation submitted during this audit period. This case was determined to be unsubstantiated. The inmate was notified in writing on June 10, 2020. The Auditor concluded the PCM understands the requirement and the agency has appropriate procedures in place to notify offenders of investigative results at the conclusion of an investigation of sexual abuse. The Auditor reviewed agency policy, procedures, investigative records, interviewed staff and offenders to determine the agency meets the requirements of this standard.</p>

115.76	<b>Disciplinary sanctions for staff</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 416 333">OP 135.1, pg. 11</p> <p data-bbox="242 338 1101 367">OP 135.2 Rules of Conduct Governing Employees Relationships with Offenders, pg. 5</p> <p data-bbox="242 371 461 400">Investigative Records</p> <p data-bbox="242 405 446 434">Interviews with Staff</p> <p data-bbox="242 465 533 495"><b>Operating Procedure 135.2</b></p> <p data-bbox="242 499 1484 689">Any behavior of a sexual nature between employees, contract employees, or volunteers and offenders, offender's immediate family, or a close friend of the offender is prohibited. (5-ACI-1C-09; 5-ACI-3D-14; 4-4056, 4-4281-6; 4-ACRS-6A-05, 4-APPFS-3C-02; 4-APPFS-3E-05; 2-CO-1C-11) Behavior of a sexual nature includes sexual abuse, sexual assault, sexual harassment, physical conduct of a sexual nature, sexual obscenity, and conversations or correspondence of an emotional, romantic, or intimate nature. 1. Sexual misconduct will be treated as a Group III offense subject to disciplinary sanctions up to and including termination under Operating Procedure 135.1, Standards of Conduct. (§115.76[a], §115.276[a]) 2. Termination will be the presumptive disciplinary sanction for employees who have engaged in sexual abuse. (§115.76[b], §115.276[b]) 3. Disciplinary sanctions for violations of DOC policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) will be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. (§115.76[c], §115.276[c]) 4. All terminations for violations of DOC sexual abuse or sexual harassment policies, or resignations by staff that would have been terminated if not for their resignation, must be reported to any relevant licensing bodies by the DOC PREA Coordinator, and to law enforcement agencies, unless the activity was clearly not criminal. (§115.76[d], §115.276[d])</p> <p data-bbox="242 990 533 1019"><b>Operating Procedure 135.1</b></p> <p data-bbox="242 1023 1436 1120">Staff who are terminated, or who choose to resign in lieu of termination, for violation of the DOC sexual abuse or sexual harassment policies shall be informed of the DOC's responsibility for reporting the employment action to any relevant licensing bodies and to law enforcement agencies, unless the activity was clearly not criminal. (§115.76[d], §115.276[d])</p> <p data-bbox="242 1151 1492 1408">The Auditor conducted formal interviews with facility staff. The Auditor asked if staff were aware of the disciplinary sanctions for violating the agency's sexual abuse policies. Staff informed the Auditor they would be terminated for participating in an act of sexual abuse. Staff were also aware the VADOC reports criminal violations to law enforcement agencies. The agency's command staff has a zero-tolerance approach and disciplines staff for violating the agency's sexual abuse and sexual harassment policies. Command staff interviewed by the Auditor stated any employee who violates sexual abuse and sexual harassment policies are immediately removed from contact with offenders and disciplined for such policy violations. Disciplinary recommendations for violating sexual harassment policies are dependent upon the circumstances of the act. The Auditor was informed by command staff that an employee who commits and act of sexual abuse will be terminated.</p> <p data-bbox="242 1440 1492 1666">The Auditor conducted formal interviews with facility Investigators. Investigators informed the Auditor if the act was criminal in nature the investigator would contact the Special Investigations Unit for a criminal investigation. Facility investigators immediately cease efforts once a determination is made that sufficient evidence appears to support criminal activity. Each Investigator coordinates with the SIU Investigator and assists in their efforts when requested by the SIU Investigator. The Auditor asked how the investigation is handled if the act was not criminal in nature. The Investigator continues the investigation until a determination is made. The results of the investigation are shared with command staff so appropriate discipline against a staff member can be sanctioned if warranted.</p> <p data-bbox="242 1697 375 1727"><b>Conclusion:</b></p> <p data-bbox="242 1731 1492 1989">During this audit period, Baskerville Correctional Center did not report referrals to any Law Enforcement agencies or relevant licensing bodies and did not have any staff that was disciplined or terminated for violating the agency's sexual abuse or sexual harassment policy. The Auditor determined the agency has appropriate policies and practices in place to ensure staff are disciplined for violating the agency's sexual abuse and sexual harassment policies. The agency makes termination the presumptive discipline measure for engaging in acts of sexual violence. The agency reports violations of sexual abuse to the local law enforcement agency and relevant licensing bodies. The Auditor reviewed the agency's policies, procedures, investigative records, and conducted interviews with staff and determined the agency meets the requirements of this standard.</p>

115.77	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 871 297"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="240 304 802 331">OP 027.1 Volunteer and Internship Programs, pg. 16-17</p> <p data-bbox="240 338 1101 365">OP 135.2 Rules of Conduct Governing Employees Relationships with Offenders, pg. 5</p> <p data-bbox="240 371 416 398">Training Records</p> <p data-bbox="240 405 963 432">A Guide to Maintaining Appropriate Boundaries with Offenders Brochure</p> <p data-bbox="240 439 515 465">Interviews with Contractors</p> <p data-bbox="240 472 485 499">Interview with Volunteer</p> <p data-bbox="240 506 446 533">Interviews with Staff</p> <p data-bbox="240 562 531 589"><b>Operating Procedure 027.1</b></p> <p data-bbox="240 595 1469 824">Possible grounds for intern dismissal include failure to comply with DOC procedures, federal or state laws, or unit rules. Every effort should be made to provide appropriate internship training and supervision to help avoid violations and possible termination. 1. Any intern who engages in sexual abuse will be banned, prohibited from contact with offenders, and will be reported to relevant licensing bodies and reported to law enforcement agencies, unless the activity was clearly not criminal. (§115.77[a], §115.277[a]) 2. In the event of any other violation of DOC sexual abuse or sexual harassment policies by an intern, the facility will take appropriate remedial measures and will consider prohibiting further contact with offenders. (§115.77[b], §115.277[b])</p> <p data-bbox="240 853 531 880"><b>Operating Procedure 135.2</b></p> <p data-bbox="240 887 1485 1182">Any behavior of a sexual nature between employees, contract employees, or volunteers and offenders, offender's immediate family, or a close friend of the offender is prohibited. (5-ACI-1C-09; 5-ACI-3D-14; 4-4056, 4-4281-6; 4-ACRS-6A-05, 4-APPFS-3C-02; 4-APPFS-3E-05; 2-CO-1C-11) Behavior of a sexual nature includes sexual abuse, sexual assault, sexual harassment, physical conduct of a sexual nature, sexual obscenity, and conversations or correspondence of an emotional, romantic, or intimate nature. Any contractor or volunteer who engages in sexual abuse of offenders must be prohibited from contact with offenders and must be reported to any relevant licensing bodies by the DOC PREA Coordinator, and to law enforcement agencies, unless the activity was clearly not criminal. (§115.77[a], §115.277[a]) The DOC will take appropriate remedial measures, and will consider whether to prohibit further contact with offenders, in the case of any other violation of DOC sexual abuse or sexual harassment policies by a contractor or volunteer. (§115.77[b], §115.277[b])</p> <p data-bbox="240 1211 1481 1440">The Baskerville Correctional Center reported there were no incidents in which a volunteer or contractor engaged in or was alleged to have engaged in sexual abuse or sexual harassment in the previous 12 months. The Auditor conducted formal interviews with a volunteer and contract personnel. Each were asked what actions would be taken against them for violating sexual abuse or sexual harassment policies. The volunteer and contractors informed the Auditor they would be terminated from the facility. The Auditor asked if each is aware they would be reported to a law enforcement agency if found to have committed a criminal act of sexual abuse. Each is aware the facility reports criminal violations of sexual abuse policies to the appropriate law enforcement agency.</p> <p data-bbox="240 1469 1474 1731">Volunteers and contractors are made aware of the VADOC sexual abuse and sexual harassment policies during their initial training and prior to providing services in the facility. Each volunteer and contractor attend training and signs a form of receipt of such. The facility provides each volunteer and contractor "A Guide to Maintaining Appropriate Boundaries with Offenders Brochure" during their orientation. All volunteers and contractors are required to read the agency's policies and procedures related to sexual abuse and sexual harassment and sign a receipt after doing so. The Auditor verified through training records each volunteer and contractor in the facility had received training and reviewed the policies. The Auditor conducted a telephone interview with a volunteer. The Volunteer was aware the agency would report criminal acts of sexual abuse to law enforcement.</p> <p data-bbox="240 1760 1485 2022">The Baskerville Correctional Center command staff are aware of the requirement to notify the SIU following a contractor or volunteer's participation in a criminal act of sexual abuse. Command staff informed the Auditor a contractor or volunteer would immediately be prohibited from offender contact pending the results of the investigation. The Auditor was informed the SIU does not defer to the Commonwealth Attorney's Office if the act was clearly not criminal. Command staff, facility investigators and the Warden were asked if a contractor or volunteer had been disciplined within the previous 12 months for violating the VADOC sexual abuse or sexual harassment policies and procedures. The Auditor was informed no contractor or volunteer had been found in violation of those policies. The facility notifies the Virginia Board of Health Professionals when a licensed medical or mental health professional is found in violation of such policies.</p> <p data-bbox="240 2051 376 2078"><b>Conclusion:</b></p> <p data-bbox="240 2085 1465 2148">The VADOC maintains appropriate policies to ensure contractors and volunteers at the Baskerville Correctional Center are removed from offender contact after committing an act of sexual abuse or sexual harassment of an offender. The Auditor</p>

reviewed the agency's policies, procedures, training records, training curriculum and conducted formal interviews with staff, volunteer and contractors to determine the facility meets the requirements of this standard.

115.78	<b>Disciplinary sanctions for inmates</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 734 333">OP 038.3 Prison Rape Elimination Act, pg. 4, 8-9</p> <p data-bbox="242 338 424 367">OP 820.2, pg. 4-5</p> <p data-bbox="242 371 403 400">OP 830.3, pg. 6</p> <p data-bbox="242 405 572 434">OP 861.1, pg. 6, 8, 11-12, 15, 21</p> <p data-bbox="242 439 504 468">Interview with Investigator</p> <p data-bbox="242 472 608 501">Interviews with Medical Practitioners</p> <p data-bbox="242 506 647 535">Interview with Mental Health Practitioner</p> <p data-bbox="242 539 497 568">Interviews with Offenders</p> <p data-bbox="242 598 531 627"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 631 1490 824">Any offender who makes a report of offender-on-offender sexual violence or staff sexual misconduct or harassment that is determined to be false may be charged with a disciplinary offense if it is determined in consultation with the Regional PREA Analyst that the report was made in bad faith. (§115.78[f], §115.278[f]) a. Offenders will not be charged for reports of sexual abuse made in good faith, based upon a reasonable belief that the alleged conduct occurred. b. Even if an investigation does not establish sufficient evidence to substantiate the allegation, reports of sexual abuse made in good faith will not constitute falsely reporting an incident or lying.</p> <p data-bbox="242 853 531 882"><b>Operating Procedure 820.2</b></p> <p data-bbox="242 887 1490 1120">Facilities that offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for sexually abusive behavior shall determine if offenders who are found guilty of a disciplinary or criminal offense for sexual abuse are required to participate in such interventions as a condition of access to programming or other benefits. (§115.78[d], §115.278[d]) iii. Offenders that do not comply with therapy, counseling, or other interventions should be charged with offense code 200 in accordance with Operating Procedure 861.1, Offender Discipline, Institutions, or offense code 217 in accordance with Operating Procedure 861.2 Offender Discipline, Community Corrections Facilities. (§115.78[d], §115.278[d])</p> <p data-bbox="242 1149 531 1178"><b>Operating Procedure 830.3</b></p> <p data-bbox="242 1182 1461 1310">An offender identified as a High-Risk Sexual Aggressor (HRSA) (See Operating Procedure 810.1, Offender Reception and Classification.) that does not comply with therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse should be charged with offense code 200 in accordance with Operating Procedure 861.1, Offender Discipline, Institutions. (§115.78[d])</p> <p data-bbox="242 1339 531 1368"><b>Operating Procedure 861.1</b></p> <p data-bbox="242 1373 1461 1500">a. Sexual assault upon or making forcible sexual advances toward a non-offender (§115.78[e]) b. Sexual assault upon or making forcible sexual advances toward an offender (§115.78[a, g]). A Making sexual advances, either physical, verbal in nature, or in writing toward a nonoffender without their consent (§115.78[e]) b. Making sexual advances, either physical, verbal in nature, or in writing toward an offender (§115.78[a, g])</p> <p data-bbox="242 1529 1490 1724">The Auditor conducted formal interviews with facility Investigators. Investigators informed the Auditor disciplinary charges are placed following a substantiated administrative allegation of sexual abuse and/or following a criminal finding of guilt. Disciplinary charges are not placed on an offender for filing an allegation unless the facility can prove the offender made the allegation in bad faith. Each Investigator was asked if charges are placed on offenders if an act is consensual. The Auditor was informed disciplinary charges are placed on offenders for participating in sexual activity. Investigators explained offenders who participate in a consensual sex act are not charged for a sexual abuse related offense.</p> <p data-bbox="242 1753 1490 2049">The Auditor conducted a formal interview with medical health practitioners. The Auditor asked what services are offered to offenders. Offenders are offered counseling, therapy and other intervention services. The Auditor asked if offenders are required to participate in any meetings or sessions. The Auditor was informed offenders are not forced to participate in any mental health service offered at the facility. Medical and mental health services are offered to all offenders. Offenders maintain the right to refuse services. The mental health practitioner informed the Auditor her department is involved following an act of sexual abuse, including a consideration of whether mental disabilities may have contributed to the incident. The facility reported there was no offender disciplined for making an allegation of sexual abuse in bad faith during the previous 12 months and there were no findings that an offender engaged in an act of offender-on-offender sexual abuse within the past 12 months.</p> <p data-bbox="242 2078 371 2107"><b>Conclusion:</b></p> <p data-bbox="242 2112 1490 2141">The Auditor discovered the agency maintains policies that align with PREA standard 115.78 Discipline Sanctions for Inmates.</p>

Facility personnel ensure the policy is applied when choosing whether to discipline an offender for reporting or participating in an act of sexual abuse. The Auditor reviewed the facility's policies, procedures, offender records, interviewed staff and offenders. The Auditor determined the facility meets the requirements of this standard

115.81	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 424 333">OP 730.2, pg. 6-7</p> <p data-bbox="242 338 403 367">OP 425.4, pg. 3</p> <p data-bbox="242 371 564 400">OP 701.3 Health Records, pg. 7</p> <p data-bbox="242 405 424 434">Offender Records</p> <p data-bbox="242 439 496 468">Mental Health Appraisals</p> <p data-bbox="242 472 608 501">Interviews with Medical Practitioners</p> <p data-bbox="242 506 647 535">Interview with Mental Health Practitioner</p> <p data-bbox="242 539 448 568">Interviews with Staff</p> <p data-bbox="242 573 499 602">Interviews with Offenders</p> <p data-bbox="242 629 533 658"><b>Operating Procedure 730.2</b></p> <p data-bbox="242 663 1485 1025">In institutions, within 14 days of completion of the Classification Assessment, the QMHP Psychology Associate will notify those inmates offenders, identified as HRSA or HRSV, of the availability for a follow-up meeting with a mental health practitioner and inform the inmate offender of available relevant treatment and programming. Notification will be documented on the Prison Rape Elimination Act (PREA) QMHP Psychology Associate Follow-Up 730_F28. (§115.81[a, b]). Any information related to sexual victimization or abusiveness that occurred in an institutional setting will 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. (§115.81[d]) ii. Before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate offender is under the age of 18, the QMHP Psychology Associate must obtain informed consent from the inmate offender (Consent for Release of Information 050_F14 or Consent for Release of Confidential Health and/or Mental Health Information 701_F8). (§115.81[e])</p> <p data-bbox="242 1055 533 1084"><b>Operating Procedure 425.4</b></p> <p data-bbox="242 1088 1485 1184">Any information related to sexual victimization or abusiveness that occurred in an institutional setting will be strictly limited to medical and mental health practitioners and other staff, as necessary, to make appropriate housing and bed assignments, or as otherwise required by Federal, State, or local law. (§115.81[d])</p> <p data-bbox="242 1214 533 1243"><b>Operating Procedure 701.3</b></p> <p data-bbox="242 1247 1485 1308">Medical and mental health practitioners must obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the offender is under the age of 18. (§115.81 [e])</p> <p data-bbox="242 1337 1485 1666">During admission to a VADOC facility, and within 14 days, if the Classification Assessment indicates that the offender has experienced prior sexual victimization (HRSV) or perpetrated sexual violence (HRSA), whether it occurred in an institutional setting or in the community, staff shall ensure the offender is offered a follow-up meeting with a medical and mental health practitioner. Policy states that any information related to sexual violence that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff as necessary to inform of treatment plans and security and management decisions including housing, bed, work, education and program assignments. BACC medical and mental health practitioners are required to obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting. The auditor reviewed cases identified during the classification assessment as HRSV or HRSA. A mental health referral occurred within 14 days with housing and programming decisions determined based on the classification assessment.</p> <p data-bbox="242 1695 376 1724"><b>Conclusion:</b></p> <p data-bbox="242 1729 1458 1792">Based upon the documentation reviewed and processes conducted in accordance with agency policies, this standard is in compliance with the requirement of the PREA.</p> <p data-bbox="242 1821 261 1850">A</p>



115.82	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 720.7, pg. 8  OP 720.4, pg.6  OP 730.2, pg. 8  OP 075.1 pg. 6  Investigative Records  Sexual Assault Response Checklist  MOU with the Virginia Sexual Domestic Violence Action Alliance  Coordinated Response Plan  Interviews with Medical Practitioners  Interview with Mental Health Practitioner  Interviews with Staff  Interviews with Offenders</p> <p><b>Operating Procedure 720.7</b>  Access to emergency medical services 1. Offender victims of sexual abuse will 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; see DOC Nursing Evaluation Tools -Sexual Assault. (§115.82[a], §115.282[a]) If no qualified medical and mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders will take preliminary steps to protect the offender victim and will immediately notify the appropriate medical and mental health practitioners. (§115.82[b], §115.282[b]) 3. Offender victims of sexual abuse while incarcerated will 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. (§115.82[c], §115.282[c]) 4. Treatment services will be provided to the victim without financial cost and regardless of whether the offender victim names the abuser or cooperates with any investigation arising out of the incident. (§115.82[d], §115.282[d])</p> <p><b>Operating Procedure 720.4</b>  Any information related to sexual victimization or abusiveness that occurred in an institutional setting will be strictly limited to medical and mental health practitioners and other staff, as necessary, to make appropriate housing and bed assignments, or as otherwise required by Federal, State, or local law. (§115.81[d]) Emergency and ongoing medical and mental health treatment services and care provided to inmate/probationer/parolee victims of sexual abuse while incarcerated regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. (§115.82[d], §115.83[g], §115.282[d], §115.283[g])</p> <p><b>Operating Procedure 730.2</b>  QMHP Psychology Associates may be made aware of the incident or alleged incident from Health Services staff, investigators, a Mental Health Clinical Supervisor, directly from the inmate offender, inmate offender family members, PREA Hotline, or other contacts and facility staff. (§115.82[a], §115.83[a], §115.282[a], §115.283[a])</p> <p><b>Operating Procedure 075.1</b>  If there are no qualified medical or mental health practitioners on duty at the time a report of sexual assault or sexual abuse is made, security staff first responders shall take preliminary steps to protect the victim and shall immediately notify the facility's designated medical and mental health practitioner. (§115.82[b], §115.282[b])</p> <p>If an offender victim requires medical attention, there is 24-hour medical department at the facility. If the incident is reported in a timeframe for the collection of evidence, the decision to send an inmate out for the forensic examination is based on professional opinion of the staff working in the medical department. According to Operating Procedure 720.7, Emergency Medical Equipment and Care, "Treatment services will be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."</p> <p><b>Conclusion:</b>  The Auditor determined the facility provides offenders access to timely and unimpeded access to emergency medical services. Medical practitioners provide offender victims emergency contraception and sexually transmitted infections prophylaxis. The Auditor reviewed the agency's policies, procedures, MOU, Coordinated Response Plan, Sexual Assault Response Checklist and interviewed staff, offenders and SANE. The Auditor determined the agency meets the requirements of this standard.</p>

115.83	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 720.1 pg. 3  OP 720.4, pg.6  OP 720.7, pg. 10  OP 730.2, pg. 8-9  Investigative Records  Offender Records  Interviews with Medical Practitioners  Interview with SANE  Interviews with Staff</p> <p><b>Operating Procedure 720.1</b>  Offenders who are pregnant as a result of sexually abusive vaginal penetration while incarcerated will receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services. (§115.83[e], §115.283[e])</p> <p><b>Operating Procedure 720.4</b>  Emergency and ongoing medical and mental health treatment services and care provided to inmate/probationer/parolee victims of sexual abuse while incarcerated regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. (§115.82[d], §115.83[g], §115.282[d], §115.283[g])</p> <p><b>Operating Procedure 720.7</b>  Ongoing medical and mental health care for sexual abuse victims and abusers 1. The facility will offer medical and mental health evaluation and, as appropriate, treatment to all offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. (§115.83[a], §115.283[a]) 2. The evaluation and treatment of such offender victims will 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. (§115.83[b], §115.283[b]) 3. The facility will provide such offender victims with medical and mental health services consistent with the community level of care. (§115.83[c], §115.283[c]) 4. Offender victims of sexually abusive vaginal penetration while incarcerated will be offered pregnancy tests. (§115.83[d], §115.283[d]) 5. If pregnancy results from the conduct described in paragraph (d) of this section, such offender victims will receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services. (§115.83[e], §115.283[e]) 6. Offender victims of sexual abuse while incarcerated will be offered tests for sexually transmitted infections as medically appropriate. (§115.83[f], §115.283[f]) 7. Treatment services will be provided to the offender victim without financial cost and regardless of whether the offender victim names the abuser or cooperates with any investigation arising out of the incident. (§115.83[g], §115.283[g])</p> <p><b>Operating Procedure 730.2</b>  QMHP Psychology Associates may be made aware of the incident or alleged incident from Health Services staff, investigators, a Mental Health Clinical Supervisor, directly from the inmate offender, inmate offender family members, PREA Hotline, or other contacts and facility staff. (§115.83[a], §115.283[a]) If the incident or alleged incident is a recent sexual assault (i.e., having occurred within the past two weeks), the QMHP Psychology Associate will immediately notify the facility Medical Department unless the referral is from Medical. ii. The QMHP Psychology Associate will initiate contact with the victim as soon as possible but no later than two working days after receiving notification of the incident or alleged incident (unless the inmate offender is unavailable, e.g., hospitalized). (a) The evaluation and treatment of the victim will 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. (§115.83[b], §115.283[b]) (b)The QMHP Psychology Associate should offer services and, based on the inmate's offender's mental and physical status, set an initial time as soon as possible to meet with the inmate offender. (c) If, prior to seeing the inmate offender, the QMHP Psychology Associate learns that the inmate offender has been transported to another DOC facility, the QMHP Psychology Associate will contact the Senior QMHP Psychology Associate at the receiving facility to ensure follow up. iii. If indicated, the examining QMHP Psychology Associate will offer the inmate offender information on ways to avoid or reduce the probability of sexual victimization to include providing the inmate offender a copy of the Zero Tolerance for Sexual Abuse and Sexual Harassment attachment to Operating Procedure 038.3, Prison Rape Elimination Act (PREA). iv. The QMHP Psychology Associate will conduct a Sexual Assault Assessment 730_F25 and recommend subsequent services as indicated. The Sexual Assault Assessment may be conducted by any QMHP Psychology Associate identified by their immediate supervisor as competent to conduct such assessments. (§115.83[a], §115.283[a])</p> <p>QMHP Psychology Associates will attempt to conduct a mental health evaluation of all known inmate offender-on- inmate</p>

offender abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate. (§115.83[h], §115.283[h]) (a) Other than routine monitoring (e.g., in Restrictive Housing Unit), mental health services are not automatically offered to the alleged/founded perpetrator of the sexual assault. (b) If mental health services are provided, e.g., if the alleged/founded perpetrator requests such services, a QMHP Psychology Associate other than the QMHP Psychology Associate who assessed and/or provided services to the alleged/founded victim of the assault should follow up.

Offender victims have the right to follow up and counseling services after they have been abused at the facility. These services are all provided to the offender victim regardless of whether the offender names their abuser or agrees to cooperate with the investigation. If an offender is sent out for a forensic medical examination, they will be required to come back to medical when they arrive at the facility. This gives the medical personnel time to review the documentation provided by the hospital and follow those recommendations. When questioned about whether the level of care offender victims receive at the facility is equal to or higher than the level provided in the community at large, the answer was better than what the offender can expect in the community. The mental health personnel at the facility are able to provide reasonable care to those that are lower functioning.

**Conclusion:**

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

115.86	<b>Sexual abuse incident reviews</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 448 333">OP 038.1, pg. 10-12</p> <p data-bbox="242 338 416 367">OP 038.3, pg. 14</p> <p data-bbox="242 371 461 400">Investigative Records</p> <p data-bbox="242 405 571 434">PREA Report of Incident Review</p> <p data-bbox="242 439 448 468">Interviews with Staff</p> <p data-bbox="242 499 533 528"><b>Operating Procedure 038.1</b></p> <p data-bbox="242 533 1481 658">Incident Types for requiring a Report of Incident Review: (changed 6/1/19) a. Escapes (Report of Incident Review 038_F3) b. Serious Assaults (Report of Incident Review 038_F3) c. A sexual abuse incident review (PREA Report of Incident Review 038_F11) shall be conducted 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. (§115.86[a], §115.286[a])</p> <p data-bbox="242 689 1490 983">Conduct of Review: (§115.86[d], §115.286[d]) a. The Review Team should consist of at least 2 DOC employees designated by the Unit Head. b. The Review Team shall consist of at least one Administrative Duty Officer who will solicit input from the PREA Compliance Manager, line supervisors, investigators, and medical or mental health practitioners for all sexual abuse and harassment incident reviews. (§115.86[c], §115.286[c]) c. The review should begin as soon as practical after the incident and a Report of Incident Review 038_F3 submitted within 7 working days of the initial Incident Report. Follow-up reports may be submitted if all information is not available within 7 working days. d. The review for sexual abuse and sexual harassment shall be conducted within 14 days of completion of the investigation on a PREA Report of Incident Review 038_F11. The PREA Compliance Manager will forward the PREA Report of Incident Review to the Regional PREA Analyst for review and approval, prior to submission to the Regional Office. (§115.86[b], §115.286[b])</p> <p data-bbox="242 1014 533 1043"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 1048 1485 1341">a. A sexual abuse incident review will be conducted at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded. (See Operating Procedure 038.1, Reporting Serious or Unusual Incidents.) (§115.86[a], §115.286[a]) i. Sexual abuse incident reviews will be conducted at the conclusion of every investigation into an allegation of sexual harassment where the allegation is determined to be substantiated ii. Sexual abuse incident reviews must be completed within 14 calendar days of completion of the investigation and will be documented on a PREA Report of Incident Review 038_F11. iii. If the PREA Report of Incident Review 038_F11 will not be completed within 14 calendar days, the PREA Compliance Manager must notify the Regional PREA Analyst. b. The PREA Compliance Manager will submit the completed PREA Report of Incident Review 038_F11 to the Regional Office. Prior to submission to the Regional Office, the Incident Review must be forwarded to the Regional PREA Analyst for review and approval.</p> <p data-bbox="242 1373 1481 1565">Sexual abuse incident reviews are part of the investigation process. Once an investigation has been completed, an outcome is determined and the SIU indicates it is also completed its investigation and has an outcome, if applicable, then an incident review of the process and system is scheduled. The department has developed a form to be utilized during this review process. It contains questions with all the appropriate pieces to determine if a case was handled appropriately. If there are any problems that are identified, this committee, typically consisting for the following, will identify the problem, and figure out how to make this form work for them.</p> <ol data-bbox="242 1597 568 1792" style="list-style-type: none"> <li>1. Warden</li> <li>2. Assistance Warden</li> <li>3. Investigator</li> <li>4. PREA Compliance Manager</li> <li>5. Medical</li> <li>6. Mental Health</li> </ol> <p data-bbox="242 1823 1035 1852">This review is required to be held within (30) days of the conclusion of the case.</p> <p data-bbox="242 1883 373 1912"><b>Conclusion:</b></p> <p data-bbox="242 1917 1485 2072">The Auditor determined the facility understands the requirement to conduct an incident review within 30 days of the conclusion of each substantiated and unsubstantiated sexual abuse investigation. The Incident Review Team documents the performance of each incident review on a formatted form. The Auditor reviewed the VADOC policies, procedures, PREA Report of Incident Review, investigative records and conducted interviews with staff and determined the facility meets the requirements of this standard.</p>

115.87	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3, pg. 14  Agency Website  Annual Reports  Surveys of Sexual Violence</p> <p><b>Operating Procedure 038.3</b>  Data Collection A. The DOC collects accurate, uniform data on every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. (§115.87[a], §115.287[a]) 1. The agency aggregates the incident-based sexual abuse data at least annually. (§115.87[b], §115.287[b]) 2. The incident-based data collected includes, 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. (§115.87[c], §115.287[c]) 3. The DOC maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. (§115.87[d], §115.287[d]) Incident-based and aggregated data is collected from every private facility with which with the DOC contracts for the confinement of offenders. (§115.87[e], §115.287[e]) 5. Upon request, all such data from the previous calendar year will be provided to the Department of Justice no later than June 30. (§115.87[f], §115.287[f])</p> <p>The Auditor reviewed the agency's 2018 and 2019 Annual Reports published on the Virginia Department of Corrections website. Each report includes data aggregated from January 1st through December 31st. The reports were easily accessible as the agency's website was simple to navigate.</p> <p>The agency contracts for the confinement of its offenders with the GEO Group. The GEO Group operates a private prison in Lawrenceville, VA. A review of the agency's PREA Annual Report reveals the agency is collecting data from the Lawrenceville Correctional Center where Virginia Department of Corrections offenders are housed, although the LCC is not under the VADOC's direct super</p> <p>The Auditor received Bureau of Justice Surveys of Sexual Violence copies submitted by the agency from 2014 through 2019 data. The VADOC PREA Hotline Coordinator compiles the data, completes the Survey of Sexual Violence and submits the completed form to the Bureau of Justice Statistics. All surveys are submitted by the PREA Hotline Coordinator before June 30th.</p> <p>The Auditor interviewed the Regional PREA/ADA Analyst concerning the collection of sexual abuse data in agency facilities. All data is derived from investigative reports, Incident Reports, Incident Reviews, and all supporting documents in investigative records. Data is reported to the PREA Hotline Coordinator who is responsible for maintaining and compiling the annual data. The PREA Hotline Coordinator has an office in the VADOC Headquarters Building where data is securely stored in the locked office. All data derived from the BACC is securely maintained in the Investigator's locked office.</p> <p><b>Conclusion:</b>  The Auditor observed evidence the facility is collecting and aggregating sexual abuse data annually. The reported data utilizes a standardized set of definitions. The Auditor reviewed the agency's policies, procedures, website, annual reports, Survey of Sexual Violence and interviewed staff and determined the facility meets the requirements of this standard.</p>

115.88	<b>Data review for corrective action</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 871 300"><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p data-bbox="242 304 448 333">OP 038.3, pg. 14-15</p> <p data-bbox="242 338 408 367">Agency Website</p> <p data-bbox="242 371 400 400">Annual Reports</p> <p data-bbox="242 405 435 434">Interview with Staff</p> <p data-bbox="242 465 533 495"><b>Operating Procedure 038.3</b></p> <p data-bbox="242 499 1485 824">Data Review for Corrective Action 1. The DOC reviews collected and aggregated data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, by: (§115.88[a], §115.288[a]) a. Identifying problem areas b. Taking corrective action on an ongoing basis c. Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. The annual report will include a comparison of the current year's data and corrective actions with those from prior years and must provide an assessment of the DOC's progress in addressing sexual abuse. (§115.88[b], §115.288[b]) a. The report must be approved by the PREA/ADA Supervisor and the Director and made readily available to the public through the DOC Public website. (§115.88[c], §115.288[c]) b. Specific material may be redacted from the reports, when publication of the material would present a clear and specific threat to the safety and security of a facility. If material is redacted, the report must indicate the nature of the redacted material. (§115.88[d], §115.288[d])</p> <p data-bbox="242 855 1485 1048">The Auditor reviewed the Virginia Department of Corrections website. The agency maintains annual reports that include its findings and corrective actions for all agency facilities, including a private facility for which it contracts for the confinement of VADOC offenders. The public can access the agency's reports through the "Offenders" dropdown tab and then by clicking on the "Prison Rape Elimination Act" link. Each report is accessible through the "PREA Reports Page" link. After opening this link, the public can view each annual PREA Report and/or individual facility PREA Audit Reports. The agency's website includes annual reports published from 2014 through 2019.</p> <p data-bbox="242 1057 1461 1182">A review of the facility's annual reports reveals the agency attempts to discover problem area within each agency facility based on a review of data collected. The agency's annual report includes any corrective actions taken by the VADOC. The "Corrective Actions" section of the 2019 annual report included a statement there were no corrective actions taken or problems areas identified at the Baskerville Correctional Center.Â</p> <p data-bbox="242 1214 376 1243"><b>Conclusion:</b></p> <p data-bbox="242 1247 1485 1406">The Auditor concluded the agency completes an annual review of collected and aggregated sexual abuse data from its facilities, including a private facility that the agency contracts for the confinement of VADOC offenders. The annual report addresses problem areas and corrective actions taken and is approved by the Director prior to publishing on the agency's website. The Auditor reviewed the agency's policies, procedures, website, Annual Reports and interviewed staff to determine the agency meets the requirements of this standard.</p>

115.89	<p><b>Data storage, publication, and destruction</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  OP 038.3, pg. 15  Interview with Staff  Observations</p> <p><b>Operating Procedure 038.3</b>  All data collected on allegations of sexual abuse at DOC facilities must securely retained. (§115.89[a], §115. 289[a]) a. Aggregated sexual abuse data, from DOC facilities and contract facilities, will be made readily available to the public at least annually through the DOC Public website. (§115.89[b], §115.289[b]) b. Before making aggregated sexual abuse data publicly available, all personal identifiers must be removed. (§115.89[c], §115.289[c]) 3. All sexual abuse data collected must be maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise. (§115.89[d], §115.289[d])</p> <p>The Auditor conducted an interview with the PREA Compliance Manager and Regional PREA/ADA Analyst. The PCM is responsible for reporting facility data to the Regional PREA/ADA Analyst. All facility data gathered by the PCM is maintained in his locked office. All data reported to the agency's PREA Hotline Coordinator is maintained by the coordinator in an office in the VADOC Headquarters Building. Information for the agency's annual report is compiled from investigative files, Incident Reviews and other supporting reports. Agency and facility data is maintained electronically on computers that require a unique username and password to gain access to the data.</p> <p>The Auditor reviewed the agency's website. The website included annual sexual abuse data collection in an annual report. The Auditor observed data collected from 2014 through 2019. There were no personal identifiers included in any agency annual reports. The Auditor was informed sexual abuse and sexual harassment data is maintained by the PREA Hotline Coordinator for a minimum of 10 years after collection. A username and password are required to gain access to the computer used by the PREA Hotline Coordinator. All investigative data used to compile the data is maintained in the Investigator's and PCM's locked offices and on their computer that require a username and password. The Auditor observed the office of the Investigator and PCM.</p> <p><b>Conclusion:</b>  The Auditor reviewed the agency's website, annual reports, made observations and interviewed staff to determine the agency meets the requirements of this standard.</p>
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115.401	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b>  Previous PREA audit report  Facility Tour  Interactions with Staff</p> <p>The facility conducted this audit during the third year of the current audit cycle. The Auditor was provided and reviewed the relevant policies, procedures, documents and other applicable reports to assist with rendering a decision on the facility's level of compliance with relevant standards. The Auditor reviewed a relevant sampling of documentation from the previous 12-month period. The facility allowed the Auditor to conduct formal interviews with offenders and staff. Agency personnel provided the Auditor with a detailed tour, allowing the Auditor access to all areas in the facility.</p> <p>During the audit the facility provided additional documents that were requested by the Auditor to aid in a determination of the facility's level of compliance. The Auditor observed camera placements and reviewed monitors to ensure offenders were not able to be viewed naked by a staff member of the opposite sex through the facility's video system. The offender population was allowed to correspond confidentially with the Auditor prior to the Auditor's arrival.</p> <p>The Auditor reviewed the agency's previous PREA audit report and observed the facility complied with all standards without the requirement of a formal corrective action period. The Auditor communicated with a victim advocate with the Virginia Sexual and Domestic Violence Action Alliance and the Sexual Assault Nurse Examiner with the local hospital to gain an understanding of services offered through the Memorandums of Understanding with the VADOC.</p> <p><b>Conclusion:</b>  The Auditor concluded the Baskerville Correctional Center meets the requirements of this standard.</p>



115.403	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Policy, Materials, Interviews and Other Evidence Reviewed</b></p> <p>Previous PREA audit report Agency Website</p> <p>The Auditor reviewed the agency's website which includes a link for its previous PREA Audit reports. The reports are easily accessible through a "drop-down" menu on the "Offenders" tab. After accessing the tab, the public can access reports through the "Prison Rape Elimination Act" hyperlink. This page includes a "PREA Reports page." Each audit report for all VADOC facilities is accessible on the page. The Baskerville Correctional Center was last audited in June 2018.</p> <p><b>Conclusion:</b> The Auditor determined the agency meets the requirements of this standard.</p>

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

<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	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
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na

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

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

<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes



<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	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

<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

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

<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
<b>115.42 (a)</b>	<b>Use of screening information</b>	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.42 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

<b>115.42 (d)</b>	<b>Use of screening information</b>	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	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



<b>115.43 (b)</b>	<b>Protective Custody</b>	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
<b>115.43 (c)</b>	<b>Protective Custody</b>	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
<b>115.43 (d)</b>	<b>Protective Custody</b>	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
<b>115.43 (e)</b>	<b>Protective Custody</b>	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	no
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na



<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (d)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

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