

PREA Facility Audit Report: Final

Name of Facility: Halifax Correctional Unit 23

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 06/13/2021

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"/>
Auditor Full Name as Signed: Ron L Kidwell	Date of Signature: 06/13/2021

AUDITOR INFORMATION	
Auditor name:	Kidwell, Ron
Email:	ronnie.kidwell@yahoo.com
Start Date of On-Site Audit:	05/04/2021
End Date of On-Site Audit:	05/05/2021

FACILITY INFORMATION	
Facility name:	Halifax Correctional Unit 23
Facility physical address:	1200 Farm Rd, South Boston, Virginia - 24592
Facility Phone	
Facility mailing address:	P. O. Box 1789, Halifax, Virginia - 24558

Primary Contact	
Name:	Lisa Thomas
Email Address:	lisa.thomas@vadoc.virginia.gov
Telephone Number:	(434) 271-4138

Warden/Jail Administrator/Sheriff/Director	
Name:	Louise Goode
Email Address:	louise.goode@vadoc.virginia.gov
Telephone Number:	434-637-0675

Facility PREA Compliance Manager	
Name:	Lisa Thomas
Email Address:	lisa.thomas@vadoc.virginia.gov
Telephone Number:	O: (434) 271-4138

Facility Health Service Administrator On-site	
Name:	Sandra Vass
Email Address:	sandra.vass@vadoc.virginia.gov
Telephone Number:	(434) 272-4132

Facility Characteristics	
Designed facility capacity:	248
Current population of facility:	177
Average daily population for the past 12 months:	192
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	22-67
Facility security levels/inmate custody levels:	Level 1 Minimum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	89
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	5

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

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

Agency-Wide PREA Coordinator Information			
Name:	Tammy Barbetto	Email Address:	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.

Pre-Audit Phase

The Prison Rape Elimination Act (PREA) Audit of the Virginia Department of Corrections (VADOC) Halifax Correctional Unit #23 was conducted from February 19, 2021 to June 04, 2021. The VADOC requested the PREA Auditors of America LLC conduct a PREA audit. This certified PREA auditor, the PREA Auditors of America contracted Ron Kidwell on October 23, 2020, to conduct this scheduled PREA audit. The facility had been previously audited on May 16, 2018. On February 25, 2021, an introductory Zoom meeting was arranged to discuss several important topics. Those topics included the process needed to utilize the Online Audit System (OAS), posting the Audit Notice at least six weeks in advance, and an initial timeline for the audit. The meeting took place via Zoom call with a follow up email addressing the topics discussed. Present on the phone call was: PREA Central Regional Analyst Joseph Allotey, Virginia State PREA Coordinator Tammy Barbetto, and Ron Kidwell (PREA Auditor) for PREA Auditors of America. During this conversation I requested contact information for the facility's PREA Compliance Manager and her immediate supervisor to begin the process of gaining access to the OAS. This request was also reiterated and documented in the e-mail that followed that phone conversation on the above listed date.

On February 27, 2021 copies of the PREA AUDIT Notice in both English and Spanish languages were sent to the PREA Regional Analyst via e-mail. The PREA notice communicates to staff and inmates that the facility will be undergoing an audit for compliance with DOJ standards to prevent, detect, and respond to prison rape. The notice identifies the onsite dates of the audit and provides a confidential way to communicate with the auditor through the auditor's personal contact information. The notice also spells out how the confidential information is to be handled and when the confidential information must be reported. In addition, the email provided specific instructions to post the notices at least six weeks in advance of the scheduled onsite phase. That the audit notices needed to be posted throughout the facility, in places where it would be visible to all inmates and staff (e.g., visiting areas, housing units, and recreational spaces). That the correspondences between the inmates and auditor needed to be treated as legal mail and to confirm that the notices were posted in the appropriate time frame by date stamped photographs of the posters throughout the facility. On March 2, 2021, the PREA Regional Analyst sent me date stamped photographs of posted PREA Audit Notices from the facility. The PREA audit on-site dates for this audit were set for May 4-5, 2021.

On February 26, 2021, the auditor initiated the Halifax audit through the PREA Resource Center Audit Initiation form. On March 5, 2021, the auditor received an email response by the PREA Resource Center acknowledging that the audit request was successfully initiated. On March 11, 2021, this auditor sent an email to the PREA Regional Analyst asking if he and the PREA Compliance Manager had gained access to the OAS. The PREA Regional Analyst replied that they did have access to the OAS at that time and that he had begun working on the PREA Audit Questionnaire. On April 2, 2021, the PREA auditor received a notification from the PREA Resource Center indicating that the Pre-Audit Questionnaire had

been submitted by the Halifax Correctional Unit and was ready for review.

On February 27, 2021, the auditor sent the PREA Regional Analyst an email requesting information and documentation that was needed. The information requested was to provide contact information on local advocacy groups, to agree on a date the Pre-Audit Questionnaire would be completed, request office space with internet access, permissible personal tech items (i.e. laptop, cellphone), and the names of all the inmates that alleged sexual abuse or sexual harassment in the last twelve months. The Facility reported no sexual abuse or harassment allegations. The Auditor received all the requested information prior to the on-site phase of the audit.

Due to the current COVID-19 pandemic the Virginia Governor had placed restrictions on accessibility to all correctional facilities throughout the state. Due to the standing order this auditor conducted several specialized interviews via phone call. The PREA Regional Analyst provide this auditor a list of both contractors and volunteers that prior to the pandemic conducted business at the correctional facility on a regular basis. In addition, the PREA Regional Analyst explained that the Department of Corrections in the state of Virginia conduct their own criminal investigations and therefore, the investigator would also need to be interviewed over the phone because the investigative unit assigned to investigate criminal sexual abuse is not located in the Halifax Correctional Unit.

On March 11, 2021, the PREA Regional Analyst provided the PREA auditor with a list of both volunteers and contractors that participate and work at the Halifax Correctional Unit. The list contained personal contact information for these individuals so that the PREA auditor could conduct phone interviews prior to the on-site audit. This was necessary due to the COVID-19 pandemic. The Governor of Virginia established a standing order that denied access to all visitors, volunteers, and non-essential contractors to the state correctional facilities in an attempt to lessen the spread of the virus and protect all staff and inmates. Therefore, the PREA auditor conducted those specialized staff interviews by phone prior to the on-site audit phase.

On April 5, 2021, the auditor contacted the Virginia Department of Corrections Special Investigation Unit to ascertain if they did in fact conduct alleged sexual assault criminal investigations at the Halifax Correctional Unit. The auditor scheduled a phone call with the Special Agent assigned to and responsible to investigate that particular region of Virginia correctional units. He informed me that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed to send an investigator is an official request from the PREA Regional Analyst.

On April 14, 2021 the PREA auditor contacted Just Detention asking if their organization had any information about sexual safety at the Halifax Correctional facility, especially, any information related to reported cases of sexual abuse or sexual harassment. Just Detention advised the auditor that they had not received any information related to sexual safety from any individual associated with the Halifax Correctional Unit.

The PREA auditor completed the review of all the documentation that was provided by the VADOC PREA Regional Analyst in the Pre-audit Questionnaire. The documentation is supposed to help support how a facility is establishing a baseline for its actual practice for zero tolerance for sexual abuse and sexual harassment. The auditor identified possible gaps or issues that needed to be followed up on and in some cases requested additional information. The request was captured on an easy to review document called an Issue Log. The Log is used to outline requests for response to questions that need to be clarified during the audit process. The auditor submitted his Issue Log to the PREA Regional Analyst on April 14, 2021, containing twelve requests for additional information. A phone call was scheduled with the PREA Regional Analyst to discuss the listed issues and clarification.

On April 21, 2021, multiple emails were sent to the PREA Regional Analyst requesting lists for the interview selection and lists for document sampling. The lists consisted of individuals with specific responsibilities as it relates to PREA and individuals who have the authority to change policy. The list included individuals such as the Agency Head, Superintendent, PREA Coordinator, PREA Investigators, Medical staff and more. Also included was a request for a complete staff roster, lists of contractors and volunteers that have contact with inmates, Inmates that have reported sexual victimization during risk screening, LGBTQ inmates, Inmates with disabilities, inmates who are limited English proficient, Inmates who reported sexual abuse, and more. Finally, the auditor requested all investigations related to sexual abuse or sexual harassment over the last twelve months. When sampling documentation the auditor is reviewing files in three separate categories: Employee files, Inmate files, and Investigative files.

On April 28, 2021, the PREA auditor conducted a Sexual Assault Nurse Examiner (SANE) interview by phone with a SANE Nurse. The Nurse supervises the Forensic Nursing Unit at the Centra Lynchburg General Hospital, which is located in Lynchburg, Virginia. A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The Nurse explained that she was aware of the MOU between her agency and the Virginia Department of Corrections when it comes to conducting SANE exams. She explained that the Centra Gretna Emergency Center located in Pittsylvania County, VA would be the closest medical emergency center that would provide a forensic medical examination for inmates that have alleged sexual abuse while housed in the Halifax Correctional Unit. When asked if Centra Lynchburg Hospital Forensics Unit is responsible for conducting all forensic medical exams for the Halifax Correctional facility, the SANE Nurse stated, "Yes, they are." When asked if SANE staff are unavailable to conduct forensic medical examinations, then if not who assumes the responsibility? The Nurse replied that her staff is available 24 hours a day, 7 days a week, 365 days a year. However, in the event a SANE Nurse is unavailable the individual would be transferred to the nearest hospital that conducts SANE exams.

The PREA auditor also contacted the victim advocacy group that the Virginia Department of Corrections has a contractual MOU with. The Virginia Sexual & Domestic Violence Action Alliance Agency (Action Alliance) located in Richmond, Virginia. The Action Alliance serves the entire Virginia Department of Corrections. The DOC is comprised of 43 separate correctional facilities housing multiple custody level inmates. Action Alliance provides a twenty-four-hour crisis hotline, emergency room advocacy, trauma-informed therapy, shelter, supportive counseling, and legal advocacy. During a phone interview the representative acknowledged the services offered to the Halifax Correctional facility. She informed me that the Action Alliance provides a toll free twenty-four hour seven days a week hotline service, victim advocacy, and counseling to those who request it. She also stated that the Action Alliance would seek to link a DOC victim to one of Virginia's Sexual & Domestic Violence agencies to provide an advocate that would be able to be present at all medical forensic examinations and witness interviews if requested by the victim. Action Alliance does not report any allegations of sexual abuse made by inmates to anyone without permission from the inmate if the inmate contacts the 1-800 number dedicated to counseling and emotional support. However, Action Alliance does provide the state of Virginia, Department of Corrections with a hotline reporting mechanism that is considered an outside reporting agency and specifies and outlines those responsibilities in the MOU. The representative stated that her agency has not received any allegations of sexual abuse or sexual harassment from any inmate or staff associated with the Halifax Correctional facility within the last twelve months. The auditor also reviewed the Virginia Department of Corrections website, reviewed the mandatory reporting laws, and performed an Internet

research on the Halifax Correctional Unit. However, nothing of relevance related to the safety or prevention of sexual abuse was found.

On April 29, 2021, the PREA auditor arranged a call with the PREA Regional Analyst. The call was to codify the logistics of scheduling interviews with specialized staff, inmates, and random staff on different work rotations. We also discussed the file review and what specifically the auditor was looking for as proof of documentation or policy. All requested lists and documentation have been provided to the PREA auditor prior to the beginning of the onsite phase of this PREA audit.

At this time, the PREA auditor has not received any confidential communication (mail) from the incarcerated inmates housed at the Halifax Correctional facility. The confidential mail would be the product of the PREA Audit Notice postings throughout the correctional facility.

On-Site Audit

On 05/04/2021, at approximately 0830 hours a PREA audit kickoff meeting was conducted. The meeting was scaled down due to Coronavirus concerns. Present at the meeting was facility staff leadership, medical/mental health professional, Case Manager, PREA Compliance Manager, and the PREA Regional Analyst. Nine staff members in all. The meeting was designed to create a positive working relationship, place names with faces, and prepare for the next two days. Soon after the conclusion of the meeting the auditor began the facility observation tour. Accompanied by the PREA Compliance Manager, PREA Regional Analyst, Assistant Superintendent, and Superintendent, the tour covered the entire facility over the next 3 hours. The auditor observed the school building, all work program areas, and received an overview of the classification / PREA screening process. The auditor observed the two separate control centers, cafeteria, visiting area, infirmary, every housing unit, and private offices. During this tour, the auditor looked at camera placement for possible blind spots and inmate to officer ratio. The auditor looked at privacy issues, how the toilet and shower areas were configured and did the inmates have adequate privacy. Did staff of the opposite gender announce their presents when entering a housing unit of the opposite sex. The auditor documented if PREA posters and PREA audit notices were displayed in the housing units and public areas as well. The auditor noted the number of phones in each unit and if the advocacy hotline number along with the outside reporting entity contact information was readily available in the housing units. The auditor also conducted a test call to the outside entity to prove the effectiveness of the facility's practice. Finally, the auditor spoke to multiple inmates about if they knew how to report an allegation of sexual abuse.

On 05/04/2021, at approximately 1120 hours the PREA auditor began the interviewing process. For the rest of the evening the auditor completed twenty-two staff interviews. This process continued over into the next day on 05/05/2021. Over that 2-day period, the auditor conducted 42 interviews with staff and inmates. This included the agency leadership, which consisted of the Facility Superintendent, Facility Assistant Superintendent, Administrative Captain, PREA Regional Analyst, PREA Compliance Manager, Health Services Administrator, and the Case Manager Counselor. In addition, the auditor interviewed 22 specialized staff. Listed below is the sample of specialized staff that was interviewed:

- Ø Agency Head / Director
- Ø Warden / Facility Superintendent
- Ø PREA Coordinator
- Ø Case Manager Counselor

- Ø Non -Medical staff conducting strip searches
- Ø Intermediate – Higher level staff
- Ø Medical Staff
- Ø Staff performing risk screening
- Ø Human Resources Staff
- Ø Agency Contract Administrator
- Ø Volunteers
- Ø Contractors
- Ø First Responder
- Ø Investigative Staff
- Ø Staff member monitoring retaliation
- Ø Incident Review Team member
- Ø Rape Crisis Center Advocate
- Ø Staff supervising inmates in segregated housing
- Ø SANE Nurse

The selection of specialized staff also included several individuals who held multiple roles and responsibilities covered by the protocols. For example, Case Manager Counselor is responsible for both risk screening and intake process.

During the interview process 12 random staff were interviewed. The PREA auditor randomly selected the staff. The auditor chose staff from all shifts, working different assignments, and with different levels of experience. The auditor also made sure interviews were conducted with a proportionate number of female staff corresponding to the Halifax Correctional Unit's employee demographics.

The Halifax Correctional Unit provided the auditor a list of both volunteers and contractors that have contact with inmates. However, due to the Coronavirus epidemic, Governor of Virginia limited access to prisons and stopped all non-essential volunteers and contractors from entering the correctional facility at this time and in the near future. The directive was put in place to limit the possibility of spreading the virus among staff and inmates. Therefore, the auditor conducted phone interviews prior to the on-site audit phase. Two volunteers and two contractors were interviewed.

During this audit 19 random inmates were chosen to be interviewed. At the time of this audit there were approximately 178 inmates housed at this facility. The auditor chose the names at random by going down the inmate roster by housing location. Age, institutional experience, and housing assignments were taken into consideration when making these selections.

Lastly, the Halifax Correctional Unit provided the auditor with approximately 1 possible targeted inmate currently being housed in the facility. Of those inmates currently housed at the Halifax Correctional Unit: 0 reported sexual victimization during the risk screening process, 0 reported sexual abuse, 0 LGB, 0

transgender, 1 physically disabled, 0 inmates that were limited English proficient, and 0 with a cognitive disability. The Halifax Correctional Facility does not house youthful offenders and reported no inmates housed in segregation for high risk, and one inmate that was hearing disabled. During the pre-audit and on-site audit phases, the auditor has not discovered any evidence to the contrary that would suggest these statements by the Halifax Correctional Unit about their targeted inmate population are inaccurate. Therefore, the Auditor had to adjust accordingly and selected additional Random inmates from the general population. During the two-day audit, 1-targeted inmate was interviewed covering 1 protocol. The targeted interviews are categorized by the following:

- Ø 1 Physically disabled
- Ø 0 Limited English Proficient
- Ø 0 Cognitively disabled
- Ø 0 LGB
- Ø 0 Reported sexual abuse.
- Ø 0 Transgender
- Ø 0 Reported sexual victimization during risk screening

At the conclusion of the second day of the audit, the auditor would still have 2 Specialized Staff interviews to conduct. On the final day of the audit, the auditor requested that the PREA Regional Analyst provide him with a predetermined list of investigations, inmate files, and staff personnel files selected by the auditor. The PREA Regional Analyst arranged the requested files for review for the Auditor.

The PREA auditor reviewed a total of 32 files. Those files consisted of 20 inmate files, 12 staff personnel files, and 0 investigative files. The inmate files consisted of those inmates that had been previously interviewed during the audit. The staff personnel files were selected by random.

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.

Facility Characteristics

The Halifax Correctional Unit is located near the town of South Boston in the County of Halifax, Virginia. South Boston is a town in Virginia with an approximate population of 8,142 and is thirteen square miles. The town was the 2nd largest producer of tobacco in the United States until the Great Depression. The County of Halifax sets on the central southern border of Virginia and North Carolina. The County is eight hundred and thirty square miles with an estimated population of 36,241.

The Halifax Correctional Unit is the largest "field unit" in the state of Virginia. The facility operates a textile shop, operational green houses, a Boer goat farm, hay harvesting, and a maintenance shop.

The textile shop employs 48 inmates. The inmates make T-shirts, boxer shorts, and sheets. These items are used throughout the state correctional system and can also be purchased by outside state-run correctional systems. In addition, the facility has three functional green houses that produce the vegetables consumed by the inmates at this facility.

Finally, the facility runs a Boer goat farm. During the on-site portion of this audit the facility reported having 240 head of goat that are raised as kits and then sold once they reach maturity for food consumption. The facility also performs all the necessary maintenance on all the farm equipment needed to continue the day-to-day operation of farming.

A Superintendent who resides at a residence located on the compound runs the correctional facility. The Halifax Correctional Unit "Main Building" was opened in 1955. During the 1970's era, an addition was constructed, detached from the original building structure that is referred to as the Annex. This expansion created an additional 132-bed design along with 4 segregated holding cells. The Annex also added office space, new laundry facility, additional indoor recreational areas, program space, and an additional control room.

This facility is separated into two separate housing units. The "Main Building" is made up of two dormitory style housing units referred to as A and B-side. This building can house up to 56 inmates on each side accounting for approximately 112 inmates housed in the Main Building. Also located in the Main Building is the kitchen, shower /restroom facility, and recreation area. The "Annex" consists of two linier wings referred to as both the Northside and Southside. Each side contains 3 separate housing units along with an officer's control pod and a common area. Each side can house up to 66 inmates. Finally, also detached from the housing units is what is referred to as the school building. This building is one large open concept area with several rooms surrounding the outside perimeter of the classroom. These rooms are used as office space for the educators.

The prison is one enclosed complex made up of 8 housing units on approximately 110 acres. The jail's inmate population capacity is 248 inmates with 69 sworn staff and 20 civilian correctional and administrative staff. The daily population on the first day of this audit was 178 inmates. The Halifax

Correctional Unit currently houses level 1 minimum-security male inmates.

Main Building:

Consists of the Main Control, Food Service Kitchen, Shower and indoor recreation area, Medical exam room, outdoor recreation yard, and two open dormitory style housing units, each equipped with 56 stacked bunk bed style sleeping quarters.

Main Control:

This control center is operated by one officer that manages the ingress and egress of authorized personnel to and from the compound into the Main Building housing unit. The control center also monitors both housing units, the outside recreation yard, inside shower, recreation area, kitchen area, and all outside perimeter cameras along with the perimeter motion detection fencing. The Main Control Center monitors 48 cameras throughout the facility with video recording capabilities. The control center has a portable radio system with the control booth operator performing the dispatching responsibilities. The correctional staff are also able to use the radio system for emergency requests and response situations. During the on-site tour, the Auditor observed the camera coverage in the main control center. Camera coverage maintains good visibility throughout the facility.

Food Service / Kitchen:

The Halifax jail kitchen has an open bay concept with one walk-in cooler and one walk-in freezer. These refrigeration coolers can only be accessed from the front. At the back of the kitchen, you can enter a dry goods storage area. The dish room is located inside the kitchen area stationed on an outside wall but in clear view of everything within the kitchen area. Also located in the kitchen is the civilian contractor staff's office along with the officer's office. A tool room is situated next to the staff's office. The tools are caged off and secure. There is camera coverage throughout the kitchen area and approximately 20 trustee inmates assigned to work in the kitchen. 2 contracted food service employees and one correctional officer supervise these kitchen trustees. In addition to the cooler and freezer located inside the kitchen there are also three separate outside walk-in freezers located in the rear of the kitchen area.

A Side, B Side:

These are made up of two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. These blocks are assigned to house male inmates. Each housing area is made up of multiple bunk bed partitions in two separate rows against the outside walls. This provides a walkway between the bed partitions. The PREA information was posted, as was the Audit Notice. There are multiple cameras mounted inside each housing unit. There is a bank of 2 phones mounted on the perimeter wall. Each block can house up to 56 inmates with two officers roaming the separate blocks. There is one toilet that is enclosed with a half wall to provide privacy. Announcements were made prior to entering the block that female staff were present. During the on-site tour, the PREA auditor had a general discussion with an inmate housed in A-Side about how he would report a sexual abuse allegation. The inmate stated that he would call #55 on the phone and report the abuse. This is the established outside entity reporting mechanism for the Halifax Correctional Unit. This call is received by the Action Alliance.

Shower Room & Recreation Area:

The shower room is located downstairs from the housing areas and the inmates have free access to this

area. Located in the shower room is a bank eight toilets and sinks. Behind the restroom area is an enclosed group shower area and a cinderblock half wall obscures both areas. The recreation area is also located in the same general area opposite from the shower area. The Recreation area consists of two pool tables, three metal correctional picnic style tables, a chapel, and a classroom. The PREA information was posted, as was the Audit Notice. There are multiple cameras mounted throughout the Recreation area along with cameras stationed as one enters and exists the restroom and shower area. There is a bank of 4 phones mounted on the perimeter wall. Two kiosks are also mounted on the wall to receive and send email to family and friends. During the on-site facility tour the auditor utilized one of the phones located in the recreation area to contact the PREA hotline to report a sexual assault. The auditor explained there was an ongoing PREA Audit and requested they make contact with the facility to verify proof that the system is functioning according to the contractual agreement. Approximately within the next hour the PREA Regional Analyst provided this auditor with a recording of my voice message left on the PREA hotline.

Restricted Housing Cells:

There are two separate single cell restricted housing areas located on the opposite sides of the kitchen dining area. These cells were empty at the time of the on-site facility tour and was explained to the auditor to only be used in situations where inmates would need to be immediately separated, for instance after a physical altercation and for only short periods of time. The PREA information was posted, as was the Audit Notice. There are cameras mounted inside each housing unit. There is a rolling phone stationed in the restricted housing cell area. Each cell can house 1 inmate. An institutional toilet is located within the cell. The auditor reviewed the logbook located inside the restricted housing area, notating that supervisors made random checks.

Annex:

Northside Annex:

Consists of three separate housing units, A, B, and C. All three blocks are adjacent to each other but branches off from the common area in different directions in a forked fashion. C and B blocks mirror each other and are identical housing blocks. Located in each block are multiple bunks. Both B and C blocks can house 24 inmates each and A block can house 18 inmates. The PREA information was posted, as was the Audit Notice in the common area of the Northside Annex. During the on-site tour, the PREA auditor had a general discussion with an inmate housed in C-Block about how he would report a sexual abuse allegation. The inmate stated that he would call #55 on the phone and report the abuse. This is the established outside entity reporting mechanism for the Halifax Correctional Unit. This call is received by the Action Alliance.

The common area consists of an area that has two pool tables, two sitting tables, a laundry room, a phone, and kiosk. Also located in the common area is the officer's station that can monitor cameras and operate security doors. This station is secure and can only be opened when fellow officers are outside the secure station. There are multiple cameras mounted inside each housing unit including the common area. There is a bank of phones mounted on the perimeter wall of each block. The showers and toilets are enclosed with a shower curtain and half door to provide privacy. Announcements were made prior to entering the block that female staff were present. One stationary officer and one officer that float between the North and South sides supervise the Northside. The auditor reviewed the logbook located inside the officer's security station, notating that supervisors made random checks.

Southside Annex:

Consists of three separate housing units, A, B, and C. All three blocks are adjacent to each other but branches off from the common area in different directions in a forked fashion. A and B blocks mirrors each other and are identical housing blocks. Located in each block are multiple bunks. Both A and B blocks can house 24 inmate each and C block can house 18 inmates. The PREA information was posted, as was the Audit Notice in the common area of the Southside Annex. The common area consists of an area that has two pool tables, two sitting tables, a laundry room, a phone, and kiosk. Also located in the common area is the officer's station that can monitor cameras and operate security doors. This station is secure and can only be opened when fellow officers are outside the secure station. There are multiple cameras mounted inside each housing unit, including the common area. There is a bank of phones mounted on the perimeter wall of each block. The showers and toilets are enclosed with a shower curtain and half door to provide privacy. One stationary officer and one officer that float between the North and South sides supervise the Southside.

The Southside Annex C block is currently being used as a 14-day quarantine area for possible Covid-19 infections. All inmates that are transferred the Halifax Correctional Unit must be quarantined for the first 14 days of their stay. If the inmates are negative of any symptoms, then they are moved into general population. The entire Southside Annex housing area was empty of any inmates during the tour.

Recreation Yard:

Consists of a full-size baseball diamond including spectator stands behind home plate. There is also an outside exercise area containing free weights and a walking track surrounding the baseball diamond. The yard has two watchtowers and an officer that roams throughout the recreation yard. There are also multiple cameras mounted outside and inside the perimeter monitoring activity and inmate movement.

Health Services:

The Dispensary is in the Annex building in an area between the North and South sides. It consists of an examination area and nurses' station. If an inmate is in need of specialized medical treatment, they must be transported to a correctional facility that can provide those services. If there is need for immediate medical assistance, the security staff will contact the local emergency services. The PREA information was posted, as was the Audit Notice. All inmates must be escorted here and the officer remains in the dispensary during sick call.

Annex Control Center:

The Annex Control Center is located in an area between the North and South sides. The center is manned by one officer that monitors 26 cameras located throughout the Annex expansion, which encompasses both the North and South side Annex housing units. The cameras throughout the Annex have video recording capabilities. During the on-site tour, the Auditor observed the camera coverage in the Annex control center. Camera coverage maintains good visibility throughout the Annex.

Annex Restricted Housing:

Consists of 4 single cells situated down a t-shaped hallway. Each cell has its own institutional toilet system, and a single shower stall located at the entrance of the hallway. There is one rolling phone

located in the restricted housing unit. The PREA information was posted, as was the Audit Notice in the hallway. The facility policy is that no inmate can be housing in this area for more than 72 hours. If the inmate cannot return to general population by that time, arrangements must be made to move the inmate to another VADOC facility. The auditor reviewed the logbook located inside the restricted housing area, notating that supervisors made random checks.

Laundry Area:

The Laundry room is located on the outside of both housing building and is its own separate building. Second floor Annex and operated by eight trustees, supervised by one deputy sheriff. The area is mostly closed off with one entrance and exit. All inmate uniforms are stored in a caged off secure area along with a single restroom within the laundry room. There is no camera coverage inside the laundry room, but there is officer supervision. The auditor asked the trustee working if he knew how to report a sexual assault. The trustee stated that he could verbally report to anyone or write a confidential message on the tablet. The trustee also recalled watching the PREA video during his classification interview. This area is located on the First – Floor Annex.

AUDIT FINDINGS

Summary of Audit Findings:

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

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

After reviewing all information provided during the pre-audit and onsite audit, including staff and inmate interviews, the auditor has determined the following for the Halifax Correctional Unit #23:

Number of standards exceeded: 0

Number of standards met: 44

Number of standards not met: 0

Number of standards not applicable: 1

115.11 Meets Standard

115.12 Meets Standard

115.13 Meets Standard

115.14 Meets Standard

115.15 Meets Standard

115.16 Meets Standard

115.17 Meets Standard

115.18 Meets Standard

115.21 Meets Standard

115.22 Meets Standard

115.31 Meets Standard

115.32 Meets Standard

115.33 Meets Standard
115.34 Meets Standard
115.35 Meets Standard
115.41 Meets Standard
115.42 Meets Standard
115.43 Meets Standard
115.51 Meets Standard
115.52 Meets Standard
115.53 Meets Standard
115.54 Meets Standard
115.61 Meets Standard
115.62 Meets Standard
115.63 Meets Standard
115.64 Meets Standard
115.65 Meets Standard
115.66 Not Applicable
115.67 Meets Standard
115.68 Meets Standard
115.71 Meets Standard
115.72 Meets Standard
115.73 Meets Standard
115.76 Meets Standard
115.77 Meets Standard
115.78 Meets Standard
115.81 Meets Standard
115.82 Meets Standard
115.83 Meets Standard
115.86 Meets Standard

115.87 Meets Standard

115.88 Meets Standard

115.89 Meets Standard

115.401 Meets Standard

115.403 Meets Standard

This audit does not require a corrective action period.

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) Halifax Correctional Unit Pre-Audit Questionnaire b) VADOC Operating Procedure 038.3 Prison Rape Elimination Act, c) VADOC Operating Procedure 135.2 Rules of Conduct d) Memorandum authored by Liz Thornton (State PREA Coordinator) dated 08/01/2012, reference PREA Compliance. e) VADOC Organizational Chart f) VADOC Employee Work Profile for a PREA Regional Analyst. g) PREA Unit Key Contact List h) List of VADOC 2021 PREA Compliance Managers <p>Interview:</p> <ul style="list-style-type: none"> 1. Interview with Specialized Staff (PREA Coordinator) 2. Interview with Specialized Staff (PREA Compliance Manager) <p>Observations made during the On-Site Audit and Document Review</p> <p>115.11 Provision (a)</p> <p>The agency has provided a written policy (VADOC OP-038.3) that states that The DOC has a Zero Tolerance Policy that strictly prohibits any fraternization, sexual misconduct by staff, contractors, or volunteers with offenders, or between offenders as defined in this operating procedure. The DOC actively works to prevent, detect, report, and respond to any violation. This policy also outlines how it will implement the VADOC’s approach to preventing, detecting, and responding to sexual abuse and sexual harassment, such as employing a PREA Coordinator with enough time and authority to oversee the jails efforts to comply with PREA standards. To make best efforts to comply with agency staffing plan and to have supervisors conduct unannounced rounds among many other strategies. In addition, the definitions associated with prohibited behaviors are also present in this agency policy. For example, the definition of sexual abuse, sexual harassment, and voyeurism. The policy also addresses sanctions for those who violate the PREA policy with discipline up to and including termination. Finally, the VADOC PREA Policy in its entirety incorporates the necessary fundamentals needed to describe VADOC’s approach to detecting, preventing, and responding to allegations of sexual abuse and sexual harassment.</p>	

The evidence collected for this provision shows that the agency has a written policy mandating zero tolerance towards all forms of sexual abuse. The policy also outlines the agency's approach to detecting, preventing, and responding to sexual abuse. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.11 Provision (b)

The VADOC provided an organizational chart that I reviewed. I observed that the State PREA Coordinator is subordinate to the Chief of Corrections Operation. The Chief of Corrections falls directly under the supervision and control of the Director of the Department of Corrections. Thus, providing upper-level management positions to develop and implement oversight for the facility's compliance with PREA standards.

An interview was conducted with the VADOC's PREA Coordinator and was asked whether she felt like she had enough time to manage all her PREA related responsibilities. The PREA Coordinator stated that she did have sufficient time and that the agency was more than accommodating to her needs and time to coordinate PREA related standards. She further stated that she coordinates the effort to comply with PREA standards by ensuring the appropriate training takes place and monitors the standards for any changes or modifications. She also stated that she oversees approximately 43 PREA Compliance Managers located at every DOC facility and 3 PREA Regional Analyst that are responsible for PREA oversight on a select number of correctional facilities located in their region of Virginia. She stated this next level of supervision has been significant to the success of PREA compliance in the VADOC.

The evidence collected for this provision shows that the agency has demonstrated that they employ an upper level PREA Coordinator with enough time and authority to develop, implement, and oversee agency efforts to comply with PREA standards. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.11 Provision (c)

The VADOC is a State Correctional System that operates forty-two separate confinement facilities. The agency has provided written (Employee Work Profiles) that outlines the responsibilities of the PREA Compliance Managers and PREA Regional Analysts. The work profiles governing the PREA Compliance Managers states in part that; The role of the PREA Compliance Managers is to work at the facility-level to coordinate the mission, policies, and implementation of all PREA standards between the facilities through the PREA Regional Analyst. The PREA Regional Analyst provided a list of the three separate regions of Virginia along with their Analyst's names and contact information. The Regional Analysts answer to the PREA Coordinator. The auditor also received a list of forty-two PREA Compliance Managers located at every correctional facility in the state. These Compliance Managers have specific responsibilities, such as: maintaining necessary documentation of all PREA standard compliance efforts, act as primary facility contacts for the PREA Analyst in coordinating compliance, ensure compliance with all PREA relative departmental policies and procedures, and will provide feedback to the Unit Head and Regional Analyst concerning policies, procedures, or practices that are not in compliance with PREA Standards.

In addition, the VADOC has established PREA Regional Analysts. The policy that governs

PREA Regional Analysts states in part that; this position is responsible for coordinating the facilities/regions comprehensive PREA response including technical and administrative guidance, creation of supporting policies and practices, design and modification of training, programming, investigation, analysis, and interpretation relative to PREA implementation, compliance, and investigation. Crafts and orchestrates strategies to ensure appropriate environments/cultures, and enforcement of policies, procedures, practices and standards for the prevention, detection, and reduction of prison rape, ensuring proper reporting, trend evaluation and provision of recommendations for improvement and compliance.

An interview was conducted with a PREA Compliance Manager and was asked if she felt she had enough time to manage all the PREA related responsibilities? The PREA Compliance Manager stated that, "Yes, she did have sufficient time to perform the duties required." Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the agency to have a written policy mandating

115.12	Contracting with other entities for the confinement of inmates
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1414 403">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="248 445 411 481">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="248 517 887 553">a) VADOC PREA Operating Procedure 038.3 <li data-bbox="248 589 1246 624">b) VADOC Operating Procedure 260.1 Procurement of Goods & Services <li data-bbox="248 660 1246 696">c) VADOC Operating Procedure 940.1 Community Residential Programs <li data-bbox="248 732 1203 768">d) Lawrenceville Correctional Center Contract with Contract Renewals <li data-bbox="248 804 999 840">e) Lawrenceville Final PREA Audit Report 11/20/2019 <li data-bbox="248 875 1015 911">f) Lawrenceville Correctional Center Monitoring Report <p data-bbox="300 956 443 992">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="248 1028 754 1064">a) Agency's Contract Administrator <p data-bbox="248 1108 1134 1144">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="248 1180 515 1216">115.12 Provision (a)</p> <p data-bbox="248 1252 1474 1543">The Virginia Department of Corrections contracts with GEO Corrections and Detention, LLC located in Boca Raton Florida. The VADOC has entered into a contract for private management of a single correctional facility located in the Eastern Region of Virginia. The facility is named the Lawrenceville Correctional Center. On page eleven of the contract, under Article 4, the contract states that the Contractor shall maintain and operate the facility in accordance with all federal, state, and local law; Court Orders, ACA Standards, State Regulations, and the Prison rape Elimination Act (PREA) standards.</p> <p data-bbox="248 1579 1481 1960">The VADOC PREA Operating Procedure page 4, paragraph 2, states in part that; 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. Any new contract or contract renewal will provide for DOC contract monitoring to ensure that the contractor is complying with the PREA standards. In addition, the VADOC Operating Procedure 260.1, page 10, paragraph 14, states in part that; 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.</p> <p data-bbox="248 2072 1481 2145">The evidence collected for this provision shows that the agency has entered into a contract for the confinement of inmates and a written policy that require the contractor to adopt and</p>

comply with PREA standards. Therefore, through written policy, the facility has demonstrated that it meets this provision.

115.12 Provision (b)

The VADOC PREA Operating Procedure 038.3 page 4, paragraph 2, states in part that: Any new contract or contract renewal will provide for DOC contract monitoring to ensure that the contractor is complying with the PREA standards.

During the on-site audit phase, the auditor interviewed the agency's Private Prison Liaison Officer assigned at the Lawrenceville Correctional Center. She stated that the current contract is in effect for five years with annual renewals, up to a ten-year period. She also stated that she ensures that the contract is being fulfilled by providing monthly reports to the PREA Regional Analyst. The Analyst ensures that the PREA standards are being met. Finally, the facility provided the auditor a copy of the PREA final report dated 11/20/2019 as proof the facility is following PREA standards.

The evidence collected for this provision shows that the agency has a written policy that require the contract be monitored for compliance with PREA standards. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard.

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents</p> <ul style="list-style-type: none"> a) VADOC Operating Policy 401.2 Security Staffing b) VADOC Operating Policy 401.1 Development and Maintenance of Post Orders c) VADOC Operating Policy 401.3 Administrative Duty Officers d) Halifax PREA Staffing Plan Memorandum dated 01/28/2021. e) Halifax Duty Rosters f) Halifax Correctional Unit Camera Check Log g) Annex, Main Dormitory, Kitchen, and VCE Textile Shop Unannounced Logs h) HSO Jail PREA Supervisor Unannounced Log <p>Interviews:</p> <ul style="list-style-type: none"> 1. Interview with Warden or designee 2. Interview with PREA Coordinator 3. Interview with Intermediate or higher-level Facility Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.13 Provision (a)</p> <p>The Virginia Department of Corrections Staffing Plan states that; 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. The facility staffing plan takes into account posts that required specialized training or certification and Corrections Officer supervision of the opposite gender. 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:</p> <ul style="list-style-type: none"> 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)
- f.) the composition of the offender population
- 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
- k.) any other relevant factors

Since the last PREA audit, the average daily population of inmates at the Halifax Correctional Unit was 243 and the current staffing plan was predicated on 248 inmates housed at the facility.

During the interview with the Warden / Designee she was asked if: the facility had a staffing plan and if the staffing levels to protect inmates from sexual abuse was considered in the plan, if video monitoring is part of this plan, and if the staffing plan is documented. The Warden/Designee confirmed, "yes" to all the above questions. The Warden/Designee also confirmed that when reviewing the staffing plan on an annual basis they consider all the above matters. The auditor also interviewed the PREA Coordinator and asked if the above considerations are weighed when developing the staffing plan. The Coordinator explained that they were considered. The staffing plan is developed on 17 security posts and 4 supervisors.

The evidence collected for this provision shows that the agency has a written policy that addresses appropriate staffing plans and reviews. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.13 Provision (b)

VADOC Operating Policy 401.2 page 8, paragraph B states that; 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.

During the interview with the Warden/Designee she was asked if the Facility documents all instances of non-compliance with the staffing plan. The Warden/Designee stated that, "Yes, it is documented and the explanation for not meeting the plan must be justified."

The Facility Superintendent listed the top six reasons for non-compliance in the staffing plan annual review as follows:

- Vacancies and Newly Hired Officers in training
- Staff on short term disability, Parental leave, or Military leave

- Staff Sick leave
- Increase in medical-related transports.
- COVID-19 related absences due to COVID-19 positive staff and staff quarantine
- Mandatory In-Service Training

The evidence collected for this provision shows that the agency has a written policy that addresses documenting situations where staffing plans are not met. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Provision C:

VADOC Operating Policy 401.2 page 8, paragraph C states in part that; 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.

1. This review will assess, determine, and document whether adjustments are needed to:
 - a. The facility's established staffing plan
 - b. The facility's deployment of video monitoring systems and other monitoring technologies
 - c. The resources the facility has available to commit to ensure adherence to the staffing plan.
2. If the review indicates that the facility is not staffing to plan, the facility must provide a comprehensive written explanation as to why and provide possible solutions to increase facility staffing levels.
3. These comprehensive written explanations will be submitted to the Regional Operations Chief for review and forwarding to the Regional PREA Analyst. Each facility in consultation with the PREA Coordinator shall assess, determine, and document any adjustments needed whenever necessary, but no less frequently than once each year for each facility.

The Halifax Correctional Unit has provided the last two Staffing Plan memorandums documenting the request for an addition security officer position and asking for additional video cameras for monitoring. The memo was written by the Facility Superintendent dated 01/28/2021 and signed off by both the PREA Regional Analyst and the Statewide PREA Coordinator.

During the PREA Coordinator interview the Coordinator was asked if she is consulted regarding any assessments or adjustments to the staffing plan. The Coordinator stated that the staffing plan is reviewed yearly and that the PREA Coordinator must review and sign off on all staffing plan documentation.

The evidence collected for this provision shows that the agency has a written policy that addresses performing annual staffing plan reviews. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.13 Provision (d)

VADOC Operating Policy 401.1 page 5, paragraph D (Supervisor Rounds) state in part that; Post Orders will require that Lieutenants and above conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Supervisors are prohibited from notifying staff of unannounced rounds and 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. Unannounced rounds must be conducted intermittently during the month and must be conducted on both night and day shifts.

In addition, VADOC Operating Policy 401.3 page 4, paragraph C-1-f, states in part that; Between the Facility Unit Head and the Assistant Facility Head, each institution's living and activity areas shall be visited weekly.

The Halifax Correctional Unit provided 8 samples of PREA Supervisor Unannounced logbooks spanning over the last year from both housing units and two work assignment areas. These logbooks cover both day and night shift. The unannounced log pages identify and document unannounced rounds by supervisors across all shifts at separate facilities during different times of the tour of duty. The auditor reviewed several duty post logs on security posts during the site review tour confirming that these unannounced rounds are being conducted.

During the interview process, the auditor interviewed an intermediate or higher-level supervisory staff about unannounced rounds. The supervisor was asked if he conducted unannounced rounds and if he documented those rounds. The supervisor stated that, "Yes, he performs unannounced rounds and that they are documented on the "Unannounced Rounds Logbook" and also that the Commanders document their unannounced rounds in red ink." When asked how the supervisor would prevent staff from alerting other staff members about unannounced rounds. The supervisor responded that he did them randomly, unannounced, doesn't do areas in order, and approached housing areas from different ways.

The evidence collected for this provision shows that the agency has a written policy that addresses performing unannounced rounds. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the Facility is fully compliant with this standard requiring the agency to have supervision and monitoring.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 425.4 Management of Bed & Cell Assignments b) Facility Superintendent Memo referencing standard 115.14 provision (a) <p>Observations made during the On-site Audit and Document Review</p> <p>115.14 Provision (a)</p> <p>VADOC Operating Procedure 425.4 page 4, paragraph F, states in part that; Youthful Inmates under the age of 18, convicted as an adult; not under Youthful Offender Law, the DOC provides specialized housing arrangements for youthful inmates that meet the requirements of this standard. A youthful inmate will not be placed in a housing unit in which the offender will have sight, sound, or physical contact with any adult offender through use of a shared dayroom or other common space, shower area, or sleeping quarters. Direct supervision by institutional staff is required at all times when a youthful inmate and an adult offender have sight, sound, or physical contact with one another. All youthful inmates will be assigned to the specialized unit, unless this assignment would create a risk to the safe, secure, and orderly operation of the institution. Exigent circumstances may require removal to a restrictive housing unit.</p> <p>The PREA Compliance Manager provided this auditor with a copy of inmate population report to provide proof that the Halifax Correctional Unit was not housing any youthful inmates over the last 12 months and that it is against policy to house a juvenile at the Halifax Correctional Unit.</p> <p>115.14 Provision (b) &(c)</p> <p>VADOC Operating Procedure 425.4-page 4, paragraph F, states in part that; A youthful inmate will not be placed in a housing unit in which the offender will have sight, sound, or physical contact with any adult offender through use of a shared dayroom or other common space, shower area, or sleeping quarters. Direct supervision by institutional staff is required at all times when a youthful inmate and an adult offender have sight, sound, or physical contact with one another. All youthful inmates will be assigned to the specialized unit, unless this assignment would create a risk to the safe, secure, and orderly operation of the institution. Exigent circumstances may require removal to a restrictive housing unit.</p> <p>The Halifax Correctional Unit is not authorized to hold or house youthful inmates, in accordance with the Superintendent’s memorandum. The Halifax Facility Superintendent’s memo states that “the Halifax Correctional Unit #23 only houses adult male offenders; therefore, this standard is not applicable.</p>

During the on-site tour of the physical plant, the Auditor did not witness any youthful inmates housed in the general or restricted housing units. After conducting 55 interviews with staff and inmates there was no evidence to suggest that the Halifax Correctional Unit houses youthful inmates. Also, no interviews were conducted for this standard because there have been no incidences involving youthful inmates. Therefore, this standard is not applicable, however, the agency does have policies and procedures in place to manage youthful inmates when these situations occur.

Conclusion:

Based upon the review and analysis of all the available evidence the PREA Auditor has determined that the facility is fully compliant with this standard.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 445.1, Employee, Visitor, and Offender Searches b) VADOC Operating Procedure 401.1, Development Maintenance of Post Orders c) VADOC Operating Procedure 401.2, Security Staff d) VADOC Operating Procedure 801.1, Offender Reception and Classification e) VADOC Operating Procedure 720.2, Medical Screening f) Annex North and Southside Post Logs g) Main Dorm Post Logs h) Memorandum by Superintendent Goode regarding limits to Cross-Gender Viewing & Searches i) Halifax In-Service Roster PREA Test forms j) Halifax Orientation PREA Training <p>Interviews:</p> <ul style="list-style-type: none"> 1. 12 interviews with Random Staff 2. 19 interviews with Random Inmates 3. Interview with Non-medical staff involved with strip searches <p>Observations made during the On-Site Audit and Document Review</p> <p>115.15 Provision (a)</p> <p>The Halifax Correctional Unit is situated in a rural area on the outskirts of the Town of South Boston, VA. The facility houses male inmates only. VADOC Operating Procedure 445.1, page 17, paragraph 2 states in part that; Strip searches shall be conducted by trained DOC employees of the same gender as the offender being searched or of the gender indicated on an approved Strip Search Deviation Request. In addition, paragraph 4 of the policy states in</p>

part that; Strip searches of offenders by staff of the opposite gender from the offender or the gender indicated on an approved Strip Search Deviation Request may only be conducted when there is an immediate threat to the safe, secure, orderly operation of the facility and there is no other available alternative.

Finally, on page 18 of the Operating Procedure 445.1 paragraph 4, states in part that; only a medical practitioner may conduct probes of the body cavities of the offender. The medical practitioner conducting a body cavity search may or may not be the same gender as the individual being searched. At least one DOC employee of the same gender as the individual being searched must be present at all times. At least one DOC employee of the gender indicated on an approved Strip Search Deviation Request must be present at all times for the body cavity search of a transgender or intersex offender. At the discretion of the medical Practitioner conducting the body cavity search, electronic/radiographic imaging may be used to supplement or substitute for a physical search.

There are no examples of exigent circumstances in the last 12 months because it is against policy and there are no female inmates housed at this facility. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day-to-day operations involving gender specific searches. When interviewing the non-medical staff responsible for conducting strip searches the officer was asked under what circumstance would it require a cross-gender strip search. The officer replied that he could not think of any circumstance that would constitute the need to cross gender strip-search an inmate of the opposite gender, unless in a life threatening situation.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances when performed by medical practitioners. The interview with non-medical staff that conducts strip searches confirmed the practice during the interview. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.15 Provision (b)

The VADOC Operating Procedure 445.1, page 10, paragraph 4 a&b, states in part that; Female offenders may be frisk searched by trained female corrections staff only. Male staff may conduct frisk searches of female offenders only when there is an immediate threat to the safe, secure, orderly operation of the facility and there is no other available alternative. Access to regularly available programming or other out of cell opportunities for female offenders shall not be restricted in order to comply with this requirement. As stated previously, the Halifax Correctional Unit does not house female inmates.

There are no examples of exigent circumstances over the last 12 months because it is against policy and no female inmates are housed at the Halifax Correctional Unit. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day-to-day operations involving gender specific pat searches if necessary.

During the on-site phase, the auditor interviewed 12 random staff members from both day and night shifts. There was no need to ask questions concerning female inmate searches and the possible lack of inmate privileges associated with the need for female officers to search such inmates because the facility does not house female inmates.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender pat searches except in exigent circumstances. The interviews conducted with staff confirmed there have not been incidents where female inmates have been limited to activities due to the shortage of female officers. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.15 Provision (c)

The VADOC Operating Procedure 445.1 page 16 and 17, paragraphs 4a-b states in part that; Female offenders may be frisk searched by trained female corrections staff only. Male staff may conduct frisk searches of female offenders only when there is an immediate threat to the safe, secure, orderly operation of the facility and there is no other available alternative. Approval must be obtained from the Shift Commander prior to conducting the search with notification to the Administrative Duty Officer and the Regional PREA Analyst. An Internal Incident Report must be submitted in accordance with Operating Procedure 038.1, Reporting Serious or Unusual Incidents. In addition, page 17, paragraph 4, states in part that; Strip searches of offenders by staff of the opposite gender from the offender or the gender indicated on an approved Strip Search Deviation Request may only be conducted when there is an immediate threat to the safe, secure, orderly operation of the facility and there is no other available alternative. Approval must be obtained from the Shift Commander prior to conducting the search with notification to the Administrative Duty Officer and the Regional PREA Analyst. An Internal Incident Report must be submitted in accordance with Operating Procedure 038.1, Reporting Serious or Unusual Incidents and there were no examples of these situations over the last twelve months.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender pat searches, except in exigent circumstances when performed by medical practitioners. Therefore, through written policy, the facility has demonstrated that it meets this provision.

115.15 Provision (d)

The VADOC Operating Procedure 401.2, page 7 paragraph B, states in part that; 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. 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. Staff of the opposite gender must announce their presence when entering an offender-housing unit and must document these announcements in the logbook. In addition, when conducting the site review the auditor observed half wall partitions separating toilets from view, shower curtains or half doors for privacy when showering, and monitoring screens situated away from these specific areas so

staff could not view inmates when using the restrooms or showers. The auditor also witnessed officers announce their presence when entering a housing block of inmates of the opposite sex. Finally, the agency provided the auditor with Facility post logs with notations made by officers documenting their opposite gender announcements.

During the on-site phase, the auditor interviewed both random staff and inmates. The 12 random staff were asked if they or other officers announce their presence when entering a housing unit of inmates of the opposite sex. All 12 officers stated that they do. When asked if inmates can dress, shower, and use the restroom without being viewed by deputies of the opposite sex all 12 deputies stated yes, they could. The auditor also interviewed 19 random inmates. When asked if female officers announce their presence when entering the housing block of the opposite sex 16 inmates stated yes, they do and 3 inmates stated sometimes. When asked if they or other inmates are ever naked in full view of female officers 17 inmates stated no that they are not and two stated that they could be viewed leaving the shower area.

The evidence collected for this provision shows that the agency has a written policy that enables inmates to shower, perform bodily functions, and change clothes without being viewed by staff of the opposite sex. They also have a policy that requires all staff to announce their presence when entering a housing unit of inmates of the opposite sex. The interviews conducted with random staff and random inmates confirmed that staff is practicing these policies. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.15 Provision (e)

The VADOC Operating Procedures 445.1 and 720.2, pages 16 and 8 both collectively state in part that; A transgender or intersex offender shall not be searched or physically examined for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown then it may be determined through conversation with the offender, a review of the medical record, or if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. 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.

When interviewing random staff, they were asked if they were aware of the agency policy prohibiting staff from searching or physically examining a transgender person for the sole purpose of determining the inmate's genital status. All 12 random officers stated that yes, they are aware and searching for the sole purpose of identifying gender is prohibited. At the time of this audit the Halifax Correctional Unit informed the auditor that there were no transgender inmates housed in their facility. Therefore, a transgender or intersex inmates' perspective could not be obtained during the on-site interview phase of this audit.

115.15 Provision (f)

The Halifax Correctional Unit does not conduct cross-gender pat searches unless exigent circumstance exists. The agency provided training records and training curricula as proof of receiving training on cross-gender pat searches and searches of transgender and intersex inmates in a professional manner. During the on-site review, the auditor interviewed 12 random staff and in those interviews the officers were asked if they had received training on how to conduct a cross-gender pat search and when did they receive the training. All 12 stated that they had received the training. From those interviews, 4 officers stated that they received the training during in-service training. 4 officers stated that they received training from LMS on-line training due to COVID-19 protocol and 4 officers identified and mentioned both ways of training.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the agency to have limits to cross-gender viewing and searches.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) Purple Language Service Contract c) VLS Interpreter Service Contract d) Propio Language Services e) PREA Zero-Tolerance Posters in both English & Spanish f) PREA Informational Posters in both English & Spanish g) PREA Handbook in Braille h) Superintendent Goode Memo regarding not housing any offenders that were limited English proficient in the last twelve months. i) PREA Inmate Acknowledgement in both English & Spanish j) Inmate PREA educational video in both English & Spanish <p>Interviews:</p> <ul style="list-style-type: none"> a) Agency Head / Designee b) Random Staff c) Inmates with Disabilities or limited English proficient <p>115.16 Provision a:</p> <p>The VADOC PREA Operating Procedure 038.3 page 7, paragraph E, states in part that; Offenders with disabilities and offenders who are limited English proficient, the 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. 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. Written materials will be provided in formats or through methods that ensure effective communication with offenders with</p>

disabilities, including offenders who have intellectual disabilities, limited reading skills, and who are blind or have low vision. 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, 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.

The agency has provided documentation of three separate contracts between the VADOC and Language Lines to provide interpreting services. The first contract is between the VADOC and Purple Communications. This company provides sign language translation. The second contract is with the Vernacular Language Services (VLS), which provides a foreign language telephone interpreter service. And finally, the third contract is with the Propio Language Services that also provides language interpretation services. During the site review the auditor observed the PREA Posters located in the housing units.

The Agency Head / Designee was interviewed and asked if his agency has established procedures to provide inmates with disabilities and inmates who are limited English can participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Agency Head/Designee stated that; yes, his agency has published information in Spanish, made accommodations for people with disabilities, (braille) and people with hearing disabilities. The Department provides for sign language interpreters and has contracts for language translation services.

Finally, one inmate identified as hearing disabled and was interviewed during the on-site review phase. This inmate was hard of hearing and not deaf. The inmate was asked if the facility provided information about sexual abuse that he was able to understand, and if not, did the facility provide someone to help, write, read, or explain? Also, did the inmate understand the information that was provided? The inmate stated yes to the question regarding PREA information that he could understand and no to having someone help him read, write, or explain his rights under PREA.

The evidence collected for this provision shows that the agency has a written policy that addresses that the agency takes 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 or sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.16 Provision (b)

The VADOC PREA Operating Procedure 038.3, page 7, states in part that; Facility staff must take reasonable steps to ensure offenders who are limited English proficient, are afforded meaningful access to all aspects of the DOC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The agency has provided documentation of a contract between the Propio Language Services Inc. and the VADOC to provide interpreting services. The facility provided a Spanish-Offender PREA Training Acknowledgement form that the inmate signs admitting to receiving the PREA training. During the site review the auditor observed the PREA Posters located in the housing

units.

The Agency Head / Designee was interviewed and asked if his agency has established procedures to provide inmates with disabilities and inmates who are limited English can participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Agency Head/Designee stated that; yes, his agency has published information in Spanish, made accommodations for people with disabilities, (braille) and people with hearing disabilities. The Department provides for sign language interpreters and has contracts for language translation services.

Finally, there were no inmates that identified as limited proficient in English and were interviewed during the on-site review phase. The auditor did ask numerous random inmates if they were aware of any Spanish-speaking inmates housed at the facility that struggled with the English language. No inmates that were interviewed identified any such inmate.

The evidence collected for this provision shows that the agency has a written policy that addresses that the agency takes appropriate steps to ensure that inmates who are "limited English proficient" 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 or sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.16 Provision (c)

The VADOC PREA Operating Procedure 038.3, page 7 paragraph 3, states in part that; Facility staff cannot rely on offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-response duties under, or the investigation of the offender's allegations. Video Remote Interpreting (VRI) should be utilized to effectively communicate with deaf offenders when American Sign Language interpreters are not available on-site.

During the audit interview process the auditor asked 12 random staff if the facility ever allows the use of inmate interpreters. All 12 random staff stated that they would not use inmate interpreters. In addition, those same 12 random staff members stated that they would either use staff interpreters or the language line as an additional option.

The evidence collected for this provision shows that the agency has a written policy that addresses that the agency shall not rely on inmate interpreters. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard referencing requirements for inmates with disabilities and inmates who are limited English proficient have equal opportunity or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 102.3 Background Investigation b) VADOC Operating Procedure 102.2 Recruitment, Selection, and Appointment c) VADOC Operating Procedure 260.1 Procurement of Goods and Services d) VADOC Operating Procedure 135.1 Standards of Conduct e) Halifax New Hire Job Applications f) Halifax New Hire Background Requests g) Halifax DOC Rehire Job Application h) Halifax Promotion Job Application i) Halifax Promotion Background Request j) Halifax PREA Training Volunteer & Contractor List k) Halifax Employee VCIN Background Checks l) Staff Employee Files <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Human Resources Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.17 Provision (a)</p> <p>The VADOC Operating Procedure 102.3 page 6, paragraph J, states in part that; 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:</p> <ol style="list-style-type: none"> 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, as defined in 42 U.S.C. 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.

The VADOC Operating Procedure 102.2 page 7, paragraph H, states in part that; The DOC will not hire or promote anyone for a position that may have offender contact who has been:

1. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
2. Convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
3. 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.

Lastly, VADOC Operating Procedure 260.1 page 10, paragraph 14b, states in part that; The DOC must not enlist the services of any contractor who may have contact with offenders, who:

1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
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.

During the file review part of this audit 12 personnel files were sampled. This sample included civilian staff, volunteers, contractors, and security staff. The review resulted in 12 files indicating an initial criminal history being ran. In addition, the PREA Regional Analyst provided several Personal History Questionnaires with evidence that pre-hire interview questions regarding past conduct were asked and answered. Also included in the documentation provided in the Pre-Questionnaire are Background Requests and Promotional Applications.

The evidence collected for this provision shows that the agency has a policy prohibiting the hiring or promoting anyone who may have contact with inmates if they had engaged in sexual abuse in jail. If convicted of engaging or attempting to engage in sexual abuse and had been civilly adjudicated due to engaging in these activities. Therefore, through written policy,

personal observations, and file review the facility has demonstrated that it meets this provision.

115.17 Provision (b)

The VADOC Operating Procedure 102.2 page 7, paragraph H 2, states in part that; The DOC must consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with incarcerated offenders.

VADOC Operating Procedure 102.3 page 6, paragraph K, states in part that; The DOC will consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with offenders.

Lastly, VADOC Operating Procedure 260.1 page 11, paragraph 14 b 3, states in part that; The DOC must consider any incidents of sexual harassment in determining whether to enlist the services of any contractor, who may have contact with offenders.

During the audit interview process the Human Resources staff member was asked if the agency considers prior incidents of sexual harassment when determining whether to hire or promote anyone and to enlist services of any contractors. The H.R. staff member stated that they do consider those prior incidents and red flags the file.

The evidence collected for this provision shows that the agency has a policy requiring the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.17 Provision (c)

VADOC Operating Procedure 102.3 page 6, paragraph L, states in part that; Before hiring new employees, who may have contact with offenders, the DOC will:

1. Perform a criminal background records check, i.e., Virginia Criminal Information Network (VCIN)
2. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further

stated that it is each facility's responsibility to ensure the five-year check is completed. The auditor reviewed 12 personnel files. The auditor determined that the 12 names of staff members that was selected had evidence in the personnel file of an initial VCIN Background Check completed.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records be run on all new employees. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.17 Provision (d)

VADOC Operating Procedure 102.3 page 6, paragraph M, states in part that; All DOC facilities will perform a VCIN before enlisting the services of any contractor who may have contact with offenders. All DOC community based administrative offices should perform a VCIN before enlisting the services of any contractor who will have unescorted contact with offenders.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further stated that it is each facility's responsibility to ensure the contractors and volunteers background VCIN checks are completed. The auditor reviewed 12 personnel files. The auditor determined that the 12 staff members had documentation in their files that indicated a VCIN criminal history record being run. In addition, the facility provided the auditor with an excel spread sheet that identified the names of the contractors and volunteers along with the date the staff received their PREA training and the date the VCIN record check was completed.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records be run on all new contractors that have contact with inmates. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.17 Provision (e)

VADOC PREA Operating Procedure 038.3 page 6, paragraph C, states in part that; A background investigation with a criminal history record investigation (e.g. VCIN) will be conducted every five years on all current and prospective staff and contractors to ensure against the hiring of any person with a history of perpetrating sexual abuse, assault, misconduct, or harassment.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all sworn employees, and any contractor that may have contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further stated that it is the facility's responsibility to ensure this

task in completed. The auditor reviewed 12 personnel files. The auditor determined that the 12 staff members appeared on the criminal history excel spread sheet. The dates listed on the spread sheet indicated when the background checks were conducted. The facility also provided the auditor with a similar excel spread sheet with the dates the records check was conducted on all contractors and volunteers.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records check be run on all employees, contractors, and volunteers at least every five years. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.17 Provision (f)

The Virginia State Employment Application for Corrections New Applicant Interview Questions document listed three PREA related questions that must be asked of the applicant. Question 1 states in part that; Have you engaged in sexual abuse in an institutional setting. Question 2 states in part that; have you 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? And finally question 3 states; have you been civilly or administratively adjudicated for having engaged in sexual activity described in questions 1 and 2. The VADOC imposes an affirmative duty on each of its employees to disclose any sexual misconduct prior to employment, as well as during their employment. During the interview with the H.R. staff member, it was asked if the facility ask all applicants and employees about previous misconduct regarding inmates and does the facility impose upon employees a continuing affirmative duty to disclose previous misconduct. The H.R. staff member stated that the agency has a list of questions that must be answered during the applicant's interview as part of the background investigation. She also stated that yes, all employees must report any misconduct or interaction with law enforcement. The agency provided copies of staff personal history applications with the questions and answers given.

The evidence collected for this provision shows that the agency has a policy requiring that they ask about previous misconduct and the employee's responsibility to disclose such misconduct. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.17 Provision (g)

VADOC Operating Procedure 102.3 paragraph J-3, states in part that; 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 has made material omissions regarding such misconduct, or has provided materially false information, material omissions or providing false information will be grounds for termination. In addition, VADOC Operating Procedure 135.1, page 15, paragraph H, states in part that; Material omissions regarding convictions or charges of sexual abuse or sexual harassment in an institutional setting, sexual activity by force or coercion, or administrative adjudication for sexual activity by force shall be grounds for termination. There are no examples or circumstances over the last twelve months to provide documentation for this provision.

The evidence collected for this provision shows that the agency has a policy requiring that material omissions regarding such misconduct or the provision of materially false information are grounds for termination. Therefore, through written policy the facility has demonstrated that it meets this provision.

115.17 Provision (h)

VADOC Operating Procedure 102.7 page 6, paragraph 10, states in part that; Information on substantiated allegations of sexual abuse or sexual harassment involving a former employee must be furnished to any institutional employer for whom which the employee has applied to work provided the request is written.

115.18	Upgrades to facilities and technologies
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 411 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 1469 595">a) Superintendent Goode Memorandum documenting no design or modifications made to its facilities during this audit period. <li data-bbox="252 633 1430 757">b) Superintendent Goode Memorandum documenting no installation or modifications to any video, surveillance, or monitoring technology was made to the facility during this audit period. <li data-bbox="252 795 799 828">c) VADOC Operating Procedure 801.1 <p data-bbox="252 866 384 900">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="252 938 847 972">a) Interview with Agency Head / Designee <li data-bbox="252 1010 767 1043">b) Interview with Warden / Designee <p data-bbox="252 1081 1134 1115">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="252 1153 517 1187">115.18 Provision (a)</p> <p data-bbox="252 1225 1469 1393">VADOC Operating Procedure 801.1 page 2, paragraph 4, states in part that; 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.</p> <p data-bbox="252 1431 1406 1509">The facility has not acquired or made a substantial expansion or modifications to existing facility since the last PREA audit in 2018.</p> <p data-bbox="252 1547 1453 1626">The agency has provided a memo authored by the Facility Superintendent stating that there has been no new expansions or modifications to her facility since the last PREA Audit.</p> <p data-bbox="252 1664 1461 1955">During the audit interview phase the Agency Head was asked that when planning substantial modifications to the facility, “how does the agency consider such changes on its ability to protect inmates from sexual abuse?” The Agency Head stated, “when designing facilities, we include individuals from various departments and disciplines in the process to include people responsible for PREA and ADA.” In addition, the Warden/Designee was also asked the same question. The Warden / Designee stated, “There had been no current renovations to the facility.”</p> <p data-bbox="252 1993 1445 2161">The evidence collected for this provision shows that the agency shall consider the effect of such design to improve the ability to protect inmates from sexual abuse. Therefore, through personal observations, and interviews conducted the facility has demonstrated that it meets this provision.</p>

Provision B:

VADOC Operating Procedure 801.1 page 2, paragraph 5, states in part that: For new installations or updates to existing video monitoring systems, electronic surveillance systems or other monitoring technologies, the facility shall take into consideration how such technology may enhance their ability to protect offenders from sexual abuse.

The agency has provided a memo authored by the Facility Superintendent stating that there has been no new installation or updates to any video monitoring systems, electronic surveillance systems, or other monitoring technology at its facility since the last PREA Audit.

During the audit interview phase the Agency Head was asked how the agency uses monitoring technology. The Agency Head stated that; the department utilizes cameras extensively throughout their facilities to help with detection of illegal activities to include sexual abuse. They also use telephonic notifications so anyone can pick up the phone to report any such violations. The Warden / Designee was also asked a similar question about how the facility had considered using technology to enhance inmates' protection from sexual abuse. The Warden/Designee stated that; the facility tries to identify blind spots and review all technology on a weekly basis to make sure all cameras are in working order to be as effective as possible.

During the on-site review tour the auditor observed security cameras and monitors located throughout the facility.

The evidence collected for this provision shows that the agency has considered how technology may enhance the facility's ability to protect inmates from sexual abuse. Therefore, through written memorandums, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard addressing upgrade to facilities and technology.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) Halifax Facility Pre-Audit Questionnaire responses b) VADOC PREA Operating Procedure 038.3 c) VADOC Operating Procedure 030.4 Special Investigative Unit d) VADOC Operating Procedure 030.1 Evidence Collection and Preservation e) VADOC Operating Procedure 720.7 Emergency Medical Equipment and Care f) Virginia Forensic Nurse Examiner Programs g) Halifax Facility Superintendent regarding no incidents of sexual abuse resulting in a medical forensic examination. h) Business Contract between Virginia Department of Corrections and the Virginia Sexual and Domestic Action Alliance. (effective date 04/27/2020) i) Business Contract between Virginia Department of Corrections and Ballard Health (effective date 07/27/2020) <p>Interviews</p> <ul style="list-style-type: none"> 1. Interview with SANE/SAFE staff 2. Interview with inmate who reported a sexual abuse 3. Interview with the PREA Coordinator 4. 12 interviews with random staff <p>Observations during on-site review of physical plant.</p> <p>115.21 Provision (a)</p>

VADOC PREA Operating Procedure 038.3 page 11, paragraph V3 states in part that: Unless the Facility Investigator quickly and definitively determines that the allegation is unfounded, allegations of sexual abuse or sexual harassment must be referred for investigation to SIU. The facility Investigator will document all such referrals. SIU conducts investigations into criminal behavior, procedural, or administrative violations, and staff misconduct affecting operations of the DOC.

VADOC Operating Procedure 030.4, page 4, paragraph B3, states in part that; The SIU is authorized to conduct administrative and / or criminal investigations into allegations of sexual abuse or sexual harassment in DOC facilities. It further states that; all special agents are required to be sworn police officers in the state of Virginia with full police powers and must maintain DCJS law enforcement certification. Page 12, paragraph 7, of the VADOC policy 030.4 states in part that; SIU has an established uniform evidence protocol which maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

During the review phase of the Pre-Audit Questionnaire the auditor reviewed standard 115.21 and noted that the VADOC Special Investigations Unit (SIU) is responsible for all criminal investigations that occur on the grounds owned and operated by the VADOC. The PREA Coordinator was contacted and asked this question. The PREA Coordinator explained the VADOC SIU conducts all criminal sexual assault investigations at the VADOC facilities. On 04/08/2021, the auditor contacted the VADOC Special Investigation Unit to establish if they did in fact conduct alleged sexual assault criminal investigations at the Halifax Correctional facility. Arrangements were made by the Auditor to contact a SIU detective via phone call. On 04/08/2021, the auditor contacted a Detective with the Special Investigation Unit. He informed the auditor that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed to send an investigator is an official request from the Facility Investigator. The SIU is responsible for investigating allegations of sexual crimes that occur within the VADOC facilities and is familiar with PREA standard 115.21 pertaining to the investigation of sexual assaults, the collection of evidence, and forensic examinations. Furthermore, the Halifax Facility provided VADOC Policy 030.1, Evidence Collection and Preservation page 6, paragraph E3, states in part that; 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. See Operating Procedure 030.4, Special Investigations Unit, and Operating Procedure 720.7, Emergency Medical Equipment and Care, for additional guidance.

When the Auditor interviewed 12 random staff it was determined that all 12 staff were aware of their responsibilities to preserve evidence during a sexual abuse allegation. They discussed securing the scene, notifying a supervisor immediately, contacting medical personnel, placing clothing in a brown paper bag, writing a detailed report, and not allowing the victim or accuser to bathe. Also, when asked who was responsible for investigating criminal and administrative cases, staff members identified the VADOC SIU 10 times, they identified the Facility Investigator 4 times, and believed the PREA Compliance Manager was responsible 4 times. All random staff interviewed were therefore aware of the protocol for evidence collection.

The evidence reviewed for this provision shows that the facility has demonstrated that they do follow a uniform evidence protocol for obtaining physical evidence for administrative and criminal proceedings. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.21 Provision (b)

The facility did not house a youthful offender in their facility over the last twelve months. The Halifax Correctional Unit provided VADOC Policy 030.4, page 11, paragraph 7b, which states in part that; The established protocol is developmentally appropriate for youth and is based on or similar to other comprehensive and authoritative protocols developed after 2011.

The Halifax Correctional Unit utilizes the VADOC SIU to conduct all criminal investigations within the facility. The Halifax facility provided policy that states all Special Agents for the VADOC are certified law enforcement officers through the Department Criminal Justice Services. In addition, the policy listed above would suggest that all necessary protocols would be adapted and followed on the most recent edition of the Department of Justice (DOJ's) Office on Violence Against Women publication in accordance with this standard.

The evidence reviewed for this provision shows that the agency has demonstrated that they do follow a protocol that is developmentally appropriate for youth. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.21 Provision (c)

The Facility offered VADOC Operating Procedure 720.7 page 9, paragraph E1, states in part that; 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. 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.

Any allegations of sexual abuse that appears criminal will be referred to the VADOC SIU for criminal investigation. The alleged victim shall be immediately transported to Centra Grenta Emergency Center to be examined by a medical professional who is skilled and experienced

in the use of rape kits for the collection of forensic evidence.” The Centra Lynchburg General Hospital shall employ a Sexual Assault Nurse Examiner (SANE) or a Sexual Assault Forensic Examiner (SAFE). In addition, this policy specifically states that treatment services shall be provided to the alleged victim without financial costs to the victim.

The agency provided a business contract between the VADOC and Ballad Health, which states in part that; the Forensic team of Ballad previously Mountain State hospital will follow all the current Virginia Department of Forensic Sciences collection procedures including timeframes for collection of evidence. The program serves as a link between the judicial system, law enforcement, community services, and laboratories that process evidence following a violent act. Centra Lynchburg General Hospital Forensics’ Unit is a licensed health care facility that will provide health care services to offenders housed in a state or local correctional institution. An offender who is a victim of an alleged sexual abuse may be transported to Centra Lynchburg Hospital or their affiliates for a sexual assault forensic examination. The hospital employs one or more staff members trained in sexual assault examination. The hospital agrees that any such examination will be performed by a nurse trained in sexual assault examination under the direction of a physician.

The PREA Regional Analyst replied in the Pre-Audit Questionnaire stating that the facility did not experience any sexual abuse allegation requiring a forensic examination by a SAFE/SANE nurse or physician during the last twelve months. In addition, during the interview with the PREA Compliance Manager, she stated that the agency did not have a situation where an inmate was referred to the hospital for a forensic examination.

Prior to the on-site audit at the Halifax Correctional Unit, an interview was conducted by the auditor with a Sexual Assault Nurse Examiner (SANE). The interview was conducted by phone with the Supervising SANE Nurse employed with the Centra Lynchburg Hospital, Virginia Department of Health. A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The nurse explained that she was aware of the agreement between the VADOC and the Centra Lynchburg Hospital when it comes to conducting SANE exams. She explained that Centra Lynchburg Hospital conducts SANE exams for the surrounding jurisdictions. When asked if the Centra Lynchburg Hospital Forensics Unit is responsible for conducting all forensic medical exams for the Halifax Correctional Unit, the SANE Nurse stated, “Yes, they are the hospital that offers forensic services. However, the closest emergency facility to the Halifax Correctional Unit would be the Centra Grenta Emergency Center.” When asked if SANE staff is unavailable to conduct forensic medical examinations, then who assumes the responsibility? The SANE Nurse replied, “That would never happen, there are nurses always on call 24 hours a day 7 days a week 365 days a year.”

As of the date of the on-site audit, the facility reported in the last 12 months there has been no forensic medical examinations performed by a SANE or SAFE.

The evidence collected for this provision shows that the agency has procedures in place to offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost to the victim. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.21 Provision (d)

The facility has provided VADOC PREA Policy 038.3, page 13, paragraph VI A-1, which states in part that; 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 services of a qualified

staff member or a qualified staff member from a community-based organization must be made available.

In addition, VADOC Operating Procedure 730.2 page 10, paragraph 5-f, states in part that; 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.

The Facility has provided a business contract between The VADOC and the Virginia Sexual and Domestic Violence Action Alliance with a renewal contract dated 04/27/2020. The Action Alliance is a victim services advocate that provides confidential support and assistance to sexual assault victims for the entire inmate population incarcerated in the Virginia Department of Corrections. In accordance with 42. USC 14043g (b) (2) (c) the requirements to be considered a "rape crisis center" are as follows:

1. Provide a 24-hour hotline
2. Accompaniment and advocacy through the medical, criminal justice, and social support systems.
3. Short-term crisis intervention support.
4. Information and referral to assist sexual assault victim and family
5. Community out-reach for underserved communities
6. The development and distribution of materials on issues related to the above listed issues.

The auditor has reviewed The Action Alliance's website to determine that this advocacy group does meet all the criteria listed above to be considered a "rape crisis center."

The MOU states that The Action Alliance will maintain a trained pool of advocates to respond to sexual assault and maintain confidentiality as required by state standards for certified crisis counselors.

The PREA Compliance Manager was interviewed by the auditor and stated that staff would allow access to a victim advocate if the inmate requested. The PREA Compliance Manager also stated that the facility provides access to Action Alliance through phone. Finally, there was no inmate interviewed during the on-site interview process that reported a sexual abuse. Therefore, the auditor has no inmate perspective on this topic.

During the on-site review, the auditor spoke to several inmates who confirmed the availability to contact The Action Alliance via phone. This demonstrates the agency's attempt to make available to victims of sexual abuse a victim advocate from a rape crisis center.

The evidence collected for this provision shows that the agency has demonstrated that they do offer services from a victim advocate from a rape center that is not associated with the criminal justice system or law enforcement and provides confidentiality. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.21 Provision (e)

The facility has provided VADOC PREA Operating Procedure 038.3 page 13, paragraph VI-A-2, which states in part that; As requested by the victim, a victim advocate, qualified staff member, or qualified community-based organization member will accompany and support the victim through the forensic medical examination process and investigatory interviews and will provide emotional support, crisis intervention, information, and referrals. VADOC Operating Procedure 030.4 page 11, paragraph 7c, states in part that; 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. And finally, under VADOC Operating Procedure 720.7 page 9, paragraph E 1-a, states in part that; 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.

The facility also provided the MOU with Action Alliance as additional guidance addressing when a victim advocate can accompany an alleged sexual assault victim through the forensic examination and during the investigatory interview process. The MOU states in part that; “Upon request of the victim or someone requesting on behalf of the victim, have a trained qualified advocate available to accompany and support the victim through the forensic medical examination process and investigatory interviews within a reasonable period of time.”

The Halifax facility PREA Compliance Manager stated that the agency did not experience any sexual abuse allegation requiring a forensic examination by a SAFE/SANE nurse or physician during the last calendar year. In addition, when asked how the agency ensures that the advocate meets the qualifications described above the Compliance Manager stated that the service is coming from an official rape crisis center.

The evidence collected for this provision shows that the facility has demonstrated that they do allow victim advocates to accompany and support alleged victims of sexual assault during the forensic examination and during the investigatory interview. Therefore, through written policy, and interviews conducted, the facility has demonstrated that it meets this provision.

115.21 Provision (f)

The agency / facility is responsible for conducting administrative and criminal sexual abuse investigations; Therefore, this provision is not applicable to the Halifax Correctional Unit.

The evidence collected for this provision shows that the agency / facility conducts their own administrative and criminal sexual abuse investigation and therefore, this provision is not applicable to this facility.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the agency to provide evidence protocols and forensic medical evaluations.

115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 030.4 Special Investigative Unit c) Superintendent Goode memo regarding no incidents or allegations of sexual abuse or sexual harassment. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head b) Interview with Investigative Staff <p>Observations made during the On-site Phase of the Audit.</p> <p>115.22 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 11, paragraph V-A, states in part that; An administrative or criminal investigation conducted in accordance with PREA standards must be completed and documented for all allegations of sexual abuse and sexual harassment. If the alleged abuser is staff, the staff member must be reassigned to a post with no offender direct contact with the alleged victim, suspended, or placed on pre-disciplinary leave with pay based on circumstance or situation, pending completion of the investigation as outlined in Operating Procedure. Upon receipt of an allegation of sexual abuse or sexual harassment, investigative staff will have 30 days to complete an administrative investigation into the allegation. The Facility Investigator or other staff member who has received the required specialized training to conduct sexual abuse investigations will conduct the initial investigation. If it is determined that the investigation will not be completed within 30 days then the Facility Investigator must contact the Regional PREA Analyst to discuss an extension. When the Regional PREA Analyst determines that an extension is needed, periodic updates must be provided at an interval deemed appropriate by the Regional PREA Analyst. If a determination is made that the sexual abuse allegation will be handled by SIU, the Facility Investigator will notify the Regional PREA Analyst.</p> <p>VADOC Operating Procedure 030.4 page 10, paragraph G-1, states in part that; The Facility Unit Head shall ensure that an administrative and/or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>In the past twelve months the Halifax Correctional Unit reported that they had not received any allegations of sexual abuse or sexual harassment.</p>

When interviewing the Agency Head, he stated that yes; the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and harassment. The Agency Head explained that institutional investigators, who can then refer to the Special Investigation Unit, if there is evidence of wrongdoing, could investigate sexual abuse allegations.

The evidence collected for this provision shows that the agency has procedures in place to ensure that an administrative or criminal investigation is completed on all allegations of sexual abuse and sexual harassment. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

115.22 Provision (b)

VADOC PREA Operating Procedure 038.3 page 11, paragraph V-3, states in part that; Unless the Facility Investigator quickly and definitively determines that the allegation is unfounded, allegations of sexual abuse or sexual harassment must be referred for investigation to SIU. The Facility Investigator will document all such referrals. SIU conducts investigations into criminal behavior, procedural or administrative violations, and staff misconduct affecting the operations of the DOC. In addition, VADOC Operating Procedure 030.4 page 10, paragraph G-4, states in part that; Unless the facility investigator quickly and definitively determines that the allegation is unfounded, allegations of sexual abuse or sexual harassment shall be referred for investigation to the DOC Special Investigations Unit who has the legal authority to conduct criminal investigations.

Prior to the on-site phase of this audit the auditor interviewed a Special Agent with the DOC Special Investigation Unit that is assigned to conduct investigations at the Halifax Correctional facility. The investigative staff member was asked if agency policy requires that allegations of sexual abuse be referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potential criminal activity. The investigator stated, "Yes, the agency has policy that directs all criminal investigations be conducted by the Special Investigation Unit."

The evidence collected for this provision shows that the agency has procedures 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. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

Provision (c):

The Halifax Correctional Unit is part of the Virginia Department of Corrections, who perform their own criminal investigations into sexual abuse and sexual harassment allegations. Therefore, this provision in the standard is not applicable to this facility.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the agency to ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

115.31	Employee training
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 102.6 Staff Orientation b) VADOC Operating Procedure 350.2 Training & Development c) Basic Correctional Officer Training Checklist d) Basic Correctional Officer Participant Outline e) Basic Correctional Officer PREA Trainer Outline f) PREA Basics Curriculum Training g) PREA In-Service Training Outline and Checklist h) PREA & ADA News issue i) Halifax In-service Roster and Test <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Random Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.31 Provision (a)</p> <p>The Halifax Correctional Unit provides PREA refresher training to all their employees on an annual basis. The facility also trains contractors and volunteers during their initial orientation process and then annually. New hires are trained while in basic training and then on an annual basis. The Halifax Correctional Unit has provided the PREA BCO Introduction & Checklist along with the PREA Overview Curriculum through on-line services. They have provided PREA In-Service Training rosters along with agency policy VADOC Operating Procedure 350.2 page 11, paragraph G-9, which states in part that; 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:</p> <ul style="list-style-type: none"> · Its zero-tolerance policy for sexual abuse and sexual harassment. · How to fulfill responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. · Offenders' right to be free from sexual abuse and sexual harassment. 	

- The right of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment.
- The dynamics of sexual abuse and sexual harassment in confinement.
- The common reactions of sexual abuse and sexual harassment victims'
- How to detect and respond to signs of threatened and actual sexual abuse.
- How to avoid inappropriate relationships with offenders.
- How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders.
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Also provided is agency policy 102.6 page 8, paragraph 1, which states in part that; The DOC will train all employees who may have contact with offenders on:

- 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

During the interview process 12 random staff, 2 volunteers, and 2 contractors were asked if they had received PREA training and, "if so, when?" All 12 officers indicated that they have received the training. 10 officers stated that they received training both annually and during the new-hire orientation. 2 officers stated that they received PREA training during the new-hire orientation. All four of the volunteers and contractors indicated that they received the PREA training during the new-hire orientation and then receive refresher courses on an annual basis.

The evidence collected for this provision shows that the agency has procedures in place to train all employees on all relevant topics outlined in this standard provision. Therefore, through

written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.31 Provision (b)

VADOC Operating Procedure 102.6 page 8, paragraph A-2, states in part that; 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. In addition, agency policy 350.2 page 12, paragraph 9-b, states in part that; 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.

The evidence collected for this provision shows that the agency has trained all employees in all aspects of PREA regarding the specific gender facility. Therefore, there is a need to provide additional training when transferred to a facility that holds only one specific gender. Through written policy the facility has demonstrated that it meets this provision.

115.31 Provision (c)

The Halifax Correctional Unit provides PREA training on a yearly basis. All new employees receive initial training when attending the new-hire orientation and basic training. All new contractors and volunteers receive their initial training during the orientation process as well and then annually. This practice was confirmed by sampling 10 employee training records. The files indicated that all 10 employees received initial PREA training, 12 staff members acknowledged receiving the training during interviews and 10 documented receiving refresher training. Finally, the Halifax Correctional Unit provided several PREA training attendance rosters and basic training records documenting the completion of the agency's annual PREA refresher training. The facility also provided a monthly newsletter specific to PREA and ADA with updates and reminders associated with PREA.

The evidence collected for this provision shows that the agency has provided initial and refresher PREA training to all their employees at least once a year. Therefore, through written policy and file review observations the facility has demonstrated that it meets this provision.

Provision (d)

VADOC Operating Procedure 350.2 page 12, paragraph 9-c, states in part that; the agency shall document, through employee signature or electronic verification that employees understand the training they have received. The facility also offered agency policy 102.6 page 8, paragraph A-3, which states in part that; the agency will document through employee signature or electronic verification that employees understand the training they have received.

The Halifax Correctional Unit maintains training documentation that includes certificates of completion, training rosters, and PREA Training Acknowledge forms. These documents show either electronic verification or staff signatures from volunteers, contractors, and sworn staff verifying they understand the PREA training and materials they have received.

The Halifax Correctional Unit provided examples of employee training records in either hard copy with handwritten signatures or signatures generated from a Jail Management System

platform that makes the student/officer electronically acknowledge the training that was received and that requires the employee to sign acknowledging that he/she understands the training that was provided.

The evidence collected for this provision shows that the facility has provided documentation through employee signature, acknowledging that the employee understands the training received. Therefore, through written policy and file review observations the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the agency train all employees who have contact with inmates on its zero-tolerance policy for sexual abuse and/or harassment, and how to fulfill their responsibilities for preventing, detecting, reporting, and responding to sexual abuse.

Also, the inmates and employees' rights to be free from retaliation, inmates right to be free from sexual abuse, the dynamics of sexual abuse in confinement, common reactions of sexual abuse victims, how to communicate effectively with inmates, including LGBTQ inmates; and how to comply with relevant laws related to mandatory reporting of sexual abuse.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 102.6 Staff Orientation b) VADOC Operating Procedure 350.2 Training & Development c) VADOC PREA Operating Procedure 038.3 d) VADOC Operating Procedure 027.1 Volunteer and Internship Programs e) Volunteer PREA Acknowledgement f) Guide for Maintaining Boundaries Brochure g) PREA Contractor / Volunteer Trainer Outline h) PREA Compliance Memo dated 10/17/2012 (Identifies the levels of Contractors/Volunteers and the necessary training needed for each level according to category) <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Volunteer b) Interview with Contractor <p>115.32 Provision (a)</p> <p>VADOC PREA Policy 038.3, page 5, paragraph B-2, states in part that; All contractors and volunteers with the DOC who have physical, visual, or auditory contact (or could have contact) with offenders will be trained on their responsibilities to prevent, detect, monitor, and report allegations and incidents of sexual abuse and sexual harassment of offenders. The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with offenders. At minimum, such persons will be notified of the DOC's Zero Tolerance Policy regarding sexual abuse and sexual harassment and informed how to report such incidents. All volunteers and contractors will be provided with a copy of Attachment 4, A Guide to Maintaining Appropriate Boundaries with Offenders for Contractors and Volunteers of the Virginia Department of Corrections, and will be required to sign Attachment 6, Prison Rape Elimination Act (PREA) Training Acknowledgement.</p> <p>VADOC Operating Procedure 102.6 page 8, paragraph B-1, also states in part that; The agency must ensure that all interns, volunteers, and contractors who have contact or could have contact with offenders have been trained on their responsibilities under the DOC sexual abuse and sexual harassment prevention, detection, and response procedures and have</p>

signed the Prison Rape Elimination Act (PREA) Training Acknowledgement attachment to Operating Procedure 038.3, Prison Rape Elimination Act (PREA).

All volunteers and contractors who have contact with inmates will be trained on the VADOC 's responsibilities under the departments PREA policy. The level and type of training provided the volunteers and contractors is based on the services they provide and the level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. Halifax Correctional Unit maintains documentation showing volunteers, contractors, and DOC employees signatures verifying they understand the training and materials they have received.

The facility currently has 5 volunteers with 100% of those volunteers participation in training. Volunteers and Contractors are trained during their initial orientation and are required to acknowledge that they have received the necessary PREA training by signing a Volunteer PREA Acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.

During the interviews with two volunteers and two contractors the auditor asked if they had been trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response. All 4 individuals answered in the affirmative.

While performing the document review the auditor observed several signed Volunteer PREA Acknowledgement forms from both volunteers and contractors.

The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors that have contact with inmates are trained on the prevention, detection, and response policies regarding sexual abuse and sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.32 Provision (b)

VADOC Operating Procedure 027.1 page 11, paragraph D-1,2, states in part that; The level and type of training provided to volunteers/interns will be based on the services they provide and level of contact they have with offenders. All volunteers/interns who have contact with offenders must be notified of the DOC's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. In addition, the facility provided VADOC Operating Procedure 350.2 page 8, paragraph 2e, which states in part that; Contractors and volunteers with the DOC who have contact (or could have contact) with offenders shall be trained on their responsibilities to prevent, detect, monitor and report allegations and incidents of sexual abuse and sexual harassment of offenders and probationers. 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 offenders, but all volunteers and contractors who have contact with offenders shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. The facility shall maintain documentation confirming that volunteers and contractors understand the training they have received.

The facility currently has 5 contractors and volunteers with 100% of them participation in training. Volunteers and Contractors are trained during their initial orientation and are required

to acknowledge that they have received the necessary PREA training by signing a Volunteer PREA acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.

When interviewing the two volunteers, they stated that the training consists of what to do when approached about sexual abuse and how they would tell a supervisor and write a statement about what had occurred. They stated that they have been made aware of the agency's zero-tolerance policy. When one contractor was asked the same question, his response was that he received the PREA training at the Nottoway Correctional facility and that if someone made an allegation of sexual abuse to him then he would notify the team Manager and the PREA Compliance Manager. The second contractor stated that his team received the training as a group on the first day by Halifax security staff prior to starting work. He reiterated the same training experience and stated that he would immediately notify a security officer.

The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.32 Provision (c)

VADOC Operating Procedure 027.1 page 11, paragraph D-3, states in part that; Receipt and understanding of these materials will be documented by the volunteers/interns signature on the Volunteer/Intern Agreement 027_F4 and on the Prison Rape Elimination Act (PREA) Training Acknowledgement attachment to Operating Procedure 038.3, Prison Rape Elimination Act. Also, the facility provided VADOC Policy 102.6 page 8, paragraph B-3, which states in part that; The agency will maintain documentation confirming that interns, volunteers, and contractors understand the training they have received.

The volunteer and contractor acknowledgement forms are maintained by the PREA Compliance Manager and observed during the document review phase of this audit. In addition, the facility provided an excel work sheet that identified the dates that all contractors and volunteers had their PREA received training for the last three years. The document indicated that 128 contractors and 30 volunteers had received PREA training from calendar year 2018 to present.

The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors documentation confirming that they received PREA training and understood that training. Therefore, through written policy and personal observations the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring PREA training for both volunteers and contractors

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 810.2 c) Zero-Tolerance PREA Posters both in English & Spanish d) Offender PREA Training Acknowledgement Form e) Offender Training Comprehensive Document f) Offender Training Intake Document g) Halifax Inmate Orientation Form <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Intake Staff b) Interview with Random Inmates <p>115.33 Provision (a)</p> <p>All VADOC inmates arriving to the state correctional system is initially sent to an Intake facility. Here the inmates are classified, medically evaluated, and provided all the necessary education and information needed during their stay. It is at these Intake facilities the VADOC inmates initially receive the PREA information along with the more comprehensive PREA education. At the Halifax Correctional Unit, the majority of inmates are transferred from the Nottaway Correctional Unit, which is an Intake facility. Once the inmate arrives at the Halifax facility, the facility counselor provides them the PREA information.</p> <p>VADOC PREA Operating Procedure 038.3 page 4, paragraph 1a, d, states in part that; 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. This information must be communicated verbally and in writing, in language, clearly understood by the offender and will include the following topics: Definition of sexual misconduct/assault and behaviors prohibited by staff, contractors, volunteers and offenders. DOC Zero Tolerance Policy, Prevention/ Intervention, Self-protection, Reporting sexual abuse/assault/harassment, Treatment and counseling, Offender telephone sexual abuse Hotline Number #55, Free Emotional Support through Hotline Number #55, Option 2.</p> <p>Within 10 days of arrival, the offender will receive a comprehensive PREA training, utilizing</p>

Attachment 2b, Preventing Sexual Abuse & Sexual Assault - Trainer Outline (Comprehensive) and the video PREA: What You Need to Know.

The Halifax Correctional Unit identified that there were 53 inmates admitted into their facility in the last twelve months. Of those 53 inmates all received the initial PREA information during the intake process along with the refresher PREA educational information from the facility counselor after transferring to the Halifax Correctional Unit.

During the interview with the Intake Officer, she explained that part of her responsibility, as a facility counselor is to provide all arriving inmates with the zero-tolerance policy and how to report sexual abuse. She stated that all inmates sign a Halifax PREA Orientation form acknowledging that the information was provided and that they understand what was presented to them. She also stated that there are posters mounted on the walls throughout the facility that explains these same instructions. When the auditor interviewed 19 random inmates they were asked if they had received information about the facility's rules against sexual abuse and harassment. From those inmates interviewed, 17 stated that they had received the information; two inmates stated they received a packet of information to read.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates receive information explaining how to report sexual abuse and the agency's policy on zero-tolerance for sexual abuse or harassment at the time of intake. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

115.33 Provision (b)

VADOC PREA Operating Procedure 038.3 pages 4-5, paragraphs 1-2, states in part that; Within 10 days of arrival, the offender will receive a comprehensive PREA training, utilizing Attachment 2b, Preventing Sexual Abuse & Sexual Assault - Trainer Outline (Comprehensive) and the video PREA: What You Need to Know. 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. If the signed Preventing Sexual Abuse and Assault Training Acknowledgement are not available in VACORIS, the offender must be provided the comprehensive PREA training as described for an offender newly received into the DOC. The signed Acknowledgement must be uploaded as an external document in VACORIS and identified as a Special Entry Note on the date that the training was completed. Once uploaded, the paper form does not need to be retained.

The Halifax Correctional Unit identified 51 inmates whose length of stay in the facility was over 30 days or more in the last twelve months. Of those 51 inmates, the facility reports that all have received the comprehensive PREA education regarding sexual abuse or harassment.

The Auditor interviewed an Intake Officer who stated that PREA information is posted in all the housing units, which also provides the definitions of sexual abuse and sexual harassment. She also stated that the inmates must watch the PREA video in their housing dorms. Finally, she stated that all inmates arriving to the Halifax Correctional Unit would have to watch the video the day of getting to the facility. When asked how long from the date of arrival are inmates made aware of these rights, the counselor stated approximately 24 hours of coming to the facility.

The auditor also interviewed 19 random inmates. Those inmates were asked if they were told

about their right to not be sexually abused, how to report a sexual abuse, the right not to be punished for reporting a sexual abuse, and how long before they were made aware of these policies. Of these 19 inmates, 16 stated that they were told the first day they arrived at the facility. One stated between 1 to 2 days after arriving, 1 inmate stated about a week later, and 1 inmate stated he received the information and signed for it about three years ago. The inmates identified several ways that they received this information.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates receive a comprehensive education regarding their right to be free from sexual abuse, sexual harassment and all forms of retaliation. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.33 Provision (c)

VADOC PREA Operating Procedure 038.3 page 5, paragraph 2, states in part that; 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. If the signed Preventing Sexual Abuse and Assault Training Acknowledgement are not available in VACORIS, the offender must be provided the comprehensive PREA training as described for an offender newly received into the DOC. 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.

When the Intake Officer was asked how they ensure that current inmates along with those transferred from another facility have been educated on agency's zero-tolerance policy and sexual abuse; she explained that part of her responsibility as a facility counselor is to provide all arriving inmates with the zero-tolerance policy and how to report sexual abuse. In addition, they have to watch a PREA video. She stated that all inmates sign a Halifax PREA Orientation form acknowledging that the information was provided and that they understand what was presented to them.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates who have not received PREA education shall be educated within 1 year of the effective date. Also, those inmates receive PREA education upon transfer to another facility. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.33 Provision (d):

The Halifax Correctional Unit provided examples of different inmate PREA educational materials in formats that would be accessible to all inmates in accordance with Title VII of the Americans with Disabilities Act, 42 U.S.C. these formats include, but not limited to: Interpreters for the deaf, reading material to the visually impaired, and providing Interpreters services for non-English speaking inmates.

VADOC PREA Operating Procedure page 4, paragraph 1-b, states in part that; 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. The offender must document receiving the Preventing Sexual Abuse and Sexual Assault Trainings (Comprehensive) by signing the Preventing Sexual Abuse and Assault

Training Acknowledgement.

The Halifax Correctional Unit utilizes and VADOC contracted with the "Purple" VOLATIA Language Network in which services are expanded to include in-person, video, and voice translation and/or interpretation. In addition, there are subtitles that are shown during the PREA educational video to ensure all inmates receive the information. The video also has audio for those who are visually impaired or those who may be limited reading skills. The Halifax Correctional Unit also provided documentation of versions of their inmate acknowledgement form and PREA informational posters in Spanish.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the facility provide inmate education in formats accessible to all inmates, including those who are limited english proficient, deaf, visually impaired, and limited reading skills. Therefore, through written policy and personal observations, the facility has demonstrated that it meets this provision.

115.33 Provision (e)

The facility utilizes an acknowledgement form that is signed by the inmate and placed in the inmate's classification file. This information was verified by the auditor while reviewing inmate files during the document review phase of this audit.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the agency maintains documentation of inmate participation in PREA education sessions. Therefore, through written policy and personal observations the facility has demonstrated that it meets this provision.

115.33 Provision (f)

VADOC PREA Operating Procedure 038.3 page 5, paragraph 3, states in part that; 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. The facility also provided VADOC Operating Procedure 810.2 page 7, paragraph B-3, which states that; Each institution will ensure that key information is continuously and readily available or visible to offenders through posters, offender handbooks, or other written formats.

The facility has posters strategically posted throughout the unit, in every housing unit, and departments i.e. (kitchen, textile warehouse) to ensure compliance with PREA standards. The auditor personally observed these items during the facility site review.

The evidence collected for this provision shows that the agency has procedures in place to ensure that information will be continuously and readily available or visible to inmates. Therefore, through written policy and personal observations, the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring PREA inmate education.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 030.4 Special Investigative Unit b) VADOC Operating Procedure 350.2 Training and Development c) VADOC Investigations Special Training Module 1 & 2 d) Certificate of Completion by the VADOC “Investigating Sexual Abuse in Confinement Setting” e) VADOC SIU Specialized Training Certificates <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Investigative staff <p>115.34 Provision (a)</p> <p>VADOC Operating Procedure 030.4 page 10, paragraph 5, states in part that; SIU investigators will receive special training in sexual abuse investigations before conducting PREA investigations. 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:</p> <ul style="list-style-type: none"> a. Techniques for interviewing sexual abuse victims. b. Proper use of Miranda and Garrity warnings c. Sexual abuse evidence collection in confinement settings d. Criteria and evidence required to substantiate a case for administrative action or prosecution referral. <p>In addition, VADOC Operating Procedure 350.2 page 15, paragraph 6, states in part that; Sexual abuse and sexual harassment investigations shall only be conducted by investigators who have received special training in sexual abuse investigations. 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:</p> <ul style="list-style-type: none"> a. Techniques for interviewing sexual abuse victims b. Proper use of Miranda and Garrity warnings

- c. Sexual abuse evidence collection in confinement settings
- d. Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

All sexual abuse and sexual harassment investigators who conduct non-criminal investigations at the Halifax Correctional Unit have received specialized training. This specialized training was through the Virginia Department of Corrections Training Unit. In addition, all SIU VADOC Special Agents receive the training to conduct both administrative and criminal investigations. The facility provided certificates of completion for the course titled, "Specialized Training: Investigating Sexual Abuse in Correctional Settings Course." The Halifax Correctional Unit identified 2 facility investigators and 19 Special Agents. They provided specialized training certificates of completion for all 20 officers.

When interviewing the Investigative staff, the special agent stated that he had received the PREA investigative training in 2012 by the Virginia State Police and has also attended additional Investigator classes. The special agent stated that the classes dealt with the proper use of Garrity and Miranda in criminal cases. The class covered evidence collection and interviewing techniques.

The evidence collected for this provision shows that the agency has procedures in place to ensure that agency investigators receive specialized training in the art of investigating sexual abuse in a confinement setting. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.34 Provision (b)

VADOC Operating Procedure 030.4 page 10, paragraph 5, states in part that; SIU investigators will receive special training in sexual abuse investigations before conducting PREA investigations. 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:

- e. Techniques for interviewing sexual abuse victims.
- f. Proper use of Miranda and Garrity warnings
- g. Sexual abuse evidence collection in confinement settings
- h. Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

In addition, VADOC Operating Procedure 350.2 page 15, paragraph 6, states in part that; Sexual abuse and sexual harassment investigations shall only be conducted by investigators who have received special training in sexual abuse investigations. 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:

- e. Techniques for interviewing sexual abuse victims
- f. Proper use of Miranda and Garrity warnings

g. Sexual abuse evidence collection in confinement settings

h. Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

All sexual abuse and sexual harassment investigators who conduct non-criminal investigations at the Halifax Correctional Unit have received specialized training. This specialized training was through the Virginia Department of Corrections Training Unit. In addition, all SIU VADOC Special Agents receive the training to conduct both administrative and criminal investigations. The facility provided certificates of completion for the course titled, "Specialized Training: Investigating Sexual Abuse in Correctional Settings Course." The Halifax Correctional Unit identified 2 facility investigators and 19 Special Agents. They provided specialized training certificates of completion for all 20 officers.

When interviewing the Investigative staff, the special agent stated that he had received the PREA investigative training in 2012 by the Virginia State Police and has also attended additional Investigator classes. The special agent stated that the classes dealt with the proper use of Garrity and Miranda in criminal cases. The class covered evidence collection and interviewing techniques.

The evidence collected for this provision shows that the agency has procedures in place to ensure that agency investigators receive specialized training in the art of investigating sexual abuse in a confinement setting. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

115.34 Provision (c)

VADOC Operating Procedure 030.4 page 10, paragraph b, states in part that; The PREA Compliance Manager shall maintain documentation that the required specialized training in conducting sexual abuse investigations has been completed by the investigators. In addition, the PREA Regional Analyst also maintains documentation that the agency special agents have completed the required specialized training in conducting sexual abuse and sexual harassment investigations.

The Halifax Correctional Unit has provided copies of specialized training records for all staff trained in investigating sexual abuse in a confinement setting. This documentation is in the form of certificates of completion by the Virginia Department of Corrections and the National Institute of Corrections.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all staff responsible for investigating sexual abuse has received additional specialized training and maintains the documentation necessary to prove that training. Therefore, through written policy and personal observation by documents provided the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring specialized training for investigators who perform sexual abuse and sexual harassment investigations.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure Emergency Medical Equipment & Care b) VADOC Operating Procedure Training & Development c) VADOC Operating Procedure 102.6 Staff Orientation d) VADOC Operating Procedure 701.1 Health Services Administration e) Halifax Specialized Training Medical / Mental Health <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Medical & Mental Health Staff <p>Observations made during the on-site audit and document review.</p> <p>115.35 Provision (a)</p> <p>VADOC Operating Procedure 720.7 page 8, paragraph 9, states in part that; 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:</p> <ul style="list-style-type: none"> 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>The facility reported there are 4 medical health staff employed by the Halifax Correctional Unit who work regularly and have received the specialized training as required by the agency's policy. There are no mental health staff stationed at the Halifax facility. If mental health services are needed the staff will travel from the Nottoway Correctional Unit to the Halifax facility. However, this auditor did conduct an interview with the mental health staff member that is responsible for responding to the Halifax facility when needed. This interview was conducted via phone. During the pre-audit phase, the Auditor was provided copies of certificates of completion showing that medical staff and mental health staff had completed the online specialized courses.</p>

When interviewing the Medical and Mental Health Staff, they informed the Auditor that they had previously received initial training when they first started work and receive annual training. They also received additional training on the above listed topics by going online and taking PREA online classes through the National Institute of Corrections.

The evidence collected for this provision shows that the agency has procedures in place to ensure that medical and mental health personnel receive additional training as outlined in this standard. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

115.35 Provision (b)

VADOC PREA Operating Procedure 038.3 page 10, paragraph 2, states in part that; If there is indication of a recent sexual assault, ensure the victim is transported to the local hospital for further treatment, examination, documentation, collection of forensic evidence (PERK), and testing for sexually transmitted diseases. The Centra Lynchburg General Hospital performs forensic medical exams for this facility. Medical staff at this facility do not conduct forensic medical examinations. This practice was confirmed during the interview conducted with the medical and mental health staff who stated that they do not perform forensic medical examinations. Therefore, this standard is not applicable to the Halifax Correctional facility.

The evidence collected for this provision shows that the agency does not perform forensic medical examinations. Therefore, this provision is not applicable to the Halifax Correctional Unit.

115.35 Provision (c)

The Halifax Correctional Unit relies on the PREA Compliance Manager to maintain the documentation on their personnel that confirms Medical and Mental Health Practitioners have received the training referenced in this standard.

The Halifax facility has provided copies of specialized training records for medical and mental health staff. This documentation is in the form of training rosters and certificates of completion.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all medical and mental health staff has received additional specialized training. Therefore, through written policy and documents provided the facility has demonstrated that it meets this provision.

115.35 Provision (d)

VADOC Operating Procedure 102.6 page 8, paragraph C, states in part that; Health Care Providers - Medical and mental health care providers must also receive the training mandated for employees or for contractors, interns, and volunteers depending upon the provider's status in the DOC. In addition, the facility provided VADOC 350.2 page 12, paragraph 11b, which states that; medical and mental health care practitioners shall also receive the training mandated for employees or for contractors and volunteers depending upon the practitioner's status in the DOC.

During the pre-audit phase the agency provided copies of training logs indicating that medical

staff receive the same in-service annual PREA training that security staff receives. In addition, while interviewing medical staff the auditor was told that they receive PREA training on an annual basis.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all medical staff receive(s) the same PREA training that volunteers, contractors, and security staff receive. In addition, they receive this training on an annual basis. Therefore, through written policy and documents provided the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring specialized training for Medical and Mental Health Care.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC 810.2 Transferred Offender Receiving Orientation b) VADOC 810.1 Offender Reception & Classification c) VADOC 730.2 Mental Health Services d) VADOC 861.1 Offender Discipline e) Classification Assessment Form f) Classification Assessment Detail Instructions g) Halifax PREA Assessment List <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff performing Risk Screening. b) Interview with Random Inmates c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.41 Provision (a)</p> <p>VADOC Operating Procedure 810.1 page 4, paragraph II A-B, states in part that; 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. 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. In addition, the facility provided Operating Procedure 810.2 page 5, paragraph d, which states in part that; 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 (HRSV) and/or High-Risk Sexual Victim (HRSV) tendencies.</p> <p>During the on-site tour of the facility the auditor sat down with the facility counselor and went through the risk screening process. The auditor asked if the counselor screened inmates for risk of sexual victimization upon arrival or transfer from another facility. The counselor stated</p>

that “Yes, she does.” Also, during the interviews with 19 random inmates, 8 had arrived at the facility in the last twelve months and 11 inmates had been at the facility much longer. 13 inmates recalled being asked questions, upon arriving to the facility. All 8 inmates that had arrived within the last twelve months recalled being asked the initial questions such as:

- Have they been in jail before?
- Have they ever been sexually abused?
- Did they identify with being LGBT?
- Did they think they might be in danger of sexual abuse while incarcerated when they first came to jail?

The evidence collected for this provision shows that the agency has procedures in place to ensure all inmates receive a risk screening evaluation for the risk of being sexually abused while incarcerated. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (b)

VADOC Operating Procedure 810.1 page 4, paragraph B, states in part that; 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. In addition, the facility provided Operating Procedure 810.2 page 5, paragraph d, which states in part that; A Classification Assessment must be completed and approved within 72 hours of arrival at the institution.

The facility reported that they received 53 inmates into their facilities in the last twelve months that had a length of stay more than 72 hours. The facility reports that all those inmates 100% received a risk screening assessment for possible risk of being sexually abused during incarceration.

The facility provided samples of completed risk screening forms (classification assessments) during the pre-audit phase and downloaded those documents into the Pre-audit Questionnaire. In addition, during the document review the Auditor observed completed PREA Risk Screening Checklist Instrument forms in the inmate record files.

When conducting the interview with staff responsible for performing risk-screening assessments, the facility counselor stated that she usually conducts the risk screening process the day the inmate is transferred to the facility. As stated in the previous provision, when interviews with 19 random inmates, for which 8 had arrived at the facility in the last twelve months and 11 inmates had been at the facility much longer. 13 inmates recalled being asked questions, upon arriving to the facility.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates are screened for the risk of sexual abuse within 72 hours of arrival at the facility. Therefore, through written policy, personal observations, document review, and

interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (c)

The risk screening assessment consists of 28 overall yes or no questions with 13 specifically addressing sexual victimization or aggression. In addition, the facility provided the classification assessment instructions that describes if certain questions are answered yes to, then that person could be either classified as a potential victim or aggressor. There is no subjectivity to this assessment. Therefore, the facility has demonstrated that it meets this provision.

115.41 Provision (d)

VADOC Agency Classification Assessment Form (Risk Screening Tool) takes into consideration at the minimum the following:

- Whether the inmate has a mental, physical, or developmental disability.
- Age of inmate
- Physical build of inmate
- If the inmate has previously been incarcerated
- If the inmate's criminal history is exclusively nonviolent
- If the inmate has prior convictions for sex offenses
- If the inmate is or perceived to be LGBTQ or gender nonconforming
- If the inmate has previously experienced sexual victimization
- The inmate's own perception of vulnerability
- If the inmate is detained solely for civil immigration purposes

The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The counselor stated the assessment asks questions such as has the inmate been sexually abused in the past, prior convicts of sexual assault, and the age and stature of the inmate. The counselor also stated that the initial screening is completed and pre-determined prior to the inmate coming to the facility during her initial intake orientation. Finally, the counselor stated that mental health makes the determination related to if the inmate suffers from mental, or developmental disability issues.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the intake screening shall consider at a minimum the 10 criteria identified in this standard provision. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (e)

The risk screening form (Classification Assessment) utilized by the Halifax Correctional Unit

staff does consider prior acts of sexual abuse, prior convictions for violent offenses, and a history of prior institutional sexual abuse. The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The counselor stated the assessment asks questions such as has the inmate been sexually abused in the past, prior convicts of sexual assault, and the age and stature of the inmate.

The evidence collected for this provision shows that the agency has procedures in place to capture and ask the questions listed above surrounding potential aggressor behavior. Therefore, through document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (f)

VADOC Operating Procedure 810.1 page 7, paragraph 2-g, states in part that; 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. The PREA Reassessment must be completed no sooner than 14 days and no later than 21 days after the offender's arrival at the institution. Completion of the Reassessment must be documented as a PREA Reassessment in the Facility Notes section of VACORIS. 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.

During the pre-audit, the facility reported 51 inmates that entered the facility over the last twelve months that stayed more than 30 days. Out of those inmates the agency reported all 51 inmates were reassessed 21 days after their arrival at the facility for risk of sexual victimization based upon any additional relevant information received since intake over the last twelve months.

The staff members responsible for performing risk-screening assessments was asked how long after arrival are inmates risk levels reassessed. The counselor stated between 14 and 21 days if additional arrival to the facility. When interviewing 19 random inmates, they were asked if staff had ever asked PREA related questions again during their incarceration. Eight inmates stated that they had, 7 inmates stated that they had not, 3 inmates could not recall, and 1 inmate stated that he was asked when they initially established PREA standards in 2012. The facility performs the subsequent risk screening during the initial interview process and orientation after transfer to the facility. The facility has provided the reassessment screening form, which includes questions concerning sexual safety and victimization.

The evidence collected for this provision shows that the agency has procedures in place to conduct 21-day risk screening reassessments based upon additional or relevant information received by the facility. They also have a tool to attempt to possibly extract additional sexual safety information. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (g)

VADOC Operating Procedure 730.2 page 8, paragraph d, states in part that; 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.

When interviewing the staff responsible for conducting risk screening the counselor stated that they do reassess when warranted due to additional information received about the inmate's sexual safety.

The evidence collected for this provision shows that the agency has procedures in place to reassess an inmate's risk of sexual victimization due to a referral, request, or additional information. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.41 Provision (h)

VADOC Operating Procedure 810.1 page 5, paragraph v, states in part that; Offenders may not be disciplined for refusing to answer or for not disclosing complete information in response to questions asked in the Classification Assessment interview. In addition, the facility offered Operating Procedure 810.2 page 4, paragraph e, which states in part that; Offenders will not be disciplined for refusing to answer or for not disclosing complete information in response to questions asked in the Classification Assessment interview.

When interviewing the staff responsible for conducting risk screening the counselor stated that the agency does not punish inmates if they chose not to answer the questions associated with the risk screening assessment.

The evidence collected for this provision shows that the agency has procedures in place to prevent inmates from being disciplined for refusing to answer or for not disclosing complete information in response to risk screening. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.41 (i)

VADOC Operating Procedure 810.1 page 5, paragraph iv, states in part that; In order to ensure that sensitive information is not exploited to the offender's detriment by staff or other offenders, responses to Classification Assessment questions regarding an offender's risk of sexual victimization and abusiveness will only be disseminated in accordance with this operating procedure.

When interviewing the PREA Coordinator she was asked who has access to the inmates' risk screening information. The PREA Coordinator explained that the information is stored in the agency CORIS (jail management) system that has restricted access and only authorized on a need to know basis. The PREA Compliance Manager echoed those same remarks and reiterated that permissions are limited to those who people who have a need to know. The staff member responsible for conducting risk screening explained that she believes that only specific people have access depending on their job description such as counselors, medical and mental health staff.

The evidence collected for this provision shows that the agency has procedures in place to control access to the risk screening information collected by the facility and that the

information is not exploited. Therefore, through document review and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring screening for risk of victimization and abusiveness.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 425.4 Management of Bed & Cell Assignments c) VADOC Operating Procedure 730.2 Mental Health Services d) VADOC Operating Procedure 830.5 Transfers, Institutional Re-assignments e) VADOC Operating Procedure 810.1 Offender Reception and Classification f) VADOC Operating Procedure 810.2 Transferred Offender / Receiving and Orientation g) Halifax Memo authored by Superintendent Goode regarding no housing of Transgender or Intersex Inmates <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff performing Risk Screening. b) Interview with PREA Compliance Manager c) Interview with Gay/Lesbian inmates <p>Observations made during the on-site audit and document review.</p> <p>115.42 Provision (a)</p> <p>VADOC PREA Operating Procedure page 6, paragraph D-2, states in part that; 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. 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. In addition, the facility provided Operating Procedure 810.1 page 5, paragraph 2-C, which states in part that; 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.</p> <p>The PREA Compliance Manager stated during the interview that risk screening is part of the classification process and that they try to identify possible victims and predators to make sure</p>

they are not housed together. The staff member responsible for conducting risk screening stated during her interview that the assessment is used to make sure you identify those inmates that may be vulnerable and those that may be abusive and try to keep them as separate as possible during their incarceration.

The evidence collected for this provision shows that the agency uses the information gathered during the risk screening process to influence the decision on where an inmate may be housed, attend programs, and works with the goal of keeping separate those inmates at high risk of being sexually victimized. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.42 Provision (b)

VADOC PREA Operating Procedure page 6, paragraph 2-a, states in part that; Staff will make individualized determinations about how to ensure the safety of each offender. In addition, the facility offered VADOC Operating Procedure 425.4 page 3, paragraph A-1, which states in part that; Staff will make individualized determinations about how to ensure the safety of each offender.

During the interview process the auditor asked the staff member responsible for risk screening how the agency use the information from the risk screening to keep inmates safe. The counselor stated that the information gathered during the screening is to identify who may be a possible victim and who may be a possible aggressor and house those inmates accordingly.

The evidence collected for this provision shows that the agency makes individualized determinations about how to ensure the safety of each inmate. Therefore, through document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.42 Provision (c)

VADOC Operating Procedure 730.2 page 4, paragraph 5, states in part that; The QMHP Psychology Associate will notify facility staff responsible for making housing and programming assignments for transgender or intersex inmate offenders of any relevant screening results that would present management or security problems so staff on a case-by-case basis can make a determination that best ensures the inmate's offender's health and safety. In addition, the facility provided VADOC Operating Procedure 830.5 page 10, paragraph C-1-d-ii, which states in part that; 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.

The PREA Compliance Manager was interviewed and asked how the agency determines housing and programs for transgender or intersex inmates. The PREA Compliance Manager stated that she had not experienced any situation dealing with this particular topic but believes the facility would provide the same privileges as all the other inmates. The inmate's request would be taken into consideration. The PREA Compliance Manager also stated that the inmate would have full access to all programs.

The auditor did not interview a transgender inmate during the interview process. The facility reported that they had not classified an individual that identified as a transgender inmate. Therefore, the auditor cannot provide the transgender inmate's perspective towards this

provision.

The evidence collected for this provision shows that the agency does consider housing assignments involving transgender and intersex individual on a case-by-case basis. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.42 Provision (d)

VADOC PREA Operating Procedure 038.3 page 6, paragraph3, states in part that; Facility housing and programming assignments for each transgender and intersex offender must be reassessed at least twice each year to review any threats to safety experienced by the offender.

The Halifax Correctional Unit reported not housing a transgender or intersex inmate at their facility over the last twelve months. When interviewing the staff member responsible for conducting risk screening assessments, she explained that all inmates that identify as transgender or intersex have a re-assessment twice a year to make sure there is not threats to their safety. She also stated that she has not experienced a situation involving a transgender or intersex inmate in the last twelve months. The PREA Compliance Manager also stated that she has not experienced a situation involving the need to re-assess an inmate that identifies as transgender and was not sure as to how often the re-assessment is needed. Therefore, there are no examples or experience to relate to as evidence of compliance. However, the agency does have a policy to address this situation when it occurs.

The evidence collected for this provision shows that the agency has procedures in place to address reassessing a transgender or intersex inmates programming assignment at least twice a year to review any threats or safety concerns. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.42 Provision (e)

VADOC PREA Operating Procedure 038.3, page 6, paragraph 2-b, states in part that; A transgender or intersex offender's own views with respect to their own safety will be given serious consideration. In addition, the facility offered VADOC Operating Procedure 425.4 page 3, paragraph A-1-b, which states in part that; A transgender or intersex offender's views with respect to their own safety will be given serious consideration.

When the PREA Compliance Manager was asked that question, she stated that yes, they do consider the inmates own views when deciding appropriate housing. When the staff member responsible for conducting the risk-assessment was asked the same question, she also responded by stating that they do consider the transgender inmates own views when determining housing assignments.

The auditor did not interview a transgender inmate during the interview process. The facility reported that they had not classified an individual that identified as a transgender inmate. Therefore, the auditor cannot provide the transgender inmate's perspective towards this

provision.

The evidence collected for this provision shows that the agency has procedures in place to consider a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.42 Provision (f)

VADOC PREA Operating Procedure 038.3, page 6, paragraph 2-b-iii, states in part that; Transgender and intersex offenders must be given the opportunity to shower separately from other offenders.

The PREA Compliance Manager and the staff member responsible for conducting risk assessments were interviewed and asked if transgender and intersex inmates are afforded the opportunity to shower separately from other inmates, the counselor stated that yes, they are allowed to shower separately. The Compliance Manager stated that currently there are no transgender inmates housed at the facility. If there were, due to the configuration of the Halifax Correctional Unit, a transgender inmate would have to shower during the head-count events when all other inmates have to be present in their housing blocks.

The evidence collected for this provision shows that the agency has procedures in place to allow transgender and intersex inmates to shower separately from other inmates. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.42 Provision (g)

VADOC PREA Operating Procedure 038.3 page 6, paragraph 2-b-ii, states in part that; Lesbian, gay, bisexual, transgender, or intersex offenders will not be placed in a dedicated facility, housing unit, or wing solely on the basis of such identification or status. Also, the facility provided VADOC policy 425.4 page 3, paragraph A-1-b-iii, which states in part that; 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.

During the interview process the PREA Compliance Manager and Coordinator confirmed that the agency was not under any consent decree, legal settlement, or legal judgment requiring the facility to separate the LGBTQ community from everyone else. The PREA Coordinator stated during her interview that it is against policy and standards to segregate those inmates identified as LGBTQ solely on their sexuality. Finally, the auditor was unable to interview any LGBTQ inmates because the facility reported that they did not have any individuals that identified as a LGBTQ housed at their facility. Therefore, the auditor cannot provide the LGBTQ inmate's perspective towards this provision.

The evidence collected for this provision shows that the agency has procedures in place to address not placing LGBTQ inmates in designated housing blocks based solely on their sexual orientation. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the use of screening information.

115.43	Protective Custody
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 425.4 Management of Bed & Cell Assignments b) VADOC Operating Procedure 810.1 Offender Reception & Classification c) VADOC operating Procedure 810.2 Transferred Offender Receiving & Orientation d) VADOC Operating Procedure 830.5 Transfers, Institution Re-assignments e) Alternative Assessment Form f) Halifax Correctional Unit memorandum by Superintendent Goode regarding no incidents of High-Risk Sexual Victims (HRSV) requiring involuntary placement in Restricted Housing <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Staff who supervise Inmates in Segregation. c) Interview with Inmates in Segregation <p>Observations made during the on-site audit and document review.</p> <p>115.43 Provision (a)</p> <p>VADOC Operating Procedure page 8, paragraph 4, states in part that; 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. Inmates at a high risk for sexual victimization will not be placed in involuntary segregated housing unless other alternatives are not available. Additionally, VADOC Operating Procedure 810.1 page 5, paragraph 2-d-iv, states in part that; 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.</p> <p>The Warden / Designee stated during her interview that the agency does have a policy prohibiting placing inmates at high risk of sexual victimization in involuntary segregated housing in lieu of other housing areas. She also stated and provided a memorandum</p>	

confirming that the facility has not experienced a situation where an inmate at high risk of sexual victimization was housed in involuntary segregation over the last twelve months.

The evidence collected for this provision shows that the agency has procedures in place to address not using segregated housing for those inmates at high risk of victimization, unless no alternative means of separation is available. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.43 Provision (b)

VADOC Operating Procedure 830.5 page 11, paragraph 2-b, states in part that; 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. Also, in procedure 830.5 page 12, paragraph D, states in part that; Protective Custody Units should provide programs and services similar to those available to general population offenders, to the extent feasible. 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

The facility reported not experiencing an incident where an inmate was placed in segregation based on the high probability of sexual victimization. During the facility tour the auditor visited the special housing unit and reviewed the housing assignments to verify that no inmate was being housed involuntarily due to the risk of being sexually victimized. Furthermore, there were no inmates housed in the facility's restricted housing unit.

The staff member working in segregated housing stated during his interview that if an inmate was placed in segregation based on possible sexual victimization, that inmate would still have access to all the privileges and opportunities that all other inmates would have. He stated that the housing assignment is not seen as a punishment and that their policy dictates that they document what opportunities are limited, for what time period, and the reasons for the limitations.

The evidence collected for this provision shows that the agency has procedures in place to ensure that if an inmate is placed in segregation due to the high risk of being sexually victimized that the inmate would retain all the privileges and opportunities that all other inmates are afforded. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.43 Provision (c)

VADOC Operating Procedure 425.4 page 8, paragraph 4-B, states in part that; 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. Furthermore, the facility provided VADOC Operating Procedure 830.5 page 11, paragraph 2-f, which states in part that; Involuntary assignment to a restrictive housing unit will only be made until an alternative means of separation from likely abusers can be arranged. The agency reported not experiencing an incident where an inmate was placed in segregation based on the high probability of sexual victimization.

The Warden/Designee was interviewed and stated that only if there were no alternatives would an inmate be involuntarily segregated because of the possibility of being sexually victimized. The Warden/Designee explained that at the most an inmate would stay in segregation for no more than 24 hours and then have the inmate transferred to another facility if necessary. When the staff member assigned to the special segregated housing unit was asked the same questions, he answered "yes" the inmate would only stay in segregated housing until alternative means of separation can be arranged. He also stated that he has no specific example where an inmate was placed in involuntary segregation based on the high risk of victimization and would have to ask a supervisor for the duration of separation.

The evidence collected for this provision shows that the agency has policies in place to ensure that if an inmate is placed in involuntary segregation, such assignment would not exceed 30 days. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.43 Provision (d)

Halifax Correctional Unit Superintendent provided a Memorandum stating that; The facility did not have an incident where an inmate at high risk of victimization was placed in segregated housing until an alternative could be found and this will not ordinarily exceed 30 days. The facility will clearly document the basis for their concern for the inmate's safety and the reason why no alternative could be found. There was no such event that occurred during this audit period of January 1, 2020 to the PREA on-site audit phase.

The Halifax Correctional Unit has reported not assigning any inmate to involuntary segregated

housing for the purpose of separating that inmate due to the high risk for sexual victimization.

The evidence collected for this provision shows that the agency does have a written policy in place to address documenting the basis for the segregation and why no alternative means of separation could be arranged. Therefore, through written policy and interviews conducted the agency has demonstrated that it meets this provision.

115.43 Provision (e)

VADOC Operating Procedure 425.4 page 8, paragraph 4-B, states in part that; 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. The staff member assigned to the special housing unit stated during his interview that all inmates that are assigned to segregation are re-evaluated by the facility counselor at least once every 30 days.

The evidence collected for this provision shows that the agency has procedures in place to reassess and review an inmate's housing assignment every 30 days to is If there is a continued need for separation. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence the PREA Auditor has determined that the facility is fully compliant with this standard requiring limitations on protective custody.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 801.6 Offender Services c) VADOC Operating Procedure 803.3 Offender Telephone Services d) VADOC Operating Procedure 866.1 Offender Grievance Procedure e) PREA Poster in both English and Spanish. f) PREA Zero Tolerance Hotline Poster in both English and Spanish g) Memorandum of Understanding between the VADOC and Action Alliance h) Halifax Correctional Unit Memorandum regarding no reports of incidents involving sexual abuse or sexual harassment in the last twelve months. <p>Interviews:</p> <ul style="list-style-type: none"> a) 12 interviews with random staff b) 20 interviews with various inmates c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.51 Provision (a)</p> <p>The facility has provided multiple ways to report a sexual abuse or sexual harassment allegation in a private setting. These reporting options are listed in written policy, confirmed through interviews, and observed through posters and handouts. VADOC PREA Operating Procedure 038.3 specifically addresses four ways to report an allegation of sexual abuse or harassment. Those involved making a verbal or written report to any staff member, by submitting in writing an Offender Request, Informal Complaint, or Grievance Form. Having a 3rd party make a report for the alleged victim or calling the outside reporting authority promoted by the phone system and dialing (#55). The contact information and phone number are provided in the handbook. In addition, PREA posters are displayed throughout the facility both in English and Spanish listing the ways an individual can report an allegation of sexual abuse. The staff training curriculum consists of classroom instruction and on-line training portal that provides staff ways to report. Those ways are verbally to any supervisor, PREA Coordinator / PREA Regional Analyst, submit a written report, or contact the outside reporting</p>

agency via hotline.

During the on-site audit, the Auditor performed 12 random staff interviews and 20 inmate interviews. Of the 12 random staff that was interviewed, 5 staff members could identify all four ways to report, 5 staff members could identify three ways, 1 staff member could identify two ways and 1 staff member could at least identify one way to report a sexual abuse allegation. Of the 20 inmates that were interviewed, 3 inmates could offer four ways to report sexual abuse, 8 inmates could offer three ways, 8 inmates identified two ways and 1 inmate provided at least one way to report. Every inmate interviewed could name at least one way to report an allegation of sexual abuse.

During the on-site review, the auditor observed and documented PREA posters posted in both housing units and in public areas throughout the facility. The auditor contacted Just Detention International and confirmed they had not received any sexual abuse allegations in the last two years.

The evidence collected shows that the facility has provided multiple ways to report sexual abuse or sexual harassment. The evidence also shows that many staff and inmates are aware of those reporting procedures. Confirming the information is being provided. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.51 Provision (b)

The agency has provided information regarding Action Alliance Sexual Assault Hotline to provide a phone number that an inmate or staff can call, anonymously if they choose to report allegations of sexual abuse. The phone number is listed on the PREA posters and is automatically connected when the inmate dials #55. This fact was confirmed through the on-site observation. During the facility site review the auditor made a call to the outside agency as a test of the procedure. A member of Action Alliance took the call when the auditor followed the instructions and was prompted to dial 1 to make a PREA complaint. The auditor left a message for the hotline advocate to respond back to the facility confirming the receipt of my message. The voice message that was left on the recorded hotline was immediately sent to the PREA Regional Analyst's email, providing the information gathered during the phone call to the hotline.

VADOC PREA Operating Procedure 038.3 page 8, paragraph 3-a&b, states in part that; Offenders can choose to report abuse and harassment to an advocate with the Action Alliance, a non-DOC organization, who is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to the DOC while allowing the offender to

remain anonymous upon request.

- a. An advocate with Action Alliance can be contacted verbally through the offender telephone system Sexual Assault Hotline Number #55, Option 2.
- b. Offenders can also anonymously report sexual abuse and sexual harassment in writing directly to the Action Alliance at P.O. Box 17115, Richmond, Virginia 23226.

The Halifax Correctional Unit does not detain inmates solely for civil immigration purposes. However, consular notification is the responsibility of the arresting officer, as is the jailors responsibility to ensure notification has been made during the intake or detention process. The Virginia Department of Corrections only houses those inmates that have been convicted of a crime under Virginia Criminal Code.

The evidence collected for this provision shows that the agency has provided at least one way for an inmate to report abuse or harassment to a public or private entity not affiliated with the agency. Lastly, the Halifax Correctional Unit does not allow the detention of an inmate for the sole purpose of immigration status. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.51 Provision (c)

VADOC PREA Operating Procedure page 9, paragraph B-2, states in part that; Staff must accept all reports made verbally, in writing, anonymously and from third parties alleging sexual assault and must promptly document verbal reports as an Internal Incident Report with PREA checked in the description field in accordance with Operating Procedure 038.1, Reporting Serious or Unusual Incidents.

During staff interviews, the officers explained that their duties were to immediately write a report recording the verbal sexual allegation. When interviewing inmates, several explained that they would notify a supervisor or security officer. The officers also stated that the report would be immediate. However, there was no clear answer to what the term “immediate” meant. Therefore, it was when the PREA Compliance Manager was interviewed and asked to define what “immediately” meant according to the protocol. The PREA Compliance Manager explained that immediately is defined as at least before the end of the officer’s tour of duty for that day. In addition, all the PREA posters displayed throughout the facility states that an allegation of sexual abuse can be reported verbally.

The evidence collected for this provision shows that the agency has demonstrated that they accept and document sexual abuse reports verbally, in writing, and from third parties. It has also been determined that these reports have been handled in a timely fashion. Therefore, through written policy, personal observations, and interviews conducted the facility has

demonstrated that it meets this provision.

115.51 Provision (d)

VADOC PREA Operating Procedure page 9, paragraph 3-d, states in part that; Staff can privately report the sexual abuse and sexual harassment of offenders through the established reporting hotline at 855-602-7001. The Halifax Correctional Unit staff can also privately report sexual abuse and sexual harassment of inmates to their Supervisor or any other facility Supervisor. In addition, the staff are also encouraged to verbally report sexual abuse or harassment to the PREA Compliance Manager. It has also been confirmed through staff interviews that they are aware of how to go about privately notifying authorities regarding allegations of sexual abuse or harassment. Of the 12 random staff members interviewed, they identified the PREA hotline 7 times, contact their supervisor 5 times, and 1 staff member was not sure how to report.

The evidence collected for this provision shows that the agency has demonstrated that they do provide staff with a private method of reporting sexual abuse or sexual harassment of inmates. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring the agency provide multiple internal ways for inmates to privately report sexual abuse or sexual harassment.

115.52	Exhaustion of administrative remedies
	<p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 400">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 1129 551">a) VADOC Operating Procedure Offender Grievance Procedure <li data-bbox="252 589 879 622">b) VADOC PREA Operating Procedure 038.3 <li data-bbox="252 660 1422 781">c) Memorandum from the superintendent of the Halifax Correctional Unit regarding no incidents of an inmate alleging sexual abuse or harassment and reporting through the grievance procedure. <p data-bbox="252 819 392 853">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 891 887 925">a) Interview with PREA Compliance Manager <li data-bbox="252 963 687 996">b) Interview with Agency Head <p data-bbox="252 1034 1110 1068">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1106 1477 1487">The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency's procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if a PREA allegation through a grievance is received, it must immediately be directed to the Facility Head or PREA Compliance Manager. These individuals will further the investigation into the allegation. The grievance process is immediately stopped, and an administrative investigation is immediately initiated. The Halifax Correctional Unit reported no incidents of an inmate utilizing the grievance procedure to report an alleged sexual abuse or harassment report during the last twelve months.</p> <p data-bbox="252 1603 512 1637">115.52 Provision (a)</p> <p data-bbox="252 1749 1414 1912">VADOC PREA Operating Procedure 038.3 page 8, paragraph A-1-c-iii, states in part that; 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:</p> <p data-bbox="252 1951 1461 2060">Written using an Offender Request or Informal Complaint, Regular Grievance, or Emergency Grievance.</p>

115.52 Provision (b)

VADOC Operating Procedure 866.1 page 6, paragraph C-1, states in part that; There is no time limit on when an offender may submit a grievance regarding an allegation of sexual abuse or sexual harassment. Otherwise-applicable time limits apply to any portion of a grievance that does not allege an incident of sexual abuse. 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 Provision (c)

VADOC Operating Procedure 866.1 page 6, paragraph 4-c, states in part that; Staff who are the subject of a complaint alleging staff misconduct, sexual abuse or sexual harassment of an offender, or any possible violation of the Standards of Conduct must not be the respondent to the Written Complaint but may offer information during the investigation of the complaint.

115.52 Provision (d)

VADOC Operating Procedure 866.1-page 10 paragraph 2 states in part that; when a grievance has been forwarded to the PREA Compliance Manager, the grievance response will be "This matter has been forwarded for investigation to the PREA Compliance Manager." Within 30 days of issuance of the Grievance Receipt, each accepted grievance must be investigated, reviewed, completed, and the Offender Grievance Response - Level I returned to the offender unless a continuance is authorized. A grievance may be continued for up to a maximum of 30 days beyond the 30-day time limit for response. If a grievance is continued, the Institutional Ombudsman must document the continuance in VACORIS on the Grievance Continuance Receipt. The Grievance Continuance Receipt must include a justifiable reason for the continuance and a new date of completion. Justifiable reasons for a continuance include: (a) The principal(s) or key staff involved are unavailable to provide essential information due to escape, disturbance, or emergency. (b) Awaiting results of Special Investigation Unit or information from other facilities, divisions, or agencies

The Halifax Correctional Unit has not received any grievance over the last twelve months alleging sexual abuse.

115.52 Provision (e)

VADOC Operating Procedure 866.1 page 7, paragraph 4, states in part that; Third Party Assistance - Third parties must be able to assist offenders in completing grievances relating to allegations of sexual abuse and sexual harassment and must be permitted to file such requests on behalf of offenders. If a third-party file such a request on behalf of an offender, the offender must agree to have the request filed on their behalf. If the offender does not agree, staff must document the decision and the grievance must not be accepted. If the offender does agree, assistance from fellow offenders or staff members may continue through all stages that remain. Any third party filing of a request related to allegations of sexual abuse

or sexual harassment must be forwarded to the PREA Compliance Manager. For all other grievances, third parties are permitted to assist only in the completion of the Regular Grievance.

The Halifax Correctional Unit has not received any grievance over the last twelve months alleging sexual abuse.

115.52 Provision (f)

VADOC Operating Procedure 866.1 pages 5,6 paragraph E, D, states in part that; Emergency Grievance Process. Any offender who has a substantial risk of imminent sexual abuse or whose current situation or condition subjects them to an immediate risk of serious personal injury or irreparable harm should immediately notify staff for assistance. The offender can access the emergency grievance process by submitting their issue on the Emergency Grievance, for an expedited response. Staff with appropriate training and the required authority to address offender emergencies and staff designated by Implementation Memorandum to respond to Emergency Grievances must review the issue, determine a course of action, and provide an appropriate response with reasons for the decision. All Emergency Grievances on medical and dental care must be forwarded to the Medical Department for review and response. All Emergency Grievances alleging sexual abuse, sexual harassment or a substantial, imminent risk of sexual abuse must be forwarded to the Administrative Duty Officer or Shift Commander. If an emergency exists, the designated staff respondent must take necessary and timely action(s) to protect the offender and resolve the emergency. The offender must receive a response to an Emergency Grievance within eight hours of receipt, or less, to protect the offender from serious personal injury or irreparable harm. This eight-hour response is used as the initial and final response to this emergency grievance.

The Halifax Correctional Unit has not received any emergency grievance over the last twelve months alleging sexual abuse.

115.52 Provision (g)

VADOC Operating Procedure 866.1 page 16, paragraph F, states in part that; An offender's use of the grievance procedure to resolve their issues is not normally cause for disciplinary action, unless, the written grievance document or related offender action are subject to disciplinary action as outlined in Operating Procedure 861.1, Offender Discipline, Institutions. Disciplinary action may include but is not limited to Disciplinary Offense Code 212, 222, 141, or filing a grievance of alleged sexual abuse proven to be in bad faith.

Conclusion

The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency's procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if the Facility Head or PREA Compliance Manager receives a grievance alleging sexual abuse or sexual harassment by staff or sexual abuse by an inmate, the grievance is immediately handled as a PREA complaint and investigated as such, to include assigning it to a PREA Investigator for further investigation. The grievance process is immediately stopped, and an administrative investigation is immediately initiated. Therefore, this standard is not applicable in the meaning and purpose for which it is intended. The

grievance process is to serve as a vehicle to provide due process in certain situational incidents in a confinement setting and not the purpose of reporting or investigating a sexual abuse allegation in this facility. However, an inmate can use the process as a means of reporting a sexual abuse allegation.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) Memorandum of Understanding between VADOC and Action Alliance c) PREA Poster in both English and Spanish. The poster is labeled “Zero-Tolerance” and provides the contact information either by phone or mailing address to the Rape Crisis Center Advocate. <p>Interviews:</p> <ul style="list-style-type: none"> a) Inmates who reported a Sexual Abuse b) 19 interviews with Random Inmates <p>Observations made during the on-site audit and document review.</p> <p>115.53 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 13, paragraph B-2, states in part that; 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. The facility will enable reasonable communication between offenders and these organizations and agencies in as confidential a manner as possible.</p> <p>The agency has entered into a Memorandum of Agreement (MOU) with “Action Alliance” of Virginia to provide outside victim advocacy related to sexual abuse. Stated in the MOU, the VADOC has agreed to provide telephone numbers and mailing addresses to incarcerated victims who request sexual violence crisis intervention services, emotional support, and/or supportive counseling. The Action Alliance services are provided by mail, a phone hotline, and in person, upon request. Action Alliance also provides sexual assault educational materials in areas accessible to inmates. The contact information for Action Alliance is located on the posters displayed in the housing units. The auditor observed these posters during the facility tour. In addition, every inmate that is transferred to the Halifax Correctional Unit receives an “Preventing Sexual Abuse Training Orientation.” During this orientation, the inmate is once again provided contact information for the rape crisis center. This procedure is documented and acknowledged by signature from the inmate. The hotline phone call is free of charge to the inmate. Outgoing facility mail is not scanned, opened, or read. The crisis intervention services are confidential, and Action Alliance has no duty to report unless involving a juvenile or vulnerable adult or if the inmate chooses to report.</p>

During the on-site audit, the auditor performed 19 random inmate interviews. 12 inmates were aware that services are available outside the facility for dealing with sexual abuse while in the facility. Three inmates stated that they were not sure and 4 stated that they were not aware of such services. Those inmates that were aware of the services also knew how to contact the crisis center. They were also cognizant that the communication with the crisis advocate is confidential. When asked if they could tell me about the kind of services there are, 3 inmates identified the Action Alliance hotline, and one inmate stated the community Services Board. Two inmates were unsure. The Auditor was not able to interview an inmate that reported a sexual abuse while housed in the facility. No inmates that met that criteria were incarcerated at the time of the on-site audit.

The evidence collected for this provision shows that the agency has procedures in place to provide crisis intervention services from an outside advocacy group free of charge that is confidential. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.53 Provision (b)

VADOC PREA Operating Procedure 038.3 page 13, paragraph B-3 states in part that; 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.

The Halifax Correctional Unit informs inmates through a pre-recorded phone message that their calls may be monitored before making every call. The inmate sexual abuse information orientation also informs the inmates that their calls are subject to monitoring and may be referred out for investigation. The MOU between the VADOC and Action Alliance states that; the statewide hotline shall provide confidential crisis intervention and emotional support services related to all sexual abuse or assault victims.

Due to the conflicting duties provided by Action Alliance for the VADOC the auditor reached out to the PREA Regional Analyst for clarification. The PREA Regional Analyst confirmed to the auditor that the phone number provided to inmates for private advocate counseling to Action Alliance is not monitored or recorded. Therefore, the communication between inmates and "Action Alliance" remains confidential when the inmate calls the toll-free number and not #55 to report an allegation of sexual abuse.

The Auditor performed 19 random inmate interviews. The 12 inmates that were aware of these services assumed that the information was confidential.

The evidence collected for this provision shows that the facility does inform inmates the extent to which their communications are being monitored. Therefore, through agency procedures, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.53 Provision (c)

VADOC PREA Operating Procedure 038.3 page 13, paragraph b-1, states in part that; 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.

The facility has provided a copy of a MOU between the VADOC and The Action Alliance Center of Virginia dated 05/01/2018 and a renewal date of 03/19/2020 as proof that confidential emotional support services are being provided to the inmates at the Halifax Correctional Center.

The evidence collected for this provision shows that the agency has entered into a Memorandum of Understanding with an outside advocacy group to provide the inmates emotional support as it relates to sexual abuse. Therefore, through the signed MOU and personal observation the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the auditor has determined that the facility is fully compliant with this standard requiring the facility provide inmate access to outside confidential support services.

115.54	Third-party reporting
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 887 551">a) VADOC PREA Operating Procedure 038.3 <li data-bbox="252 589 679 622">b) Third-Party Reporting form <li data-bbox="252 660 635 694">c) VADOC Public Website <li data-bbox="252 732 552 766">d) Visitation Posters <p data-bbox="252 808 1110 842">Observations made during the on-site audit and document review.</p> <p data-bbox="252 884 513 918">115.54 Provision (a)</p> <p data-bbox="252 956 1469 1077">VADOC PREA Operating Procedure 038.3 page 8, paragraph 2-c, states in part that; Contact information on how to report sexual abuse and sexual harassment on behalf of an offender is provided on the DOC public web site.</p> <p data-bbox="252 1115 1469 1236">The Halifax Correctional Unit has the following information published on their VADOC agency website explaining how someone would report a sexual abuse on behalf of an inmate housed in the Halifax Correctional Unit.</p> <p data-bbox="252 1274 1362 1308">"HOW TO REPORT SEXUAL ABUSE AT THE VADOC CORRECTIONAL FACILITIES"</p> <p data-bbox="252 1346 1469 1512">The Halifax Correctional Unit inmates can privately report sexual abuse, sexual harassment, or retaliation by other inmates or staff by using the following: if you or someone you know has been sexually abused or sexual harassed while in the custody or under supervision of the Virginia Department of Corrections, safely report the incident:</p> <ul style="list-style-type: none"> <li data-bbox="252 1550 1062 1583">• Call the 24/7 confidential reporting hotline at 1-855-602-7001 <li data-bbox="252 1621 1458 1700">• File a complaint by completing the Third-Party Reporting form. The form is also available in Spanish. <li data-bbox="252 1738 975 1771">• Send an email to PREAGrievance@vadoc.virginia.gov <p data-bbox="252 1886 1469 2132">All allegations of sexual abuse, harassment and retaliation concerning an incident of sexual abuse at any of the VADOC Correctional Facilities will be thoroughly investigated and shall be subject to administrative and/or criminal prosecution. The VADOC shall have a policy in place stating their responsibility to set guidelines in order to prevent and report sexual abuse/ assault within the facilities in accordance with the Prison Rape Elimination Act (PREA). The VADOC shall have a policy in place stating their responsibility to conduct criminal</p>

investigations of sexual abuse in the facilities operated by the VADOC. Reporting a sexual assault is a serious allegation and will be treated as such. False reporting will carry serious consequences.

The evidence collected for this provision shows that the agency has procedures in place to address third-party reports of sexual abuse or harassment both formally and publicly. Therefore, through document review and personal observations, the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring a method to receive third-party reports alleging sexual abuse and distribute that information publicly.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 730.2 Mental Health Services c) VADOC Operating Procedure 801.6 Offender Services d) VADOC Operating Procedure 030.4 Special Investigative Unit e) VADOC Operating Procedure 720.2 Medical Screening f) Halifax Superintendent Memorandum regarding no reports of sexual abuse or harassment over the last twelve months. <p>Interviews:</p> <ul style="list-style-type: none"> a) 12 Interviews with Random staff b) Interview with Warden or Designee c) Interview with Medical or Mental Health Staff d) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.61 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 5, paragraph 7, states in part that; 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. In addition, Policy 038.3 also states in part that; Staff, volunteers, and contractors must immediately report to their supervisor, or the OIC any knowledge, suspicion, or information on the following incidents:</p> <ul style="list-style-type: none"> a. Staff, volunteers, and contractors must immediately report the following: <ul style="list-style-type: none"> 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.

During the interview process this Auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor.

The evidence collected for this provision shows that the agency has procedures in place to address immediately reporting any knowledge, suspicion, or information regarding sexual abuse or sexual harassment. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.61 Provision (b)

VADOC PREA Operating Procedure 038.3 page 9, paragraph 3-c, states in part that; Apart from reporting to designated supervisors or officials, any 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. Operating Procedure 801.6 page 1, paragraph A-3-c, states in part that; 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.

During the interview process the auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor and must only relay information on a 'need to know' basis.

The evidence collected for this provision shows that the agency has procedures in place to address not revealing information related to a sexual abuse report to anyone other than to the extent necessary. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.61 Provision (c)

VADOC Operating Procedure 720.2 page 5, paragraph 1-C, states in part that; All inmates offenders must be informed of the medical and mental health practitioner's duty to report any knowledge, suspicion, or information regarding an incident of sexual abuse and the limitations of confidentiality prior to conducting a medical or mental health screening, appraisal, or examination. In addition, Operating Procedure 730.2 page 9, paragraph iv-a, states in part that; Before beginning the Sexual Assault Assessment, the QMHP Psychology Associate will advise the inmate offender of the practitioner's duty to report, and the limitations of confidentiality and that such information may be available to the facility administration in the context of an investigation in accordance with Operating Procedure 730.6, Mental Health Services: Confidentiality.

The auditor interviewed the Health Services staff member. The medical practitioner stated that

they do notify the inmate of the duty to report sexual abuse allegations and the limitations surrounding confidentiality. She also stated that they have a duty to report all suspicions, knowledge, or information regarding sexual abuse. In addition, the medical practitioner stated that she had not experienced a situation where an alleged sexual abuse allegation had been made, but if she had, she would immediately notify a supervisor. When interviewing the Mental Health professional, she confirmed the same practices and informed the auditor that she had not experienced a situation where an alleged sexual abuse allegation was made to her from any inmate housed at the Halifax Correctional facility.

The evidence collected for this provision shows that the agency has procedures in place to require medical and mental health practitioners to report any incidents they have been made aware of involving the knowledge, suspicion, or information regarding sexual abuse. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.61 Provision (d)

VADOC PREA Operating Procedure 038.3 page 9, paragraph 3-b, states in part that; If the alleged victim is under the age of 18, aged, incapacitated, or offenders who are receiving services from a Licensed DOC Mental Health Program, the Organizational Unit Head, or Administrative Duty Officer in their absence, is required to immediately report any alleged abuse to the local Department of Social Services.

When the Warden/Designee was interviewed, she stated that the Halifax Correctional Unit does not house any juveniles or currently house vulnerable adults. However, both the Warden/Designee and PREA Coordinator stated that when notified of such a situation, they would both contact the local social services departments in the jurisdiction of which the incident occurred.

The evidence collected for this provision shows that the agency has procedures in place to require staff to report sexual abuse involving individuals under the age of 18 and vulnerable adults to the designated state or local services in accordance with applicable mandatory reporting laws. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.61 Provision (e)

VADOC Operating Procedure 030.4 page 10, paragraph G-3, states in part that; All allegations of sexual abuse and sexual harassment, including third-party and anonymous reports must be immediately reported to the facility designated investigator who will conduct an initial investigation and will immediately notify the PREA Analyst of the allegation.

During the document review the auditor did not evaluate any investigative files. The facility reported no incidents of alleged sexual abuse or sexual harassment. The Warden/Designee

was also interviewed and explained that all allegations of sexual abuse are assigned to a PREA trained investigator.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all allegations of sexual abuse is turned over to a PREA designated investigator to initiate an inquiry. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring staff and agency reporting duties.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 730.2 Mental Health Services c) VADOC Operating Procedure 830.6 Offender Keep Separate Management <p>Interviews:</p> <ul style="list-style-type: none"> a) 12 Interviews with Random Staff b) Interview with Warden or Designee c) Interview with Agency Head <p>Observations made during the on-site audit and document review.</p> <p>115.62 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 9, paragraph B-1, states in part that; 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 so that immediate action can be taken to protect the offender. Also, Operating Procedure 730.2 page 8, paragraph d-i, states in part that; 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.</p> <p>Interviews were conducted with 12 random staff. Of those staff interviewed, all 12 staff members stated that they would immediately remove the inmate from the situation, block, or housing unit. In addition, they stated that they would conduct an initial inquiry and notify a supervisor. Also interviewed was the Warden/Designee. In that interview it was stated that she would have the inmate immediately removed from the situation and initiate an investigation to collect the facts. Also, that a housing change would immediately take place. The inmate would be re-evaluated and then the information obtained would be considered to determine the best and safest housing assignment moving forward. The Agency Head stated that his agency has options when they learn that an inmate is subject to the risk of imminent sexual abuse. He stated that they can place the inmate in an easily observable unit. They can make sure the inmate knows their rights and how to report. Finally, if the inmate agrees, they can be transferred to a different facility where the threat does not exist.</p>

The evidence collected for this provision shows that the agency has procedures in place to address when an inmate is subject to a substantial risk of sexual abuse and immediate action is taken to protect that inmate. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring agency protection duties.

115.63	Reporting to other confinement facilities
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 030.4 Special Investigation Unit c) Halifax Superintendent memo regarding not receiving or reporting any incidents of allegations that an offender was sexually abused at another facility, nor receiving notification from a facility. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Agency Head <p>Observations made during the on-site audit and document review.</p> <p>115.63 Provision (a), (b), and (c)</p> <p>VADOC PREA Operating Procedure 038.3 page 9, paragraph 5-a, i, ii states in part that; 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. The Organizational Unit Head or designee will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. Notification must be provided as soon as possible, but no later than 72 hours after receiving the</p> <p>allegation. The Organizational Unit Head or designee must document that it provided such notification.</p> <p>The Halifax Correctional Unit reported that there were no incidents over the last twelve months where notification was made to another confinement facility about an allegation of sexual abuse.</p> <p>The evidence collected for these provisions shows that the agency has procedures in place to address when an allegation of sexual abuse is received from an inmate, but the incident occurred at a different confinement facility. Therefore, through written policy and document review the facility has demonstrated that it meets these provisions.</p> <p>115.63 Provision (d)</p> <p>VADOC PREA Operating Procedure 038.3 page 9, paragraph 5-b, states in part that; The</p>

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. In addition, VADOC Operating Procedure 030.4 page 10, paragraph G-2, states in part that; 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.

The Halifax Correctional Unit reported that they have not received any alleged sexual abuse allegation from another confinement facility within the last twelve months.

When the Warden/Designee was interviewed she stated that all contacts are funneled to the PREA Regional Analyst who will assign a PREA Investigator to the case within 72 hours of being notified of the allegation. If it appears to be criminal in nature, then the VADOC Special Investigative Unit is contacted to investigate. The Warden/Designee stated that the facility had not received any reported allegation from another facility within the last twelve months. The Agency Head/Designee stated that the point of contact for all sexual abuse allegations are directed through the PREA Coordinator who would assign a PREA Investigator to conduct a thorough investigation into the allegation.

The evidence collected for this provision shows that the agency does have a policy in place to address when an allegation of sexual abuse is received from another agency. Also, they have policy in place to govern when and how to handle allegations received by their agency regarding sexual abuse allegations made that occurred at another outside confinement facility. Therefore, through written policy and interviews conducted the facility has demonstrated that it does meet this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the reporting to other confinement facilities and investigating reports from other confinement facilities. Corrective action is not required.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 030.4 Special Investigation Unit c) VADOC Operating Procedure 075.1 Emergency Operations Plan <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Security Staff First Responders b) Interview with Inmates that reported Sexual Abuse c) Interviews Non-Security Staff d) Interviews with 12 Random Staff <p>Observations made during the on-site audit and document review.</p> <p>115.64 Provision (a)</p> <p>VADOC Operating Procedure 030.4 page 6, paragraph 10, states in part that; 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.</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> a. Separate the alleged victim and abuser b. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence c. 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.

d. 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.

e. The scene will not be disturbed until released by the responding Special Agent.

As of the date of this report, the facility reported in the last twelve months that 0 inmates reported they were sexually abused. An interview with a security staff first responder was conducted. The first responder was asked to describe the actions taken when first on the scene of an alleged inmate sexual abuse allegation. The first responder stated that he would make sure the scene was safe, separate the victim and alleged abuser, report to a supervisor, preserve the evidence, get medical to see them, write a report, and protect the possible crime scene. The facility reported that there were no inmates that had reported sexual abuse, during the on-site phase of the audit. Therefore, the auditor could not provide the inmate who reported sexual abuse perspective regarding this provision.

The evidence collected for this provision shows that the agency has procedures in place to address the responsibilities of staff first responders when confronted with an allegation of an inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.64 Provision (b)

VADOC PREA Operating Procedure 038.3 page 10, paragraph B-1-e, states in part that; If the first staff responder is not a security staff member, the responder will be required to ensure the victims safety, request that the alleged victim not take any actions that could destroy physical evidence such as showering, eating, brushing teeth, or drinking until after evidence collection, and notify the OIC. In addition, VADOC Operating Procedure 075.1 page 6, paragraph 15-b, states in part that; 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.

The facility reported no incidents of sexual abuse where the first responder was not a security staff member and the staff member immediately notified security staff. When conducting interviews, 12 random staff were questioned about their responsibilities when confronted with an allegation of an inmate sexual abuse. The responses were broken down into the following ways. As a side note, the auditor has incorporated the staff's multiple responses into the listed general topics.

- 10 staff members stated they would separate the victim and abuser;
- 7 staff members would also contact a supervisor.
- 4 staff members mentioned contacting medical personnel,
- 5 staff members cited preserving evidence,
- 5 staff members said they would secure the scene
- and 3 staff members stated they would write a report.

In addition, the Auditor interviewed 4 contractors/volunteers during this audit and all non-security staff stated that they would immediately notify a security staff member.

The evidence collected for this provision shows that the agency has procedures in place to address the responsibilities of non-security staff first responders when confronted with an allegation of an inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring Staff first responder duties.

115.65	Coordinated response
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 411 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 887 551">a) VADOC PREA Operating Procedure 038.3 <li data-bbox="252 589 1166 622">b) VADOC Operating Procedure 075.1 Emergency Operations Plan <li data-bbox="252 660 903 694">c) VADOC Sexual Assault Response Checklist <li data-bbox="252 732 999 766">d) Halifax PREA Plan & Sexual Assault Response Plan <p data-bbox="252 808 395 842">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 880 791 913">a) Interview with Warden or Designee <p data-bbox="252 956 1110 990">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1032 515 1066">115.65 Provision (a)</p> <p data-bbox="252 1108 1414 1267">The VADOC Operating Procedure 038.3 page 10, paragraph A, states in part that; 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.</p> <p data-bbox="252 1310 1481 1637">The Halifax Correctional Unit has provided an outlined coordinated response plan in the form of a six-page institutional plan for the facility to follow when confronted with an inmate sexual abuse incident. The document outlines the procedures/steps to follow and includes the actions of the first responders, medical & mental health practitioners, On Duty Officer-in-Charge, Facility PREA Investigator, Facility Leadership, and the PREA Compliance Manager, Incident Review Team, and the Retaliation Officer. In an interview with the Warden/Designee it was confirmed that the facility uses a coordinated response plan to follow when dealing with incidents of alleged inmate sexual abuse.</p> <p data-bbox="252 1680 1433 1798">The evidence collected for this provision shows that the facility has a coordinated response plan to follow during incidents of alleged inmate sexual abuse. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p data-bbox="252 1841 395 1874">Conclusion</p> <p data-bbox="252 1917 1390 2036">Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring a coordinated response.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) Halifax Correctional Unit Pre-Audit Questionnaire Responses b) Code of Virginia 40.1-57.2 (Prohibition against Collective Bargaining) c) VADOC Operations Manager Memorandum dated 04/22/2013 stating how the agency does not participate in collective bargaining. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head or Designee <p>Observations made during the on-site audit and document review.</p> <p>115.66 Provision (a)</p> <p>Employees in the Commonwealth of Virginia do not have collective bargaining rights per the Code of Virginia 40.1-57.2. There is no collective bargaining agreement entered into since August 2012. The Auditor confirmed this during the interview with the Agency Head. In addition, the agency provided a memorandum from the agency's Operations Manager, which confirms that Halifax Correctional Unit has not entered into or renewed any collective bargaining agreements nor is it part of a union.</p> <p>The evidence collected for this provision shows that this standard is not applicable to this facility or any confinement facility in the Commonwealth of Virginia if it chooses not to engage in collective bargaining. Therefore, through state law and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all the available evidence, the PREA auditor has determined that this standard is not applicable to this facility.</p>

115.67	Agency protection against retaliation
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 135.2 Rules of Conduct <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head / Designee b) Interview with Warden / Designee c) Interview with Staff Member charged with Monitoring Retaliation <p>Observations made during the on-site audit and document review.</p> <p>115.67 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 13&14, paragraph VII-A, states in part that; 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. Allegations of retaliation will be reported through the same methods as available for reporting sexual abuse or sexual harassment. Such allegations must be investigated in the same manner as allegations of sexual abuse. VADOC Operating Procedure 135.2 page 7, paragraph E, states in part that; 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.</p> <p>The designated staff member charged with monitoring possible retaliation at the Halifax Correctional Unit is the PREA Compliance Manager.</p> <p>The evidence collected for this provision shows that the facility has procedures in place and staff to monitor retaliation associated with reports of sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p>115.67 Provision (b)</p> <p>VADOC PREA Operating Procedure 038.3 page 13, paragraph VII-B, states in part that; Multiple measures are available to protect staff and offenders from retaliation; such measures include housing changes or transfers for offender victims or abusers, removal of alleged staff or offender abusers from contact with victims, and emotional support services for offenders and staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</p>	

The facility has reported no incidents or reports of alleged sexual abuse or sexual harassment. When interviewed, the Warden/Designee explained that they could use multiple ways to protect inmates or staff from retaliation. She spoke of changing housing assignments, transfers, providing mental health treatment, and discipline. The Agency Head spoke of the written policy prohibiting retaliation and how his agency would investigate all reports of retaliation. The staff member charged with monitoring retaliation stated that she monitors the situation by checking for disciplinary reports, program attendance, and staff post assignments. She also stated that she meets with the individuals involved on a weekly basis and documents their conversations. Finally, the staff member charged with monitoring retaliation stated that she would encourage the individuals involved to contact her if they experience what they believe to be retaliation. No inmate reported sexual abuse at the time of the on-site audit and therefore, no perspective can be provided.

The evidence collected for this provision shows that the facility employs multiple protection measures for those inmates and staff who fear retaliation. Therefore, through document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.67 Provision (c)

VADOC PREA Operating Procedure 038.3 page 13&14, paragraph B-1, states in part that; 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. Items to be monitored include any offender disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Compliance Manager must continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The Warden / Designee stated that when she suspects retaliation, she will immediately initiate an investigation. Based on the findings of that investigation staff may be reassigned or receive discipline up to termination. Inmates can be charged both with in-house charges and criminal prosecution or transferred to a different confinement facility. The staff member charged with retaliation monitoring stated that she monitors individuals for at least 90 days but will continue to monitor them if he feels it necessary even if and no threat exists.

The evidence collected for this provision shows that the facility monitors both staff and inmates who have alleged sexual abuse or assisted in the investigation for a minimum of 90 days. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.67 Provision (d)

VADOC PREA Operating Procedure 038.3 page 14, paragraph B-2, states in part that; In the case of offenders, such monitoring will also include periodic status checks.

When conducting the interview with the staff member responsible for monitoring retaliation, she stated that she monitors the situation by checking for disciplinary reports, program attendance, and staff post assignments. She also stated that she meets with the individuals

involved on a weekly basis and documents their conversations. Finally, the staff member charged with monitoring retaliation stated that she would encourage the individuals involved to contact her if they experience what they believe to be retaliation. No inmate reported sexual abuse at the time of the on-site audit and therefore, no perspective can be provided.

The evidence collected for this provision shows that the facility monitors inmates for retaliation periodically. Therefore, through policy and interviews conducted the facility has demonstrated that it meets this provision.

115.67 Provision (e)

VADOC PREA Operating Procedure 038.3 page 14, paragraph B-3, states in part that; If any other individual who cooperates with an investigation expresses a fear of retaliation, the Facility Unit Head must take appropriate measures to protect that individual against retaliation.

When conducting the interview with the Agency Head/ Designee, he stated that they have policies posted to protect those individuals. Names of those involved are not released and if it is an inmate and they wish to be transferred, that would be an option. The Warden/Designee stated that the Retaliation Officer monitors those situations and that an inmate engaging in retaliation may be moved to a different housing assignment or to an entirely different facility. The Warden/Designee also stated that if staff were engaged in retaliation, the staff member would be dealt with using the standards of Conduct.

The evidence collected for this provision shows that the facility has procedures in place to address protection for other individuals who cooperate with PREA investigations from retaliation. Therefore, through written policy the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring agency protection from retaliation.

115.68	Post-allegation protective custody
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 830.5 Transfers, Institution Reassignments b) VADOC Operating Procedure 425.4 Management of Bed and Cell Assignments c) VADOC Sexual Abuse /Sexual Harassment Available Alternatives Assessment d) Halifax Superintendent memorandum regarding not receiving any offender allegations of sexual abuse; therefore, segregated housing was not used to protect any offenders from further sexual abuse. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Staff who supervise inmates in Segregation. <p>Observations made during the on-site audit and document review.</p> <p>115.68 Provision (a)</p> <p>VADOC Operating Procedure 425.4, page 8, paragraph 4, states in part that; 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. 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. A Sexual Abuse/Sexual Harassment Available Alternatives Assessment must be completed by the Shift Commander prior to placing the offender in a restrictive housing unit. 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. 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. 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.</p> <p>Over the last 12 months, the facility reported that they had not assigned any inmate who alleged to have suffered sexual abuse to involuntary segregated housing, for the purpose of separating that inmate due to no other housing alternatives. During the facility tour, the auditor</p>	

visited the special housing unit and reviewed the cell assignments to verify that no inmate was being housed involuntarily due to alleging sexual abuse. In fact, no inmates were present in the restricted housing units.

The Warden / Designee stated during her interview that the facility doesn't have a segregated housing unit. However, the agency does have a policy prohibiting placing inmates who alleged to have suffered sexual abuse in involuntary segregated housing, in lieu of other housing areas. She also stated that only if there were no alternatives would an inmate be involuntarily segregated because of alleging sexual abuse. She further stated if that were the case the correctional facility would evaluate the inmate's situation every 30 days. However, the Warden / Designee explained that, due to her facility not having a segregation unit she could separate an inmate overnight in a restricted housing cell until transportation could be arranged to move the inmate to a different facility.

The staff member working in segregated housing stated during his interview that if an inmate were placed in segregation based on being an alleged victim of a sexual abuse, that inmate would still have access to all the privileges and opportunities that all other inmates would have. He stated that the housing assignment is not seen as a punishment. The staff member also stated that he has no specific example where an inmate was placed in involuntary segregation based on alleging a sexual abuse.

The evidence collected for this provision shows that the agency has procedures in place to ensure that if an inmate is placed in segregation due to alleging sexual abuse that inmate would retain all the privileges and opportunities that all other inmates are afforded. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring limitation on protective custody.

115.71	Criminal and administrative agency investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 030.4 Special Investigations Unit c) Halifax Superintendent Memorandum regarding, (no allegations of sexual abuse and no cases referred for criminal prosecution). <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Investigative Staff c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.71 Provision (a)</p> <p>VADOC Operating Procedure 030.4 page 10, paragraph 6, states in part that; all investigations into allegations of sexual abuse and sexual harassment will be done promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.</p> <p>The auditor did not review any investigative files during the document review. The facility has reported that no allegations of sexual misconduct has been made over the last twelve months. During the interview with the investigative staff, the investigator stated that an administrative investigation is immediately initiated once notification is made. The investigator suggested that an investigation would begin within the first twenty-four hours of the allegation being made. The investigator stated that anonymous and third party reports are handled exactly in the same manner as all other sexual abuse allegations.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that it investigates sexual abuse allegations promptly, thoroughly, and objectively. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.71 Provision (b)</p> <p>VADOC Operating Procedure 030.4 page 24, paragraph 5, states in part that; SIU investigators will receive special training in sexual abuse investigations before conducting PREA investigations. In addition, to the general PREA training provided to all employees, investigators shall receive specialized training in conducting sexual abuse investigations in</p>

confinement settings. Specialized training shall include:

- i. 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.

The Halifax Correctional Unit reported that the facility has 2 PREA certified investigators and the VADOC has 19 Special Agents. During the pre-audit phase, this auditor requested training records for the PREA investigators. The facility provided that information and the auditor verified that those investigators had received special sexual abuse training in a confinement setting. During the interview process, the investigator confirmed that he had received the initial training in 2012 by the Virginia State Police. The PREA Regional Analyst provided certificates of completion for the investigators in the Pre-Audit Questionnaire.

The evidence collected for this provision shows that the agency has procedures in place to ensure that only specially trained sexual abuse investigators conduct investigations into sexual abuse allegations. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.

115.71 Provision (c)

VADOC Operating Procedure page 11, section 8, states in part that; Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. Investigators will interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

The auditor did not review any administrative investigation files. The facility reported no incidents of inmate or staff alleged sexual abuse or sexual harassment. Therefore, there was one particular investigation where camera video footage was part of the evidence to assist in the investigation.

When conducting the interview with the SIU investigator, he stated that usually the facility investigator determines if there is probable cause and notifies the PREA Regional Analyst how requests the assistance of the Special Investigations Unit. If the allegation looked as if it were criminal in nature, an investigative plan would be created, and witnesses located. He would then begin answering those questions of who, what, when, where, and how. He would also collect evidence both physical and circumstantial. The SIU investigator stated that he would collect forensic evidence, crime scene sketch, photographs, Perk Kit, Buccal Swab, and interview all witnesses.

The evidence collected for this provision shows that the agency has procedures in place to ensure that VADOC investigators collect circumstantial evidence and direct evidence. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (d)

VADOC Operating Procedure 030.4 page 11, paragraph 9, states in part that; When the quality of evidence that appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. There are no examples of investigative reports supporting compelled statements. When asked about compelling staff to answer questions, the SIU PREA Investigator explained that he would first complete the criminal investigation then proceeds with the administrative investigation in order to follow the Garrity Rule.

The evidence collected for this provision shows that the agency has procedures in place governing compelled interviews. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (e)

VADOC Operating Procedure 030.4 page 11, paragraph 10, states in part that; the credibility of an alleged victim, suspect, or witness will be assessed on an individual basis and will not be determined by the persons status as an inmate or staff. The policy goes on to state that; the inmate who alleged that he or she was sexually abused will not be required to submit to a polygraph examination or other truth-telling devise as a condition for proceeding with the investigation of alleged allegation.

The PREA SIU Investigator was interviewed and stated that he treats every allegation the same and handles them in a serious manner. The Investigator also stated that polygraphs are not used to determine truthfulness in allegations of sexual abuse. The auditor was not able to conduct an interview with an inmate that reported sexual abuse. Therefore, no evidence exists to provide input from an inmate's perspective.

The evidence collected for this provision shows that the agency has procedures in place ensuring that an individual's credibility shall not be determined by the person's status as an inmate or staff. Furthermore, polygraph examinations will not be used as a condition for proceeding with the investigation of a sexual abuse allegation. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (f)

VADOC Operating Procedure 030.4 page 11, paragraphs 11a, b, states in part that; Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

No sample of investigative files were examined during the document review phase because the facility reported no incidents of inmates or staff making allegations of sexual abuse or sexual harassment within the last twelve months.

When interviewing the PREA SIU Investigator, he stated that to determine if staff actions

contributed to a sexual abuse, he would make sure that staff followed policy and agency protocol. He stated that if found to be negligent, the investigation would be referred to the Human Resources Branch for disciplinary action. The investigator also stated all administrative investigations are documented and that witness statements, incident reports, circumstantial evidence, and subpoenas would be found in an administrative investigation file. The investigator stated that Human Resources determine the administrative case findings.

The evidence collected for this provision shows that the agency has procedures in place to ensure efforts are made to determine if staff actions or failures contributed to a sexual abuse. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.

115.71 Provision (g)

VADOC Operating Procedure 030.4 page 11, paragraph 12, states in part that; Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

The PREA Investigator confirmed that all criminal investigations shall be documented and that the evidence located in the file would be the same as what is placed in the administrative file.

The evidence collected for this provision shows that the agency conducts all criminal investigations. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (h)

VADOC Operating Procedure 030.4 page 11, paragraph 13, states in part that; Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

The facility did not report that there was any case in the last twelve months that was referred to the Commonwealth Attorney's Office. The PREA Investigator stated that he would refer the case for prosecution at the conclusion of the investigation.

The evidence collected for this provision shows that the agency does conduct criminal investigations and will refer substantiated cases for criminal prosecution. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (i)

VADOC PREA Operating Procedure 038.3 page 15, paragraph C, states in part that; The Organizational Unit Head must ensure that all case records associated with claims of sexual abuse or sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendation for post-release treatment or counseling are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

The evidence collected for this provision shows that the agency has procedures in place to ensure written investigative reports are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.71 Provision (j)

VADOC Operating Procedure 030.4 page 11, paragraph 14, states in part that; The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

The PREA Investigator was asked how he would proceed when a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation. The investigator explained that he would continue forward as best as possible in the same fashion. By trying to locate the individual and make contact in an attempt to provide an outcome to the investigation.

The evidence collected for this provision shows that the agency has procedures in place to ensure that an administrative investigation continues regardless of if the abuser or victim is no longer employed or under the agency's control. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (l)

VADOC Operating Procedure 030.4 page 12, paragraph 3c, states in part that; During the investigation staff will cooperate with SIU and the facility Investigator must endeavor to remain informed about the progress of the investigation.

Interviews were conducted with the Warden/Designee, PREA Coordinator, PREA Compliance Manager, and Investigative staff about this provision. The PREA Coordinator, PREA Compliance Manager and Warden/Designee were asked who investigates criminal allegations of sexual abuse and how the agency remains informed of the progress of a criminal sexual abuse case. The PREA Coordinator and Warden/Designee responded by stating that the agency's Special Investigations Unit conducts all criminal investigations. The PREA Compliance Manager stated that the DOC will turn over to the Special Investigations Unit. And finally, the PREA Investigator was asked what role he plays in a criminal investigation from an outside agency. The investigator explained that he would help support the investigation.

The evidence collected for this provision shows that the agency has procedures in place to try and stay informed about ongoing criminal sexual abuse investigations amongst their own facilities. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring criminal and administrative agency investigations.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 400">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 1031 551">a) VADOC Operating Procedure 135.2 Rules of conduct <li data-bbox="252 589 1050 622">b) VADOC Operating Procedure 861.1 Offender Discipline <li data-bbox="252 660 1337 734">c) Halifax Superintendent Memorandum regarding no incidents of substantiated allegations of sexual abuse or sexual harassment within the last twelve months. <p data-bbox="252 779 392 813">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 851 753 884">a) Interview with Investigative Staff <p data-bbox="252 922 1110 956">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1001 513 1034">115.72 Provision (a)</p> <p data-bbox="252 1072 1461 1191">VADOC Operating Procedure 135.2 page 5, paragraph B-6, states in part that; a preponderance of the evidence will be adequate in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="252 1232 1461 1435">The SIU PREA Investigator was asked what standard of evidence he requires to substantiate allegations of sexual abuse or sexual harassment. The Investigator replied, "The preponderance of the evidence or 51% of the evidence suggests one way or the other." However, the investigator informed the auditor that he does not make the determination if a case is substantiated or unsubstantiated.</p> <p data-bbox="252 1476 1485 1639">The evidence collected for this provision shows that the agency has procedures in place to not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual assault is substantiated. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p data-bbox="252 1680 405 1713">Conclusion:</p> <p data-bbox="252 1753 1390 1872">Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring evidentiary administrative investigation.</p>

115.73	Reporting to inmates
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 030.4 Special Investigations Unit c) Halifax Superintendent memorandum regarding no incidents involving of allegations of sexual abuse or sexual harassment during the last twelve months. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Investigative Staff c) Interview with Inmates that reported sexual abuse <p>Observations made during the on-site audit and document review.</p> <p>115.73 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 12, paragraph B, states in part that; 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. In addition, VADOC Operating Procedure 030.4 page 11, paragraph 15, states in part that; 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.</p> <p>The facility reported 0 investigations of alleged sexual abuse during the last twelve months that were completed by the agency. Therefore, no investigative files were reviewed by the auditor.</p> <p>During the interview with the investigative staff, the investigator stated that his agency procedures require him to notify the Facility Head of the investigative findings and that the investigator makes the notification to the alleged inmate victim. The Warden/Designee stated that yes; notification is made to the inmate as to the findings of the allegation. The investigator or PREA Compliance Manager usually does the notification. Lastly, no inmate who reported sexual abuse was interviewed. Therefore, the auditor cannot provide that perspective for this provision.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to inform the inmates who allege sexual abuse of the findings of the investigation. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets</p>	

this provision.

115.73 Provision (b)

The Halifax Correctional Unit is a correctional facility within the Virginia Department of Corrections. The agency conducts their own criminal and administrative investigations. Therefore, this provision of this particular standard is not applicable to this facility.

115.73 Provision (c)

VADOC PREA Operating Procedure 038.3 page 12, paragraph B-1- a, states in part that; 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:

- 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

The agency has provided a memorandum from the Halifax Superintendent stating that there have been no sexual abuse allegations involving staff or inmates that have been referred to criminal prosecution.

The evidence collected for this provision shows that the agency has procedures in place to inform alleged inmate victims when the alleged staff perpetrator's criminal circumstances change due to the sexual abuse allegation. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.73 Provision (d)

VADOC Operating Procedure 038.3 page 12, paragraph B-1-b, states in part that; 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:

- i. The allegation has been determined to be unfounded
- ii. The allegation has been determined to be unsubstantiated
- iii. The DOC learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility
- iv. The DOC learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility

The evidence collected for this provision shows that the agency has procedures in place to inform alleged inmate victims when the alleged inmate sexual perpetrator's criminal circumstances change due to the sexual abuse allegation. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.73 Provision (e)

VADOC PREA Operating Procedure 038.3 pages 12 & 13, paragraph B-1-c, states in part that; All such notifications or attempted notifications must be documented and sent to the offender in the same manner as legal mail. Offender Correspondence, for legal mail requirements.

The facility has provided a memorandum from the Halifax Superintendent stating that there have been no sexual abuse allegations involving staff or inmates that have been referred to criminal prosecution.

The evidence collected for this provision shows that the agency has procedures in place to ensure all notifications and attempted notifications are documented. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring reporting to inmates.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 135.2 Rules of Conduct b) VADOC Operating Procedure 135.1 Standard of Conduct c) Halifax Superintendent Memorandum regarding (no staff terminations based on PREA policy violations) <p>Interviews:</p> <p>Observations made during the on-site audit and document review.</p> <p>115.76 Provision (a)</p> <p>VADOC Operating Procedure 135.2 page 5, paragraph B-1, states in part that; 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. 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. Sexual misconduct will be treated as a Group III offense subject to disciplinary sanctions up to and including termination under Operating Procedure, Standards of Conduct.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure staff will be subject to disciplinary actions for violating the agency's sexual abuse and sexual harassment policies. Therefore, through written policy the facility has demonstrated that it meets this provision.</p> <p>115.76 Provision (b)</p> <p>VADOC Operating Procedure 135.2 page 5, paragraph B-2, states in part that; 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. 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. Termination will be the presumptive disciplinary sanction for employees who have engaged in sexual abuse.</p> <p>The Halifax Correctional Unit provided a written memorandum authored by the Facility Superintendent stating that the facility has not had any staff terminated due to violating the agency's PREA policy over the last twelve months. There have been no substantiated cases involving staff violating the agency's sexual abuse or sexual harassment policies and no staff</p>

has been terminated based on PREA violations in the past twelve months.

The evidence collected for this provision shows that the agency has procedures in place to ensure that termination should be the presumptive disciplinary action for staff who have engaged in sexual abuse. Therefore, through written policy the facility has demonstrated that it meets this provision.

115.76 Provision (c)

VADOC Operating Procedure 135.2 page 5, paragraph B-3, states in part that; 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.

The agency reported that there have been no staff disciplined for any PREA related allegations associated with sexual abuse or sexual harassment in the last twelve months.

The evidence collected for this provision shows that the agency has procedures in place to discipline staff who violate sexual abuse or sexual harassment policies, but do not engage in sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.76 Provision (d)

VADOC Operating Procedure 135.2 page 5, paragraph B-4, states in part that; 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. In addition, the facility offered Operating Procedure 135.1, page 11, paragraph 8, which states in part that; 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.

The Halifax Correctional Unit reported that no staff member has been terminated for PREA policy violations and therefore, no law enforcement agency or licensing bodies contacted in the last twelve months.

The evidence collected for this provision shows that the agency has procedures to contact law enforcement and licensing bodies when a staff member is terminated or resigns due to an alleged violation of the agency's sexual abuse or sexual harassment policies. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring disciplinary sanctions for staff.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 135.2 Rules of Conduct b) VADOC Operating Procedure 027.1 Volunteer and Internship c) Memorandum by the Halifax Superintendent (documenting there were no substantiated allegations of sexual abuse or sexual harassment against volunteers or contractors.) <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with the Warden/Designee <p>Observations made during the on-site audit and document review.</p> <p>115.77 Provision (a)</p> <p>VADOC Operating Procedure 135.2 page 5, paragraph B-5, states in part that; 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. 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.</p> <p>The facility provided a memorandum authored by the Halifax Superintendent stating that there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with inmates based on PREA violations in the past twelve months.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure volunteers or contractors who engage in sexual abuse do not have contact with inmates. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p>115.77 Provision (b)</p> <p>VADOC Operating procedure 135.2 page 5, paragraph B-5, states in part that; 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.</p>

The facility provided a memorandum from the Facility Superintendent stating that there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with inmates based on PREA violations in the past twelve months.

The Auditor interviewed the Warden/Designee and she stated that if a contractor or volunteer were accused of violating the agency's sexual abuse or sexual harassment policy, then that individual would be banned from coming to the facility until the investigation was complete. If it were determined that the allegation was substantiated, the contractor or volunteer would no longer have access to the facility and the VADOC Special Operations Unit would seek criminal prosecution.

The evidence collected for this provision shows that the agency has procedures in place to address actions to be taken when a contractor or volunteer violates agency's PREA policies but does not engage in sexual abuse of an inmate. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring corrective action for contractors and volunteers.

115.78	Disciplinary sanctions for inmates
	<p data-bbox="252 168 896 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 523 280">Auditor Discussion</p> <p data-bbox="252 324 1412 398">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 443 411 477">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 515 1056 548">a) VADOC Operating Procedure 861.1 Offender Discipline <li data-bbox="252 586 877 620">b) VADOC PREA Operating Procedure 038.3 <li data-bbox="252 658 801 692">c) VADOC Operating Procedure 820.2 <li data-bbox="252 730 794 763">d) VADOC Operating Procedure 830.3 <li data-bbox="252 801 1452 925">e) Halifax Superintendent memorandum regarding (no incidents of disciplinary sanctions pursuant to a disciplinary violation of offender-on-offender sexual abuse at the Halifax Correctional Unit.) <p data-bbox="252 969 395 1003">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 1041 805 1075">a) Interview with the Warden/Designee <li data-bbox="252 1113 715 1146">b) Medical & Mental Health Staff <p data-bbox="252 1191 1114 1225">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1263 513 1296">115.78 Provision (a)</p> <p data-bbox="252 1335 1476 1666">The agency's policy allows staff to discipline an offender for participating in an act of offender-on offender sexual abuse. Offenders will not be disciplined for sexual contact with a staff member if the staff member consented to the act. Policy requires discipline sanctions only after the offender participates in a formal disciplinary hearing and the hearing committee finds evidence of guilt. The agency's policy allows staff to discipline offenders for acts of sexual abuse after a criminal finding of guilt. The Regional Analyst approves all the disciplinary offenses associated with PREA upon the completion of an investigation. The two sanctions associated with inmate-on-inmates sexual abuse are as follows:</p> <p data-bbox="252 1783 1417 1816">106. (b). Sexual assault upon or making forcible sexual advances toward an offender and</p> <p data-bbox="252 1854 1423 1928">233. (b). Making sexual advances, either physical, verbal in nature, or in writing toward an offender.</p> <p data-bbox="252 1973 1481 2047">In the past twelve months the facility has reported there has been no inmate-on-inmate sexual abuse at the facility that was substantiated.</p> <p data-bbox="252 2092 1433 2125">The evidence collected for this provision shows that the agency has procedures in place to</p>

ensure that inmates are subject to disciplinary sanctions following a finding that the inmate engaged in inmate-on-inmate sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.78 Provision (b) & (c)

VADOC Operating Procedure 861.1 page 15, paragraph G, states in part that; In determining the appropriate penalty, consideration shall be given to the nature and circumstances of the offense committed, the offender's disciplinary history, and the penalty imposed for comparable offenses committed by other offenders with similar histories. In addition, Operating Procedure 861.1 page 21, paragraph 3, states in part that; Before a Disciplinary Offense Report is served on an offender assigned to a Mental Health Unit, housed in Restrictive Housing for a mental health reason (e.g. suicide watch), or against an offender with a Mental Health Code of MH-2S, MH-3, or MH-4 or an offender who may be cognitively or mentally impaired in general population, the OIC will contact a QMHP Psychology Associate to assess the following:

- a. Clinical impressions related to the disciplinary offense
- b. Likelihood of understanding the acceptance of a Penalty Offer
- c. Likelihood of effectively participating in the hearing
- d. Potential impact of Restrictive Housing on offender's cognitive/mental condition
- e. Provide relevant comments and/ or recommendations
- f. The OIC will ensure that an Offender Mental Health Assessment is completed and forwarded to the Hearings Officer along with the Disciplinary Offense Report.

When conducting the interview with the Warden/Designee, she was asked what disciplinary sanctions inmates are subject to following an investigation that found the inmate had engaged in inmate-on-inmate sexual abuse. In addition is mental illness considered when determining sanctions? The Warden/Designee stated that the maximum in-house charge could result in disciplinary segregation or street charges, but the punishment would be determined on the severity of the violation. She also stated that the mental illness part would be considered on the front end, deciding if the inmate should be charged in the first place due to his disability.

The evidence collected for these provisions shows that the agency has procedures in place to discipline those inmates who have been found responsible for engaging in inmate-on-inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets these provisions.

115.78 Provision (d)

VADOC Operating Procedure 820.2 page 4 & 5, paragraph 2-a-ii, states in part that; 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. 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.

The Halifax Correctional Unit reported in the Pre-Audit Questionnaire that the facility does not provide therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse. However, other facilities within the state system does provide these services if needed.

When conducting the interviews with the Medical & Mental Health practitioners, they were asked if the facility offers therapy, counseling, or other intervention services designed to address and correct the underlying reasons for sexual abuse. The medical health staff member stated that it is available but not at the Halifax Correctional Unit. The mental health professional stated that yes, they are obligated to offer treatment known as SOAP. Both health professionals stated that these services do require an inmate's participation as a condition of assessing programming and other benefits.

The evidence collected for this provision shows that the agency has procedures in place to provide therapy or counseling designed to address and correct reasons or motivations for sexual abuse. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.78 Provision (e)

The Halifax Correctional Unit provided the Inmate Disciplinary Code as proof of compliance with this provision. VADOC Operating Procedure 861.1 page 11, offense code 233a, and 106, states in part that; Sexual assault upon or making forcible sexual advances toward a non-offender. And making sexual advances, either physical, verbal in nature, or in writing toward a non-offender without their consent. The facility reported no incidents of this nature over the past twelve months.

The evidence collected for this provision shows that the agency has procedures in place to discipline those inmates who have engaged in sexual abuse against staff members. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.78 Provision (f)

VADOC PREA Operating Procedure 038.3 pages 8 &9, paragraph 4, states in part that; 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. Offenders will not be charged for reports of sexual abuse made in good faith, based upon a reasonable belief that the alleged conduct occurred. 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.

The evidence collected for this provision shows that the agency has procedures in place to prohibit those inmates that report sexual abuse or sexual harassment in good faith be disciplined regardless of the investigative findings. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.78 Provision (g)

VADOC PREA Operating Procedure 038.3 page 4, paragraph I. D. 3. b, states in part that; Consensual sexual activity among offenders is prohibited. Offenders who engage in this type of activity will be subject to disciplinary action in accordance with Operating Procedure 861.1 Offender Discipline, Institutions. The PREA standard training offered to the Investigators and DOC leadership is that, if sexual activity between offenders is found to be consensual the Virginia Department of Corrections personnel may not consider the sexual activity as an act of sexual abuse and the inmate will be charge with offense code 209-Engaging in sexual acts with others by consent. This offense code does not apply to any sexual act involving an employee.

The evidence collected for this provision shows that the agency has procedures in place to prohibit any type of sexual activity between inmates and will discipline inmates for those activities. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring disciplinary sanction for inmates.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 730.2 Mental Health Services b) VADOC Operating Procedure 425.4 Management of Bed & Cell Assignments c) VADOC Operating Procedure 701.3 Health Records d) Halifax Superintendent memorandum documenting (no reports of prior sexual abuse or perpetrated sexual abuse either in a correctional setting or in the community.) <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff Responsible for Risk Screening b) Interviews with Medical & Mental Health Staff c) Interviews with Inmates who disclose Sexual Victimization during Risk Screening <p>Observations made during the on-site audit and document review</p> <p>115.81 Provision (a)</p> <p>VADOC Operating Procedure 730.2 page 7, paragraph b, states in part that; 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.</p> <p>The facility reported that no inmate currently incarcerated at the facility had disclosed prior sexual abuse during the screening process. Therefore, no follow-up meeting with medical or mental health staff was needed.</p> <p>When conducting the interview with the staff member who is responsible for risk screening, she stated that if an inmate discloses prior sexual victimization during the risk screening process then a 14-day follow-up meeting would occur.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report prior sexual victimization are offered a follow-up meeting with medical or mental health professionals within 14 days of intake. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it does meet this provision.</p>

115.81 Provision (b)

VADOC Operating Procedure 730.2 page 7, paragraph b, states in part that; 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.

When conducting the interview with the staff member who is responsible for risk screening, she stated that if an inmate has perpetrated prior sexual abuse during the risk screening process, a 14-day follow-up meeting with mental health would occur. However, if the inmate were being housed at the Halifax Correctional Unit, then the mental health professional would have to travel to the facility from a different DOC facility. The facility reported that no inmate currently incarcerated at the facility had disclosed perpetrating prior sexual abuse during the screening process. Therefore, no follow-up meeting with medical or mental health staff was needed.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that have perpetrated sexual abuse are offered a follow-up meeting with mental health professionals within 14 days of intake. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it does meet this provision.

115.81 Provision (d)

VADOC Operating Procedure 425.4 page 3, paragraph 2, states in part that; 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. In addition, VADOC Operating Procedure 730.2 page 7, paragraph b-i, states in part that; 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.

The evidence collected for this provision shows that the agency has procedures in place to ensure that reported sexual victimization that occurred in a confinement setting is strictly limited to selected professionals. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.81 Provision (e)

VADOC Operating Procedure 701.3 page 7, paragraph A-5, 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.

The Medical and Mental Health professionals were asked if they obtain informed consent from inmates before reporting about prior sexual victimization. In addition, both were asked how

they would handle inmates under the age 18 years old. The health care professionals stated that they would ask for consent and document that on the agency's Medical Informed Consent Document. They also stated that they have not encounter any juveniles and therefore have never experienced that situation. However, both healthcare professionals are aware of the state of Virginia's mandatory reporting laws involving juveniles.

The evidence collected for this provision shows that the agency has procedures in place to ensure informed consent is obtained from inmates before medical and mental health staff can report those incidents if the sexual victimization not occurring in a confinement setting. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring a medical and mental health screening regarding a history of sexual abuse.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 720.7 Emergency Medical Equipment & Care b) VADOC Operating Procedure 730.2 Mental Health Services c) VADOC Operating Procedure 075.1 Emergency Operations d) VADOC Operating Procedure 720.4 Co-Payment for Health Care Services e) Halifax Superintendent Memorandum documenting (no reported incident of sexual abuse requiring access to emergency medical treatment.) <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff Responsible for Risk Screening b) Interviews with Medical & Mental Health Staff c) Interview with Staff First Responder <p>Observations made during the on-site audit and document review</p> <p>115.82 Provision (a)</p> <p>VADOC Operating Procedure 720.7 page 8, paragraph A-1, states in part that; 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.</p> <p>The Medical and Mental Health professionals were interviewed and asked if inmate victims of sexual abuse receive immediate and unimpeded emergency medical care and both professionals answered that they do. In addition, the medical staff member stated that the nature and scope of the treatment is at their professional discretion.</p> <p>The facility provided documentation of secondary materials i.e. mental health visit documentation, memorandums documenting follow-up visits, and discharge documentation. The facility has provided examples of these documents as proof of compliance.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report prior sexual victimization 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. Therefore, through written policy, document review, and interviews conducted the</p>

facility has demonstrated that it meets this provision.

115.82 Provision (b)

VADOC Operating Procedure 720.7 page 9, paragraph A-2, states in part that; 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.

The PREA Regional Analyst provided documentation stating that a licensed practical or registered nurse is not on duty 24 hours a day 7 days a week. Therefore, if medical attention were necessary after normal business hours, the Halifax Correctional Unit staff would contact the local emergency medical services.

Interviews were conducted with 12 random staff and of those staff interviewed, all 12 staff members stated that they would immediately remove the inmate from the situation, block, or housing unit. When interviewing a first responder he explained that he would make the scene safe, report to a supervisor, preserve evidence, contact medical personnel, write a report, and protect the crime scene. If medical personnel for some reason was not available, then the facility would contact the local rescue emergency services for assistance.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report sexual abuse is offered immediate medical and mental health services when no qualified medical and mental health personnel is available. Therefore, through policy and interviews conducted the facility has demonstrated that it meets this provision.

115.82 Provision (c)

VADOC Operating Procedure 720.7 page 9, paragraph A-3, states in part that; 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.

The Halifax Correctional Unit utilizes the services provided by the Centra Lynchburg General Hospital Forensics Unit to provide these services. The interview with the SANE Nurse specifically outlined that the Centra Lynchburg Forensics Unit will offer information, timely access to emergency contraception and sexually transmitted infections prophylaxis.

When conducting interviews with medical and mental health staff it was disclosed that "Yes, the SANE Nurse at the Centra Lynchburg General Hospital Forensics Unit offers it."

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates are offered information and access to emergency contraception and sexually transmitted infections prophylaxis after allegations of sexual abuse. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.82 Provision (d)

VADOC Operating Procedure 720.7 page 9, paragraph A-4, states in part that; 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.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report sexual abuse do not incur any financial responsibility due to a sexual abuse allegation. Therefore, through written policy the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring access to emergency medical and mental health services.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC Operating Procedure 720.7 Emergency Medical Equipment and Care b) VADOC Operating Procedure 730.2 Mental Health Services c) VADOC Operating Procedure 720.4 Co-Payment for Health Care Services d) Halifax Superintendent Memorandum documenting (no incidents of offender sexual abuse.) <p>Interviews:</p> <ul style="list-style-type: none"> a) Interviews with Medical & Mental Health Staff b) Interview with Inmate who Reported a Sexual Abuse <p>Observations made during the on-site audit and document review</p> <p>115.83 Provision (a) & (b)</p> <p>VADOC Operating Procedure 720.7 page 10, paragraph G-1,2,3 states in part that; 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. 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. The facility will provide such offender victims with medical and mental health services consistent with the community level of care.</p> <p>The interviews conducted revealed that medical staff would not take the lead on treatment and would consult with the SANE Nurse. The Medical staff member stated that the treatment should be individualized based on the type of injury and that the nurse and attending Doctor would determine that. The mental health professional stated that appointments would be made with the local Community Service Board (CSB) to provide mental health services.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure the facility offer medical and mental health evaluation and treatment to all inmates who have been sexually victimized. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets these provisions.</p> <p>115.83 Provision (c)</p>

The VADOC employs medical professionals that must be licensed and registered to practice in the state of Virginia. These licenses must be maintained to continue employment. The mental health professionals are employed by the Virginia Department of Corrections. However, for the purpose of this standard the agency mental health professional stated that these services would be provided by the local County Community Services Board, which provides mental health services to the entire community of the City or County of wherever the facility is located. Both the medical and mental health services provided by the Halifax Correctional Unit are consistent with the community level of care.

An interview was conducted with both the Medical & Mental Health staff. Both interviews revealed that they believe that the medical service is consistent with those of the community. The Community Services Board offers services for the community.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates receive medical and mental health services consistent with the community level of care. Therefore, through interviews conducted the facility has demonstrated that it meets this provision.

115.83 Provision (d) & (e)

VADOC Operating Procedure 720.7 page 10, paragraphs G-4,5, states in part that; Offender victims of sexually abusive vaginal penetration while incarcerated will be offered pregnancy tests. 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.

When conducting an interview with the Medical and Mental Health staff, both professionals replied that the Halifax Correctional Unit is an all-male facility. In addition, the medical staff member stated that mental health services would provide the alleged victim about the pregnancy-related issues. The mental health professional stated that she was unsure about when the inmate would receive that information.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that are victims of vaginal penetration are offered pregnancy tests along with timely information about access to all lawful pregnancy-related medical services. However, the Halifax Correctional Unit is an all-male facility. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets these provisions.

115.83 Provisions (f) & (g)

VADOC Operating Procedure 720.7 page 10, paragraphs G-6,7, states in part that; Offender victims of sexual abuse while incarcerated will be offered tests for sexually transmitted infections as medically appropriate. 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.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that are victims of sexual abuse is offered tests for sexually transmitted infections as appropriate. Therefore, through written policy the facility has demonstrated that it

meets this provision.

115.83 Provision (g)

VADOC Operating Procedure 730.2 page 8, paragraph D, ii, states in part that; ii. Psychology Associates will attempt to conduct a mental health evaluation of all known offender-on-offender abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate. 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. 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.

The Halifax Correctional Unit has reported no incidents of offender sexual abuse. Therefore, no offenders needing medical or mental health care for that purpose.

The evidence collected for this provision shows that the agency has procedures in place to attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning such abuse history. Therefore, through written policy the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring ongoing medical and mental health care for sexual abuse victims and abusers.

115.86	Sexual abuse incident reviews
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC Operating Procedure 038.1 Reporting Serious Incidents c) Halifax Superintendent Memorandum documenting (no incidents of offender sexual abuse or sexual harassment and therefore no incident reviews within the last twelve months.) d) Halifax Incident Review form <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with the Warden/Designee b) Interview with the PREA Coordinator c) Interview with the Incident Review Team Member <p>Observations made during the on-site audit and document review.</p> <p>115.86 Provision (a) & (b)</p> <p>VADOC Operating Procedure 038.1 page 12, paragraph 1-c /2-d, states in part that; c. A sexual abuse incident review (PREA Report of Incident Review) 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. 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. 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.</p> <p>The Halifax Correctional Unit has reported no incidents of offender sexual abuse or sexual harassment. Therefore, no Incident Reviews were conducted over the last twelve months.</p> <p>The evidence collected for these provisions shows that the agency has procedures in place to ensure that an incident review is conducted after every sexual abuse investigation excluding those that are unfounded. In addition, the incident review shall occur within 14 days of the conclusion of the investigation. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p>115.86 Provision (c)</p> <p>VADOC Operating Procedure 038.1 page 12, paragraph 2-b, states in part that; The Review</p>

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.

The Halifax facility provided a memorandum documenting that there have been no incidents of substantiated or unsubstantiated allegations of sexual abuse, and therefore, no incident review was conducted over the last twelve months. Review or lack of investigative files confirmed this statement.

In the interview with the Warden/Designee, she stated that the agency does utilize an incident review team and the input from these individuals are considered, and many times part of the team review depending on the situation. The Warden/Designee identified the Major, Captain, Mental Health, and herself as members of the Incident Review Team.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the review team is made up of upper-level management, supervisors, investigators, and medical/mental health staff. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.86 Provision (d) & (e)

VADOC Operating Procedure 038.1 pages 12, 13, paragraph 4, states in part that; Provide a summary of the incident; clarify the original Incident Report or Internal Incident Report, as needed. Provide an analysis of the causal factors and contributing circumstances.

- i. Was the incident or allegation motivated by race, ethnicity, gender identity; lesbian, gay, bisexual, transgender or intersex identification, status, or perceived status; or gang affiliation, or was it motivated or otherwise caused by other group dynamics at the facility.
- ii. Assess the adequacy of staffing in that area during different shifts.
- iii. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- iv. Determine what can be done to limit the occurrence or reduce the severity of future incidents; consider whether there was a proper application of current procedure, practice, staffing and/ or training; or whether there is a need to revise the current procedure, practice, staffing, and/or training.
- v. Examine the area where the incident allegedly occurred to assess whether physical barriers in the area may have contributed to the incident.

Determine what can be done to limit the occurrence or reduce the severity of future incidents; consider whether there was a proper application of current procedure, practice, staffing and/ or training; or whether there is a need to revise the current procedure, practice, staffing, and/ or training. Develop an Action Plan to limit or mitigate similar future incidents. The unit shall implement the recommendations for improvement or shall document its reasons for not doing so.

The Halifax facility provided a memorandum documenting that there have been no incidents of substantiated or unsubstantiated allegations of sexual abuse, and therefore, no incident review was conducted over the last twelve months.

Interviews with the Warden/Designee, Incident Review Team Member, and PREA Compliance Manager all revealed that these topics are considered and discussed during the review. The facility forwards all incident review documentation to the PREA Regional Analyst for review. The PREA Compliance Manager stated that the reports are forwarded to her for review.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the incident review team considers all the above listed criteria when convening their meetings. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring sexual abuse incident reviews.

115.87	Data collection
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 400">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 804 551">a) VADOC PREA Operating Procedure <li data-bbox="252 589 874 622">b) VADOC PREA Annual Reports 2014-2019 <li data-bbox="252 660 932 694">c) Bureau of Justice Statistics Survey 2014-2019 <p data-bbox="252 734 392 768">Interviews:</p> <p data-bbox="252 808 1104 842">Observations made during the on-site audit and document review</p> <p data-bbox="252 882 513 916">115.87 Provision (a)</p> <p data-bbox="252 956 1471 1075">VADOC Operating Procedure 038.3 page 14, paragraph A, states in part that; 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.</p> <p data-bbox="252 1115 1455 1234">The facility has provided the last five years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress.</p> <p data-bbox="252 1274 1461 1480">The evidence collected for this provision shows that the agency has procedures in place to collect accurate uniform data for every allegation of sexual abuse. The data collected is used to complete the federal mandated Survey of Sexual Violence questionnaire. Therefore, through written policy and document review the facility has demonstrated that it meets these provisions.</p> <p data-bbox="252 1520 513 1554">115.87 Provision (b)</p> <p data-bbox="252 1594 1445 1668">VADOC Operating Procedure 038.3 page 14, paragraph A-1, states in part that; the agency aggregates the incident-based sexual abuse data at least annually.</p> <p data-bbox="252 1709 1455 1827">The facility has provided the last five years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress.</p> <p data-bbox="252 1868 1433 2029">The evidence collected for this provision shows that the agency has procedures in place to ensure that the facility will aggregate the incident based sexual abuse data annually. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p data-bbox="252 2069 513 2103">115.87 Provision (c)</p>

VADOC Operating Procedure 038.3 page 14, paragraph A-2, states in part that; 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.

The facility has provided the last five years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress. In addition, the facility has provided copies of their agency's last 5 years' worth of BJS Survey of Sexual Victimization forms provided to the Department of Justice.

The evidence collected for this provision shows that the agency has procedures in place to collect accurate uniform data for every allegation of sexual abuse. The data collected is used to complete the federal mandated Survey of Sexual Violence questionnaire. Therefore, through written policy and document review the facility has demonstrated that it meets these provisions.

115.87 Provision (d)

VADOC Operating Procedure 038.3 page 14, paragraph A-3, states in part that; The DOC maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

The evidence collected for this provision shows that the agency has procedures in place to maintain, review, and collect data needed from all incident-based documents. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.87 Provision (e)

VADOC Operating Procedure 038.3 page 14, paragraph A-4, states in part that; Incident-based and aggregated data is collected from every private facility with which with the DOC contracts for the confinement of offenders.

The facility has provided the last five years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress. In addition, the facility has provided copies of their agency's last 5 years' worth of BJS Survey of Sexual Victimization forms provided to the Department of Justice.

The evidence collected for this provision shows that the agency has procedures in place to obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.87 Provision (f)

VADOC Operating Procedure 038.3 page 14, paragraph A-4, states in part that; upon request, all such data from the previous calendar year will be provided to the Department of Justice no later than June 30.

The facility has provided copies of their agency's last 5 years' worth of BJS Survey of Sexual

Victimization forms provided to the Department of Justice.

The evidence collected for this provision shows that the agency has procedures in place to submit their annual SSV report to the Department of Justice. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring Data Collection.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure b) Copies of the VADOC 2014 thru 2019 PREA Annual Reports c) The VADOC Official Website <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head b) Interview with PREA Coordinator c) Interview with PREA Compliance Manager <p>Observations made during the on-site audit and document review.</p> <p>115.88 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 14, paragraph B-1, states in part that; 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:</p> <ul style="list-style-type: none"> 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. <p>The agency has provided the last five years of their PREA Annual Reports as evidence to support compliance with this provision. The reports include all the above elements outlined in this provision, specifically, under the corrective action and summary & comparison portions of the annual reports.</p> <p>Interviews conducted with the Agency Head and PREA Coordinator confirmed that an annual report is generated to assess and improve the effectiveness of the agency's prevention, detection, and response to sexual abuse. The PREA Compliance Manager stated that the report was used to justify additional monitoring and training.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to review data collected to better assess and improve the effectiveness of its sexual abuse</p>

policies. Therefore, through written reports, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.88 Provision (b)

VADOC PREA Operating Procedure 038.3 page 14, paragraph B-2, states in part that; 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.

The VADOC PREA Annual reports include a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse. The 2019 VADOC PREA Annual Report makes comparisons for Inmate-on-Inmate Allegations of Sexual Abuse from 2018 to 2019 and Staff Sexual Misconduct from 2018 to 2019.

The facility has provided the last five years' worth of PREA annual reports containing comparisons of the current years data and corrective actions from the previous year's assessment of the agency's progress.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the facilities provide prior year comparisons in its yearly PREA annual report. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

115.88 Provision (c)

VADOC PREA Operating Procedure 038.3 page 14, paragraph B-2-a, states in part that; 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.

The facility has posted the last five years of sexual safety statistics in their PREA Annual Reports located on their website. This is a public website that provides access to those reports. When interviewing the Agency Head/Designee, he stated that "yes" he the Director approves all PREA Annual Reports before being published on the agency website.

The evidence collected for this provision shows that the agency has procedures in place to make the PREA Annual Report public by posting to their website, and that the Director must have final approval. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

115.88 Provision (d)

VADOC PREA Operating Procedure 038.3 page 14, paragraph B-2-b, states in part that; 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.

The facility reported that the only information redacted from the annual reports are the names of the individuals involved and that there has been no material redacted. The PREA

Coordinator stated during her interview that only personal identifiers and threats to safety and security would be the only reasons to redact information from the PREA Annual Report.

The evidence collected for this provision shows that the agency has procedures in place to redact only specific information from the PREA Annual Report. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring Data Review for corrective action.

115.89	Data storage, publication, and destruction
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) VADOC PREA Operating Procedure 038.3 b) VADOC 2019 PREA Annual Report c) The VADOC Official Website <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.89 Provision (a)</p> <p>VADOC PREA Operating Procedure 038.3 page 15, paragraph C-2, states in part that; All data collected on allegations of sexual abuse at DOC facilities must securely retained.</p> <p>The PREA Coordinator was interviewed and asked how the agency ensures that the data collected is securely retained. The PREA Coordinator stated that all PREA related information is stored in a secure database called VACORIS. Access to this information is on a need-to-know basis. She also stated that the permissions are limited to your job description.</p> <p>The evidence collected for this provision shows that the agency has a procedure in place to secure collected data regarding sexual abuse allegations. Therefore, through written policy and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.89 Provision (b) &(c)</p> <p>VADOC PREA Operating Procedure 038.3 page 15, paragraph C-2 a, b, states in part that; 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. Before making aggregated sexual abuse data publicly available all personal identifiers must be removed.</p> <p>The facility has posted the 2014 thru 2019 PREA Annual Reports on their website. This is a public website that provides access to this report. This report can be viewed by going to the agency's website.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to make the PREA Annual Report public by posting to their website and that all personal identifiers are redacted prior to publication. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p>

115.89 Provision (d)

VADOC PREA Operating Procedure 038.3 page 15, paragraph C-3, states in part that; 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.

The evidence collected for this provision shows that the agency has procedures in place to ensure sexual abuse data is retained for at least 10 years after the date of the initial collection. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the facility is fully compliant with this standard requiring data storage, publication, and destruction.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This is the Halifax Correctional Unit's third PREA Audit. The initial audit was conducted in March of 2015 and the second audit in June of 2018. In 2018, the facility met 44 PREA standards, exceeded in 0 standards, and 0 standards were not applicable. There was no corrective action necessary during the 2018 audit.</p> <p>The Auditor was provided full access to and observed all areas of the facility without obstruction. The Auditor received all requested documents or copies of relevant materials. The Auditor was also permitted to conduct all interviews in a private setting with both inmates and staff. Finally, the inmates were permitted to send the Auditor confidential correspondence in the same manner that legal mail would be handled. This topic was discussed and documented prior to the audit.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Halifax Correctional Unit, which is a correctional facility operated by the Virginia Department of Corrections has posted the facility's 2018 PREA Auditor's Summary report on their website. Therefore, evidence would suggest that this would happen once again after receiving the 2021 PREA audit final report.</p>

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

	adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	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
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	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
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	no
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	na
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

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

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

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

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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