

PREA Facility Audit Report: Final

Name of Facility: Charlotte Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 01/16/2020

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Darlene M. Baugh	Date of Signature: 01/16/2020

AUDITOR INFORMATION	
Auditor name:	Baugh, Darlene
Address:	
Email:	piltsbaugh@gmail.com
Telephone number:	
Start Date of On-Site Audit:	01/07/2020
End Date of On-Site Audit:	01/10/2020

FACILITY INFORMATION	
Facility name:	Charlotte Correctional Insitution
Facility physical address:	33123 Oil Well Road, Punta Gorda, Florida - 33955
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Kara Williams
Email Address:	kara.williams@fdc.myflorida.com
Telephone Number:	941-833-8004

Warden/Jail Administrator/Sheriff/Director	
Name:	Derek Snider
Email Address:	Derek.Snider@fdc.myflorida.com
Telephone Number:	941-833-8002

Facility PREA Compliance Manager	
Name:	Diana Hawley
Email Address:	diana.hawley@fdc.myflorida.com
Telephone Number:	M: (941) 833-8100
Name:	Kara Williams
Email Address:	Kara.Williams@fdc.myflorida.com
Telephone Number:	M: (941) 833-8004

Facility Health Service Administrator On-site	
Name:	Gail Durand
Email Address:	Gclarke@TeamCenturion.com
Telephone Number:	941-833-8116

Facility Characteristics	
Designed facility capacity:	1523
Current population of facility:	1290
Average daily population for the past 12 months:	1296
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	
Age range of population:	18-92
Facility security levels/inmate custody levels:	community, minimum, medium, close
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	403
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	71
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	77

AGENCY INFORMATION	
Name of agency:	Florida Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	501 S Calhoun Street, Tallahassee, Florida - 32399
Mailing Address:	
Telephone number:	850-717-3498

Agency Chief Executive Officer Information:	
Name:	Mark Inch
Email Address:	Mark.Inch@fdc.myflorida.com
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Judy Cardinez	Email Address:	Judy.Cardinez@fdc.myflorida.com

AUDIT FINDINGS

Narrative:

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

Audit Narrative

The PREA auditor arrived at Charlotte C.I. at 9:00 a.m. on Tuesday, January 7, 2020. An entrance meeting was held with the following in attendance, Warden Derek Snider, Assistant Warden of Programs Jacob Dawson, Assistant Warden of Operations Charles Henson, Colonel Jeffrey Robinson, Major William Cannon, Major Albert Scarpati, Classification Supervisor Craig Brock, CSC Kara Williams (former Assistant Warden), Sr. Classification Officer Diana Hawley (PREA Auxiliary), CSC Kellie Eberlein and auditor Darlene Baugh.

After a short discussion on the process of the audit, a walk-through of the facility occurred. Those who were in attendance for the entrance meeting also participated in the facility review.

Activities of day one (1) at the facility, Tuesday, January 7, 2020, included interviews of both staff and inmates. The focus of day two (2), Wednesday, January 8, 2020, was additional interviews of staff and inmates. Day three (3), Thursday, January 9, 2020, started at the Fort Meyers Work Camp. A walk-through of the facility and interviews followed. The remainder of the day was spent at Charlotte C.I. Files were reviewed and more interviews took place.

The Exit Meeting was held on Friday, January 10, 2020. Those present were , Warden Derek Snider, Assistant Warden of Programs Jacob Dawson, Assistant Warden of Operations Charles Henson, Colonel Jeffrey Robinson, Major Albert Scarpati, Classification Supervisor Craig Brock, CSC Kara Williams (former Assistant Warden), Sr. Classification Officer Diana Hawley (PREA Auxiliary), CSC Kellie Eberlein and auditor Darlene Baugh.

Discussion Recommendations:

Fort Meyer Work Camp:

At the time of the completion of the OAS, this location had four (4) working cameras. However, at the time of the on-site walk through only two (2) were working. Because of the age of the cameras/system, it is not possible to replace the cameras. The audit recommends that the system be updated and cover all areas of the facility.

Charlotte C.I.

Overall, the camera/mirror arrangement is good. There are a few recommendations:

- Add cameras to the medical hallways.
- The walls in the Laundry is extremely dark. Recommend painting a lighter color to add more visibility.
- Add cameras in Food Service Storage Area (changes made while the auditor was on site), Library (file cabinet move was made while auditor was on site), Barbershop, Chapel and Close Management Recreation Area.

The auditor suggested that mirrors be utilized to complement cameras vs. relying strictly on mirrors.

The length of time it takes to gain the results of PREA investigations can be quite lengthy. This is not the fault of the institution. Investigations are completed by the Office of the Inspector General.

Institution Investigation Files are well put together and organized.

The auditor would like to thank the Warden, his Administration and staff for their assistance with this audit.

Population at Start of Audit: Charlotte C.I.: 1250

Fort Meyers Work Camp: 115

Total: 1365

Pre-Audit Activities

Notice of PREA Audit:

The notice of the upcoming PREA audit was forwarded on September 23, 2019 to the facility to be posted at least six weeks prior to the on-site audit. This notification was provided in both an English and Spanish version. The facility was asked to post the notices in areas where it would be visible to staff, inmates, contractors, volunteers and visitors. The purpose of the Notice is to allow any individual, including a third party, with a PREA concern or issue, to include an allegation of sexual abuse or sexual harassment, to correspond confidentially with the PREA Auditor. Documentation of the postings (pictures) showed that the notifications were posted by November 18, 2019 at both Charlotte C.I. and the Fort Meyers Work Camp.

Note: The auditor received two (2) letters from Charlotte C.I. regarding the upcoming audit. One inmate could not be removed from his cell for an interview due to his security status (justified). The auditor visited with the inmate from outside his cell (discussion was generic and private). The inmate just wanted copies of his grievances. The author of the other letter was interviewed by the auditor.

Posters were also viewed while the auditor was on site.

Outreach to Outside Advocates:

The Florida Department of Corrections utilizes a Sexual Abuse Response Team (SART) when there is an allegation of sexual abuse that indicates physical evidence may be available. The Team is contacted, and a trained team member is sent to the facility.

A telephone call with Dr. Sheffield indicated that team members will arrive at the facility within four (4) hours of notification. The entire SART team is made up of six (6) nurses and the Medical Director (Dr. Sheffield). The only area of the state that is not covered by SART is Miami. The Dr. shared that she has one (1) nurse who has completed SAFE/SANE training (certified) and two (2) who are ready to test. She further stated that the state does not required SAFE/SANE certification, however, must be trained to complete the forensic examination.

The process for the team after arriving at the facility is to complete the forensic exam and make follow-up recommendations. The offender is offered an advocate to be present during the examination and/or to be available after. If the team recommends medication, staying in the infirmary, or any other item, the facility physician is notified and will complete the required 'order'. At the completion of the team's recommendation, the team is no longer involved unless they receive a court subpoena. Dr. Sheffield stated that they have been ordered to court one (1) time, several years ago.

The auditor interviewed Greg Fucher, Investigator with the Office of Inspector General. Mr. Fucher has been in this position for a period of four (4) years. His previous experience has been in law enforcement. Due to Mr. Fucher's experience with investigation he has not completed the Moss Training.

In order to move an investigation forward to a prosecutor for criminal action, the investigator must provide tangible evidence that the allegation meets elements for prosecution. The investigator provides an affidavit for charging to the local prosecutor. If it is accepted a warrant is issued. On occasion, their office must wait for the prosecution to decide if they will move forward with the case. Many times, this wait is prolonged.

A telephone message was left for Wendy Silva, Sexual Assessment Program Manager at the Center for Abuse and Rape Emergencies (C.A.R.E.), which was immediately returned. Ms. Silva stated that their agency provides a male advocate for inmates during the forensic examination and interview, as well as working with the facility to ensure an inmate's safety. Within the last six (6) months, C.A.R.E. provided services for two (2) inmates; one (1) has been transferred and one (1) is still being provided services.

Ms. Silva stated that her agency has a good working relationship with the prior Associate Warden of Programs (she has not met the newly appointed AWP) and the Classification Officer (PREA Auxiliary). She feels that they fully understand the need for appropriate advocacy.

On-Site Audit Activities

Cameras:

Main Unit: 147

Work Camp: 4 (Reported in OAS) (At time of audit – 2)

Mirrors:

Main Unit: 22

Work Camp: 4

Selection of Staff and Residents for interviews:

The facility uploaded their population lists into OAS. The auditor utilized the list to randomly select inmates for her interviews. Specific staff job titles were selected as well as additional random staff were named for interviews.

Inmate Interviews: (40)

Inmates were randomly chosen by the auditor.

Caucasian: 8

African American: 10

Hispanic: 6

African American, Disabled, Cognitive: 1

African American, Bi-Sexual, Prior Sexual Abuse: 1

African American, Disabled: 1

African American, Prior Sexual Abuse: 1

African American, Gay, Prior Sexual Abuse: 1

Caucasian, Disabled: 1

Caucasian, Prior Sexual Abuse: 3

Caucasian, Bi-Sexual/Transgender, Prior Sexual Abuse: 1

Caucasian, Reported Sexual Abuse: 1

Caucasian, Prior Sexual Abuse, Sexual Harassment Here: 1

Caucasian. Mental Health, Reported, Letter to Auditor: 1

Caucasian, Letter to Auditor: 1

Hispanic, LEP: 1

Hispanic, Transgender, Prior Sexual Abuse: 1

Refusals: 2

Staff and Volunteer Interviews (Includes Both Facilities): (28)

Interviews were collected from all shifts.

Warden

Assistant Warden of Programs/PREA Manager

Assistant Warden of Operations

Human Resources

Classification Supervisor

Health Services Administrator

Colonel - 1

Major – 2

Captain- 1

Chaplain

Classification Officer / PREA Auxiliary - 1

Mental Health - 1

Food Service - 1

Lieutenants - 1

Sergeant - 4

Correctional Officers – 6

Office of Inspector General/ Investigator – 1

Volunteers – 2

Facility Staff Plan Annual Review:

The facilities Annual Staffing Plan is up to date.

Shift Reports Documenting Unannounced PREA Rounds:

Supervisors are required to complete numerous unannounced rounds throughout the week.

Charlotte C.I. is holds both general population and what is referred to as 'close management'.

Supervisors document their rounds in the officer's station log for both unit types. There is also additional documentation when visiting the close management units.

Victimization/Aggressor Assessments/Reassessments: (34)

A review of thirty-four (34) inmate assessments and reassessments was completed. This group was for inmates that were randomly chosen for interviews. All were timely except for two (2) reassessments. The first was one (1) day late; the other four (4) days late.

Incident Reports/Investigations:

Sixteen (16) Investigation files were reviewed. Three (3) of the files had completed investigations. All three (3) were 'Not Sustained' (unsubstantiated).

Additionally, two (2) of the above allegations, named the same alleged perpetrator. This individual was transferred to another facility.

Three (3) of the sixteen (3) allegations were against staff. Those allegations were named 'touching' as the action. These allegations have not had a final determination.

Notifications to Inmates:

Files of the closed investigations contained the formal notice to the inmate and showed their signature of acknowledgement.

Coordinated Response Plan:

The facilities have a formalized Coordinated Response plan that includes checkoff, etc. for both security and medical/mental health. The plan is well laid out.

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

Florida Department of Corrections

FDC has one hundred forty three (143) facilities statewide, including fifty (50) major institutions, seventeen (17) annexes, seven (7) private facilities (contracts for the private facilities are overseen by the Florida Department of Management Services), thirty (34) work camps, three (3) re-entry centers, two (2) road prisons, one (1) forestry camp, one (1) basic training camp, twelve (12) FDC operated work release centers along with sixteen (16) more work release centers operated by various private vendors (FDC oversees these contracts). Institutions are geographically grouped into four regions. The Tallahassee Central Office provides support, policy and oversight through the regional directors and their staff to all the facilities.

These facilities incarcerate felons convicted and sentenced more than a year. These inmates are transported from a county jail and enter the system through one of four male, or two female reception centers strategically located throughout the state. Upon arrival at a reception center, an inmate is processed, tested, evaluated by health services, assessed for program needs, and his/her custody (security risks) is determined. Custody is determined by reviewing the seriousness of their offenses, length of sentence, time remaining to serve, prior criminal record, escape history, prison adjustment, and other factors. The most serious offenders with the longest sentences and those least likely to adjust to institutional life are placed in more secure facilities. Based on the results of this process the inmate is then transferred to the appropriate facility.

Charlotte C.I.

Charlotte Correctional Institution's Main Unit is sited on approximately 202 acres, with the actual compound consisting of 39 acres. The facility is located approximately ten miles South of Punta Gorda, Florida, in the Southwest corner of Charlotte County on Oil Well Road approximately 5 miles east of US Highway 4. The physical address is 33123 Oil Well Road, Punta Gorda, Florida 33955-9701. Charlotte C.I. has 35 buildings total that comprise the physical structure of the institution. Inside the secure perimeter of the main unit compound there are 23 buildings constructed of concrete block. There are 6 prototype butterfly-housing units with 112 two-man cells each, which are divided into four quadrants (quads) of twenty-eight (28) cells. There is one "L" shaped segregation unit attached to the Multi-Service building, and one open-bay dormitory with 144 beds.

Program areas consist of Chapel, Food Service, seven classrooms and the library. Outside the secure perimeter there are twelve buildings. Construction of the facility and most of the buildings comprising the institution are approximately 29 years old. The design capacity is 1291. The average daily population for the Main unit for the previous twelve months was 1039. The age range of the inmates assigned to the Main unit is from 18 to 92 years of age. The average age of the inmate assigned to the facility is 37 years

of age. The average length of stay is eleven months for the main unit.

Charlotte C.I. completed a population mission change to "Close Management" in June 2019. (Security Levels)

A Dorm houses up to 140 inmates assigned to close management levels 1 and 2, as well as 56 inmates assigned to administrative and disciplinary confinement.

B Dorm houses up to 168 inmates assigned to close management levels 1, 2 and 3.

C Dorm houses up to 199 inmates of all custody, HO level and Psych grade 1-3 who are enrolled in betterment programs including Faith and Character, Veterans and Peer to Peer.

D Dorm houses up to 144 inmates who are community, minimum and medium custody, HO1, 2, and 3. Approximately 90 community and minimum custody inmates are assigned to work outside the gate during the work week.

E Dorm houses up to 224 inmates of all custody, HO level and Psych grade 1-3.

F Dorm houses up to 196 inmates assigned to closed management levels 1, 2 and 3.

G Dorm houses up to 168 inmates assigned to close management levels 1 and 2.

Y dorm houses up to 49 inmates of all custody, HO level and Psych grade 1-3 in administrative and disciplinary confinement. There are also 6 overflow certified self-harm observation cells within this unit.

Fort Meyers Work Camp

Charlotte Correctional Facility also has a satellite facility: Fort Myers Work Camp. Housing unit buildings include three (3) studio room style housing units. The average daily population for the work Camp for the previous twelve months was 115. The average length of stay at the Work Camp is seven months.

The Fort Meyers Work Camp was originally constructed in 1981 as a Community Work Release Center which was converted into a Work Camp in 1998. Ft. Meyers Work Camp was assigned as a satellite facility to Charlotte C. I. in 2012. Ft. Myers Work Camp has a total of eight (8) buildings that comprise the physical structure of the facility. Inside the secure perimeter that are six (6) buildings of brick and block construction. Outside the secure perimeter there are two (2) buildings. Construction of the facility and most of the buildings comprising the Work Camp are approximately thirty-four (34) years old. The work Camp itself is situated on approximately four (4) acres, with the actual compound at two (2) acres.

Security / Custody Level: Security Level 2 / Minimum-Community Custody

Date of Construction: 1981

Date of Additions: None

Design Capacity: 78

Rated Capacity: 117

Number of Employees: 48

Security 44

Administration: 1

Other: 3
 Number of Vacancies: 2
 Physical Plant and Institutional Design: Concrete Block
 Average Daily Population for Last Twelve (12) months: 115
 Oldest Inmate: 65
 Youngest Inmate: 21
 Average Age 39
 Average Length of Stay: one (1) year
 Number of beds per Housing Unit and Style of Housing Units:
 Rooms: "A" Dorm – 81 beds;
 "B" Dorm – 36 beds

AUDIT FINDINGS

Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance. Auditor Note: No standard should be found to be "Not Applicable" or "NA". A compliance determination must be made for each standard.

Number of standards exceeded:	2
Number of standards met:	43
Number of standards not met:	0

Number of Standards Exceeded:

Standards Exceeded: 115.17, 115.33

Standards Met: 115.11, 115.12, 115.13, 115.14, 115.15, 115.16, , 115.18, 115.21, 115.22, 115.31, 115.32, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.88, 115.89

Number of Standards Not Met: 0

Standards Not Met: n/a

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure #602.053; Title: Prison Rape: Prevention, Detection and Response Statement from the Secretary; 2015 Table of Organization Facility Organization Chart Interview with Associate Warden of Programs/PREA Compliance Manager Interview with Classification Officer/PREA Auxiliary Staff</p> <p>Procedure #602.053; Title: Prison Rape: Prevention, Detection and Response Purpose: To establish zero-tolerance standards for sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender or sexual preference, through accountability of perpetrators and the punishment of those institutional and community correctional officials who fail to prevent, detect, and respond to sexual abuse, sexual battery, and sexual harassment crimes for incarcerated inmates and those offenders under Departmental jurisdiction.</p> <p>To establish and provide implementation of standards for the detection, prevention, elimination and punishment of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment by increasing the availability of data, information, and training on the incidence of sexual abuse, sexual battery, and sexual harassment, consequently improving the management and administration of correctional facilities.</p> <p>The definitions contained herein are limited to the reporting, training, and investigation of alleged sexual abuse, sexual battery, sexual harassment, and sexual misconduct made pursuant to the Prison Rape Elimination Act of 2003. No definition contained herein expands or provides a cause of action under state or federal law. No definition contained herein applies to any other procedure or protocol of the Department unless expressly provided for in an applicable procedure.</p> <p>Definitions included: Abuser/Predator, Audit, Compliance Manager, Contractor, Data, Employee/Staff, Exigent Circumstances, Forensic Medical Examination, Gender Dysphoria (GD), Gender Nonconforming, Inspector, Intersex, LGBTI, Offender Based Information System (OBIS), Prison Rape Elimination Act, PREA Coordinator, Sexual Abuse, Sexual Abuse Investigation Review Committee (SAIRC), Sexual Assault Response Team {SART), Sexual Battery, Sexual Harassment, Staff Sexual Misconduct, Transgendcr, Victim Advocate, Volunteer and Voyeurism.</p> <p>Statement from the Secretary; 2015 The Department has established a zero-tolerance policy for all forms of sexual abuse, sexual battery and sexual harassment, pursuant to the Prison Rape Elimination Act of 2003. Zero-</p>

tolerance applies not only to incidents between inmates, but also to incidents involving staff, contractors, and volunteers. The policy also encompasses an inmate, staff or volunteer's right to be free from retaliation if they report an incident or participate in an investigation.

The Agency Table of Organization identifies Judy Cardinez as the Operations Manager, PREA Coordinator.

Comments:

The Charlotte C.I. PREA Compliance Manager is the Assistant Warden of Programs. He is assisted by a Classification Officer who acts as PREA Auxiliary Staff. Both state that they have sufficient time to develop, implement and oversee their PREA duties.

The Department's policy is clear on its zero tolerance of any form of sexual abuse and/or sexual harassment toward any individual.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Contracts for confinement / Adaption and complying with PREA/ Monitoring</p> <p>On or after August 20, 2012 or since the last PREA audit, whichever is later: The number of contracts for the confinement of inmates that the agency entered into or renewed with private entities or other government agencies: 72 The number of contracts that DID NOT require contractors to adopt and comply with PREA standards: 0</p> <p>On or after August 20, 2012, or since the last PREA audit, whichever is later, the number of contracts that DO NOT require the agency to monitor contractor's compliance with PREA standards: 0</p> <p>Comments: Charlotte CI and Ft. Myers Work Camp does not directly contract with other entities for confinement of inmates. The Florida Department of Corrections has entered into several contracts with other state DOC's for confinement of inmates.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Staffing Plan</p> <p>Housing Logs</p> <p>Annual PREA Staffing Review, dated September 16, 2019</p> <p>Incident Report</p> <p>Shift Supervisor Post Orders</p> <p>Post Assignment Roster</p> <p>Interview with Warden</p> <p>Interview with Assistant Warden / Programs / PREA Compliance Manager</p> <p>Interview with Assistant Warden / Operations</p> <p>Interviews with Supervisory Staff</p> <p>Site Review</p> <p>Since August 20, 2012, or last PREA audit, whichever is later:</p> <p>The average daily number of inmates: 1296</p> <p>The average daily number of inmates on which the staffing plan was predicated: 1296</p> <p>Annual PREA Staffing Review</p> <p>“The Charlotte staffing plan is adequate based on physical plant and inmate population.”</p> <p>“Number of Cameras in Housing Units – 108”</p> <p>“Number of Cameras in Common Areas – 43”</p> <p>“Adjustments needed to deployment of video monitoring technologies or other monitoring technologies: No”</p> <p>“The facility has gone below critical 22 times and each occurrence was documented.”</p> <p>“Facility resources have been examined to ensure adequate staffing levels: Yes”</p> <p>Incident Report dated October 27, 2018</p> <p>The incident report gave clarification on why the facility was at critical staffing; Medical Transport.</p> <p>Shift Supervisor Post Orders is a restricted policy. It does cover required standards.</p> <p>Housing Logs</p> <p>The OAS format provided two examples of Supervisory Rounds in the housing unit.</p> <p>Comments:</p> <p>The Staffing Plan is well written and contains those items listed in 115.13.</p> <p>Reasons for deviation from staffing plan: Unscheduled absence, FMLA, Hospital Duty, Position Vacancies, Academy, and Annual/Sick Leave.</p>

Charlotte C.I. is holds both general population and what is referred to as 'close management'. Supervisors document their rounds in the officer's station log for both unit types. There is also additional documentation when visiting the close management units.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 601.211; Title: Designation of Youthful Offenders, Young Adult Offenders and Youthful Offender Facilities Average Daily Population Statistics dated September 30, 2019</p> <p>In the past 12 months: The number of housing units to which youthful offenders are assigned that provide sight and sound separation between youthful and adult offenders in day rooms, common areas, showers, and sleeping quarters: 0 The number of youthful inmates placed in the SAME HOUSING UNIT as adults in this facility: 0</p> <p>In the past 12 months, the number of youthful inmates who have been placed in isolation in order to separate them from adult inmates: 0</p> <p>Comments: Charlotte CI does not house youthful offenders.</p> <p>Average Daily Population Statistical Form shows the following as of September 30, 2019: Average Age Minimum Age Maximum Age Charlotte CI: 37.3 18 92 Fort Meyers Work Camp: 43.0 21 63</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Procedure # 602.018; Title: Contraband and Searches of Inmates Procedure # 602.036; Title: Gender Specific Security Positions, Shifts, Posts and Assignments Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Training Curriculum for Inservice (PREA) Employee Training Data Training Curriculum Staff Training Logs Interviews of Staff Interviews of Male Inmates Interviews of Transgender/Intersex Inmates Site Review</p> <p>In the past 12 months: The number of cross-gender strip or cross-gender visual body cavity searches of inmates: 0 The number of cross-gender strip or cross-gender visual body cavity searches of inmates that did not involve exigent circumstances or were performed by non-medical staff: 0</p> <p>In the past 12 months: The number of pat-down searches of female inmates conducted by male staff: 0 The number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstances: 0</p> <p>Percent of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs: 100%</p> <p>Procedure # 602.018; Title: Contraband and Searches of Inmates (2) SEARCHES/INSPECTIONS FOR CONTRABAND: (a) Searches/inspections will be performed to uncover contraband, prevent escapes, maintain sanitary standards, and to eliminate fire and safety hazards. These searches will include, but are not limited to: 1. clothed and unclothed searches of inmates;</p> <p>(3) Body cavity searches. (a) Body cavity searches of inmates shall be conducted only by appropriate Health Services staff who may be of the opposite sex from the inmates</p> <p>Procedure # 602.036; Title: Gender Specific Security Positions, Shifts, Posts and Assignments Purpose: To set internal guidelines by which gender specific security positions, shifts, posts,</p>

and assignments are designated and used based on balancing the security and privacy interests of staff, inmates, and the general public.

(a) Housing:

1. In locations that house general population inmates, at least one post on the Night Shift and/or Night Swing Shift in each general population housing unit will be designated gender specific. This Night Shift and/or Night Swing Shift housing officer assignment will apply only to major institutions that cannot or do not comply with section (2)(a)2 of this section. At all work camps and community facilities, an opposite gender officer may be solely assigned.
 2. Inmates will not be supervised by officers of the opposite gender while inmates are showering or in the toilet area unless appropriate privacy screening is provided to obscure from view:
 - a. the breasts of female inmates, and
 - b. the genitalia and buttocks of both male and female inmates.
 3. More intrusive supervision involving viewing the areas of the body specified above must be conducted by officers of the same gender as the inmate being supervised, except in emergency situations where safety and security issues dictate otherwise.
 4. Inmates will be required to cover themselves appropriately in accordance with local rules and requirements when not in the shower or not utilizing toilets and while in route to and from these areas.
- (5) Strip Search, where used herein, refers to an unclothed body search done in accordance with Rule 33-602.204, F.A.C.

Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response

4. Staff will not search or physically examine a potential GD inmate, transgender inmate, or intersex inmate for the sole purpose of determining the inmate's genital status. If the genital status is unknown it can be determined through conversation with the inmate, by reviewing medical documentation or if necessary, through a broader medical examination conducted in private by a medical practitioner.

Comments:

The training curriculum addresses all areas required by the PREA Standards.

Charlotte CI does not house female inmates.

The facility states "No exigent circumstances requiring deviation occurred during the audit cycle" referring to showering and bathing without view by staff.

Interviews with Transgender Inmates confirmed that there are no problems with the pat-downs nor shower times (privacy issues). Neither complained about the process for 'strip-outs'.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response My Florida Marketplace; Language Line Services Inc.; Copy of Language Translation Bill dated July 12, 2018 PREA Language Line Services Direction PREA Staff Lesson Plan ADA Training Attendance Report PREA Translator List (Staff) Acknowledgement of Receipt of Orientation on The Prison Rape Elimination Act (PREA) of 2003 Form Interviews with Inmates who have disabilities or are limited English Proficient Interviews with Staff Site Review Inmate Handbook</p> <p>In the past 12 months, the number of instances where inmate interpreters, readers, or other types of inmate assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response To establish and provide implementation of standards for the detection, prevention, elimination and punishment of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment by increasing the availability of data, information, and training on the incidence of sexual abuse, sexual battery, and sexual harassment, consequently improving the management and administration of correctional facilities.</p> <p>(e) Inmates:</p> <ol style="list-style-type: none"> 1. Each institution will ensure that the inmate orientation process will encourage inmates to immediately report any concern or fear of possible sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment to correctional staff. This orientation will be conducted in accordance with "Inmate Orientation," Procedure 601.210. 2. Inmates with recognized disabilities and Limited English Proficiency (LEP) shall be advised of the Department's zero tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in accordance with the resources outlined in Procedure 602.053 9 "Americans with Disabilities Act Provisions for Inmates," Procedure 604.101 and other Department resources as appropriate. Resources include: <ol style="list-style-type: none"> a. closed captioning (deaf/hard of hearing); b. large print material (impaired vision);

- c. reading of materials to inmate(s) by staff (blind/limited mental capacity);
 - d. the Department's translator list (LEP) <http://dcweb/co/sop/prea/files/FDC-translatorList.xlsx>; and
 - e. Language Line services (LEP) <http://dcweb/co/sop/prea/files/Language-Line.pdf>.
3. LEP inmates should be provided PREA education in their primary language.
 4. All modifications to the PREA education process for LEP and disabled inmates should be documented on the "Acknowledgement of Receipt of Orientation on The Prison Rape Elimination Act (PREA) of 2003," DC6-134C.
 5. Inmates shall not be used as interpreters or readers except in exigent circumstances.
 6. Each institution will ensure that "Sexual Abuse Awareness," NI1-120 is distributed to inmates within the first 24 hours, and that the "Zero Tolerance for Sexual Abuse and Sexual Harassment," NI1-132, poster is clearly displayed, in both English and Spanish, in areas easily accessible to inmates, family members, and the public at each facility.

PREA Staff Lesson Plan

20. Cite the procedure for obtaining and utilizing non-inmate/offender interpreters for translation purposes when non-English speaking inmates/offenders or those with physical challenges want to report sexual abuse incidents.

Under PREA rules, inmates/offenders cannot be used to interpret for non-English speaking victims who report sexual abuse violations; staff members can be utilized to interpret. In addition, a translator can also be obtained via the language line (1-866-874-3972).

Steps for obtaining interpreters for hearing-impaired inmates are outlined in Procedure 604.101- "Americans with Disabilities Act Provision for Inmates," under the section on "Sign Language Interpreters.

Any facility that houses hearing impaired inmates is expected to maintain an open purchase order or contract through the appropriate regional office for the hiring of sign language interpreters. Upon notice, including emergency situations, interpreters can be requested to appear on site at the prison facility to assist in PREA investigations.

Institutions or facilities should contact their local ADA coordinator for assistance in obtaining the use of an interpreter.

Comments:

The signature/document format for the offender's acknowledgement of receiving information on PREA is well laid out.

The ADA Training Attendance Report submitted in the OAS was the sign-in sheet during the month of January 2019.

All staff interviewed stated that inmates are not used as translators. If needed, the language line or approved staff are utilized. The Florida Department of Corrections maintains a list of approved internal PREA translators. The facility provided a bill from My Florida Marketplace, a language line service from July 12, 2018 to 2019 for \$2400.00.

During the site visit, there were no individuals who were blind, low vision, deaf or hard of hearing.

115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Exceeds Standard</p> <p>Auditor Discussion</p> <p>Materials Reviewed: 2019 Florida Statutes; 435.03 Level 1 Screening Standards 2019 Florida Statutes; 435.04 Level 2 Screening Standards 33-602.232 Contractors, Vendors and Volunteer Visitors. Chapter 408 – Health Care Administration Chapter 435 – Employment Screening Criminal History Checks of Staff and Education Personnel Interview with Human Resources Staff</p> <p>In the past 12 months: The number of persons hired who may have contact with inmates who have had criminal background record checks: 184</p> <p>In the past 12 months: The number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates: 0</p> <p>2019 Florida Statutes; 435.03 Level 1 Screening Standards (1) All employees required by law to be screened pursuant to this section must undergo background screening as a condition of employment and continued employment which includes, but need not be limited to, employment history checks and statewide criminal correspondence checks through the Department of Law Enforcement, and a check of the Dru Sjodin National Sex Offender Public Website, and may include local criminal records checks through local law enforcement agencies. (2) Any person required by law to be screened pursuant to this section must not have an arrest awaiting final disposition, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under s. 435.04(2) or similar law of another jurisdiction. (3) The security background investigations under this section must ensure that no person subject to this section has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense that constitutes domestic violence as defined in s. 741.28, whether such act was committed in this state or in another jurisdiction.</p> <p>2019 Florida Statutes; 435.04 Level 2 Screening Standards (1)(a) All employees required by law to be screened pursuant to this section must undergo security background investigations as a condition of employment and continued employment which includes, but need not be limited to, fingerprinting for statewide criminal history records checks through the Department of Law Enforcement, and national criminal history records checks through the Federal Bureau of Investigation, and may include local criminal records</p>

checks through local law enforcement agencies.

(2) The security background investigations under this section must ensure that no persons subject to the Provisions of this section have been arrested for and are awaiting final disposition of, have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(n) Section 787.025, relating to luring or enticing a child.

(s) Section 794.011, relating to sexual battery.

(u) Section 794.05, relating to unlawful sexual activity with certain minors.

(w) Section 798.02, relating to lewd and lascivious behavior.

(x) Chapter 800, relating to lewdness and indecent exposure.

(aa) Section 810.14, relating to voyeurism, if the offense is a felony.

(ff) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(ll) Section 827.071, relating to sexual performance by a child.

(tt) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(yy) Section 985.701, relating to sexual misconduct in juvenile justice programs.

33-602.232 Contractors, Vendors and Volunteer Visitors

(1) Wardens shall establish operating procedures to ensure that the security of the facility is not compromised through the introduction of individuals not employed by the department...

(2) Volunteers screened and cleared by the department may not require constant staff presence...

(3) Wardens are authorized to restrict the movement of contractor employees within a security perimeter to only those areas specifically designated for work activity...

(4) Wardens are authorized to establish restrictions for delivery personnel...

(5) Wardens are authorized to take action to protect the security of the institution, including placing additional restrictions on the activities of the volunteers, contractors or vendors; removal from the facility; denial of future entry; confiscation of department provided ID's, requiring mandatory refresher orientation; conducting random search procedures and other such measures necessary to preserve the security and order of the institution.

Chapter 408 – Health Care Administration

(2) Every 5 years following his or her licensure, employment, or entry into a contract in a capacity that under subsection (1) would require level 2 background screening under chapter 435, each such person must submit to level 2 background rescreening as a condition of retaining such license or continuing in such employment or contractual status.

(a) The screening standards and disqualifying offenses for the prior screening are equivalent to those specified in s. 435.04 and this section;

Chapter 435 – Employment Screening

(1) It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 for any person willfully, knowingly, or intentionally to:

(a) Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any application for voluntary or paid employment a material fact used in making a determination as to such person's qualifications for a position of special trust.

Comments:

Charlotte CI/Ft Myers Work Camp has not received any new contracts in the past twelve months.

The interview with the Human Resources Staff showed that all applicants complete their application on-line. If acceptable, individuals would complete a supplemental questionnaire that addresses PREA related issues. Medical/Mental Health Staff have their criminal history checks completed by their immediate employer, Centurion.

Facility utilizes the LIVE scan method on all staff. When a staff member is arrested, the facility is immediately notified by the law enforcement agency.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Interview with Warden Site Review 2019 Staffing Plan Review</p> <p>Comments: Per the OAS: Charlotte CI has installed video monitoring technology and convex mirrors in order to assist in preventing, detecting and responding to sexual abuse and sexual harassment allegations. Currently all housing units are equipped with video monitoring equipment. In addition, through the use of PREA grant funds, cameras have been installed in food service and the Education Building. These cameras are monitored by staff and have recording capabilities. An additional convex mirror was installed in the Chapel building library to provide a better view of a blind corner. The cameras are utilized as a deterrent and assist in sexual abuse investigations.</p> <p>There have been no significant changes; i.e.: expansions or modifications to the facility. However, there have been minor changes due to the change to housing 'close management' inmates.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Forensic Sexual Assault Examination Form</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Incident Report</p> <p>MOU with Center for Abuse and Rape Emergencies of Charlotte County, Inc. (Charlotte C.I.)</p> <p>MOU with Abuse Counseling and Treatment, Inc. (Fort Meyers Work Camp)</p> <p>Certification of Judy Cardinez-Harris – Victim Service Practitioner</p> <p>Interviews with Staff</p> <p>Interview with SAFE/SANE provider</p> <p>Interview with Warden</p> <p>Interview with Associate Warden of Programs</p> <p>Interviews with Supervisory Staff</p> <p>Interview with Inmates who Reported a Sexual Abuse</p> <p>Review of Investigation Files</p> <p>Uniform Evidence Protocol</p> <p>In the past 12 months:</p> <p>The number of forensic medical exams conducted: 3</p> <p>The number of exams performed by SANES/SAFEs: 3</p> <p>The number of exams performed by a qualified medical practitioner: 0</p> <p>Forensic Sexual Assault Examination Form contains: General Information, Consent and Release, Medical History, Treatment and Follow up. The Forensic Examine Section contains: Pre-Assault History, Assault History, Assault Description, Assault Circumstances, Post Assault Activity, Clothing, General Physical Examination, Head, Neck and Oral Examination, Genital Examination, Photographs (if applicable), Toxicology and Lab Data, Evidence Collected and Placed in Kit, Sealing of the Evidence Kit. And signatures.</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>(f) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigations arising out of the incident.</p> <p>MOU with Center for Abuse and Rape Emergencies of Charlotte County, Inc. (Charlotte C.I.)</p> <p>This is an Amendment to the Agreement between the Florida Department of Corrections ("Department") and Center for Abuse and Rape Emergencies of Charlotte County, Inc. ("Participating Entity") to provide advocacy services for incarcerated victims of sexual assault.</p> <p>This Agreement began on June 27, 2016 and shall end at midnight on June 26, 2022.</p>

MOU with Abuse Counseling and Treatment, Inc. (Fort Meyers Work Camp)

This is an Amendment to the Agreement between the Florida Department of Corrections ("Department") and Abuse Counseling and Treatment, Inc. ("Participating Entity") to provide advocacy services for incarcerated victims of sexual assault.

This Agreement shall begin on the date on which it is signed by both parties and shall end at midnight on January 4, 2022.

Comments:

The Office of the Inspector General conducts all investigations of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment. The state Sexual Abuse Response Team (SART) provides all forensic examinations at the occurring facility. An exception would be for an individual who needs immediate medical attention.

As noted previously in this report, the Center for Abuse and Rape Emergencies (C.A.R.E.) provides advocacy during the SART examination and interview as well as continuing advocacy.

The facility provided an Incident Report that showed a request to the SART Team for a forensic examination.

If an advocate is not available, the inmate is given the NI1-120 pamphlet with the Advocates phone number and address.

There is no cost associated to an alleged victim for medical care.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 108.015; Title: Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations Interview with Investigative Staff Review of Investigation Files Website</p> <p>In the past 12 months: The number of allegations of sexual abuse and sexual harassment that were received: 14 The number of allegations resulting in an administrative investigation: 7 The number of allegations referred for criminal investigation: 7</p> <p>Procedure # 108.015; Title: Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations</p> <p>(3) Criminal Investigation, where used herein, refers to an investigation of allegations or suspicions that a person committed a crime.</p> <p>(6) Department Property, where used herein, refers to any property owned or leased by the Department, including conveyances used by employees for Department business or transportation of inmates.</p> <p>(8) Inspector, where used herein, refers to the employee assigned to the Office of the Inspector General (OIG), whose activities are supervised and coordinated by the Inspector General for the purpose of conducting criminal and administrative investigations and who may engage in other activities as authorized by law.</p> <p>(17) Sexual Battery, where used herein, means the nonconsensual oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.</p> <p>(18) Sexual Harassment, where used herein, includes repeated and unwelcomed sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another; and repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.</p> <p>(19) Sexual Misconduct, where used herein, means the consensual oral, anal, or vaginal penetration by, or union with, the sexual organ of an inmate or offender and a staff member, contractor or volunteer or involving anal or vaginal penetration with any other object.</p> <p>(d) Without unnecessary delay, the senior ranking Department employee or her/his designee shall notify the Office of the Inspector General, or the appropriate law enforcement agency any time a sexual battery or sexual misconduct occurs on Department property.</p>

(10) SEXUAL ABUSE/SEXUAL HARASSMENT/VOYEURISM:

(a) Absent mitigating factors, all allegations of inmate on inmate sexual harassment shall be referred to management for investigation and handling as a management and/or disciplinary issue.

(b) Aside from inmate on inmate sexual harassment, all other allegations of any inmate on inmate sex offense shall be investigated by the Office of Inspector General.

(c) All allegations of staff on inmate sexual abuse, sexual harassment, and voyeurism shall be investigated by the Office of the Inspector General. None shall be referred to management.

(d) If there is no criminal predicate, the investigation shall be investigated as an administrative case

Comments:

The Office of the Inspector General conducts all investigations of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment. Of the fourteen (14) allegations listed above, 12 investigations are pending final disposition. The process and finality of investigations is slow. Facilities must wait until the OIG has completed the investigation before receiving the conclusion.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Material Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Lesson Plan; PREA Interviews with Staff Review of Staff Training Records Interview with Volunteers / Contractors Review of Volunteer / Contractors Training Records</p> <p>In the past 12 months: The number of staff employed by the facility, who may have contact with inmates, who were trained or retrained in PREA requirements: 403</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response PURPOSE: To establish zero-tolerance standards for sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender or sexual preference, through accountability of perpetrators and the punishment of those institutional and community correctional officials who fail to prevent, detect, and respond to sexual abuse, sexual battery, and sexual harassment crimes for incarcerated inmates and those offenders under Departmental jurisdiction.</p> <p>(c) Training/Education: All staff training on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment related to PREA standards shall be developed by the Bureau of Staff Development and Training. All staff shall be thoroughly trained and informed regarding the Department's zero-tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment at least every two years. In addition to the general PREA training, investigators, medical health care practitioners, and mental health care practitioners who work regularly with inmates shall complete specialized training. The general PREA training shall include:</p> <ol style="list-style-type: none"> 1. a statement on the Department's zero-tolerance for sexual abuse and sexual harassment; 2. how employees shall fulfill their responsibilities under this and related procedures and policies; 3. an inmate's right to be free from sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment; 4. the rights of both staff and inmates to be free from retaliation for reporting sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment; 5. the dynamics of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in confinement settings; 6. common reactions to sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in confinement settings; 7. how to detect and respond to signs of threatened and actual sexual abuse, sexual battery,

- staff sexual misconduct, and sexual harassment;
- 8. how to avoid inappropriate relationships with inmates and offenders;
- 9. how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- 10. how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Lesson Plan; PREA

Purpose: This training is intended to impart to all correctional staff that the Florida Department of Corrections maintains a zero-tolerance standard for sexual abuse and sexual harassment within institutional and community supervision environments.

It also serves to instruct employees on the purpose and scope of the Prison Rape Elimination Act of 2003 (PREA) with its focus to prevent, detect, and respond to all reported and suspected cases of sexual abuse and misconduct.

The primary goal of PREA is to prevent sexual abuse and sexual harassment within institutional/confinement settings. The Department's objective, however, is to also prevent such abuses within the supervised offender population monitored by Community Corrections staff

Though most situations described herein reference an institutional environment, many objectives are also applicable to Community Corrections and Central Office work environments and staff. In accordance, ALL Florida Department of Corrections staff members, contractors, volunteers and interns are expected to adhere to the standards outlined in this training.

LEARNING OBJECTIVES

1. Explain the purpose of the federal Prison Rape Elimination Act of 2003 (PREA).
2. Define sexual abuse and sexual harassment allegation types referencing the appropriate Florida statutes and/or federal laws.
3. Define other terminology associated with PREA.
4. Recognize that the Department has established a zero-tolerance policy for sexual abuse and staff sexual misconduct within institutional and community supervision cultures.
5. Discuss an inmate's right to be free from sexual abuse and sexual harassment, including the right to dress, shower and use toilet facilities out of view of staff of the opposite sex.
6. Recognize the rights of inmates/offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment.
7. Define "imbalance of power" within an institutional/community supervision setting.
8. Demonstrate how to properly communicate with inmates/offenders and staff, including gender nonconforming (GNC) or gender variant (GV) individuals, i.e., gay, lesbian, bisexual, transgendered, and intersex persons.
9. Explain the appropriate method to introduce/announce "opposite gender" correctional officers and supervision staff into an all-male or all-female housing unit.
10. Review how to conduct cross-gender pat-down searches and searches of GNC (to include transgender and intersex) inmates/offenders in a professional and respectful manner consistent with security correctional environments.
11. Recognize the common reactions of sexual abuse and sexual harassment victims.

12. Describe how to avoid inappropriate relationships with inmates, offenders and staff.
13. Identify a sexualized work environment.
15. Describe the “code of silence” and explain how it impacts an agency.
16. Define the process for protecting an inmate who is at risk of imminent sexual abuse.
17. Name the available confidential methods for reporting suspected sexual abuse and sexual harassment.
18. Explain the requirement to report suspected or alleged sexual abuse and sexual harassment, as well as staff sexual misconduct per the Department’s policies and procedures.
19. Cite the procedure for obtaining and utilizing non-inmate/offender interpreters for translation purposes when non-English speaking inmates/offenders or those with physical challenges want to report sexual abuse incidents.
20. Explain the responsibilities of staff “first responders” who receive initial information on alleged sexual abuse incidents of inmates.
21. Explain the responsibilities of staff “first responders” who receive initial information on alleged sexual abuse incidents of supervised offenders.
22. Outline the appropriate method of securing evidence and/or the crime scene involving a sexual abuse, sexual harassment or staff sexual misconduct allegation.
23. Identify who is responsible for investigating sexual abuse within the Department and cite the procedure number.
24. After reviewing the listed scenarios, explain if the examples qualify as PREA allegations. If any of the incidents are not PREA violations, describe how they should be classified and handled.

The updated standards have three goals: To prevent, detect and respond to sexual abuse.

This training is intended to impart to all correctional staff that the Department maintains a “zero tolerance” standard for sexual abuse and sexual misconduct within institutional and community supervision environments.

The Department enforces a “zero tolerance” policy with regard to sexual abuse and sexual harassment. This means that the agency will not knowingly permit the sexual abuse and/or sexual harassment of or by any inmate, offender or employee.

Note. from a FDC historical perspective, a zero tolerance policy regarding sexual assault and/or battery within the community supervision and institutional environments was incorporated into Procedure 108.010- "Prison Rape: Prevention, Elimination, and Investigation" (which is now 602.053) on July 1, 2005. (The procedure superseded Procedure 108.006 - "Post-rape Guidelines" which was rescinded in June 2005.)

The South-Eastern Centre Against Sexual Assault (CASA) website lists the following as feelings and emotions someone may experience after a sexual assault: • Powerlessness. • Loss of control. • Emotional numbness. • Denial. • Loss of confidence. • Disturbed sleep. • Flashbacks. • Hostility. • Anger. • Loss of sexual confidence. • Alienation/isolation. • Mood changes. • Low self-esteem. • Depression. • Fear. • Anxiety. • Guilt/self-blame. • Embarrassment. • Shame.

These feelings can become more intense within a confinement setting. First, the victim usually cannot avoid the “scene of the crime,” particularly if she/she chooses not to report the incident and is not subsequently transferred to another facility

Secondly, fear and anxiety can be intensified by the proximity of the perpetrator, or other potential perpetrators, and the possibility of future attacks. In addition, the fear of retaliation for reporting the initial assault can also be present. After the incident, the fear of contracting a sexually transmitted disease may become a focus of the victim.

In addition to the rights of inmates/offenders to be free from all forms of sexual abuse, they should also be free from retaliation for reporting sexual abuse and sexual harassment. Likewise, staff members are also afforded the right to be free from retaliation for reporting sexual abuse issues.

Inmates and offenders who are victimized by staff members may see the situation as particularly hopeless since the abuse originates from an authority figure who is supposed to be respected and trusted while providing guidance to the inmate/offender.

The victim may be fearful to report the abuse, thinking that she/he will not be believed or that employee will not be disciplined. In addition, the victim may also believe that she/he will suffer substantial consequences for reporting the employee (false disciplinary or violation reports, retaliatory action, etc.) and therefore views the situation as impossible while continuing to endure abuse.

The easiest way to maintain an appropriate staff-inmate or staff-staff relationship is to obey all rules, regulations, policies, and laws and adhere to the policy outlined in Department Procedure 102.004 – Ethics, which states that all employees must avoid any conduct that is unethical or has the appearance of ethical impropriety.

Just as every relationship requires time, attention, and interest to succeed, “workplace relationships” are driven by the same factors. Employees who spend excessive work time engaged in non-work related activities with staff and/or inmates/offenders abuse the system and make themselves vulnerable to inappropriate relationships.

Staff interactions are keenly observed by inmates/offenders. Whether they occur between staff members themselves or between staff and inmates/offenders, actions and behaviors are witnessed and duly noted by everyone – and can possibly be used in the future to ensnare the staff member or to gain something in trade by the inmate/offender. Therefore, correctional employees must always be aware of their actions within the work environment.

Training is also provided to staff members regarding the issue of retaliation and begins at the initial stages of employment. Upon being hired or accepted to work as a volunteer, each Department employee, contract staff member, intern, and volunteer receives instruction during New Employee Orientation (NEO) about the "Whistle-blower's Act" under F.S. 112.3187-112.31895.

In addition, staff members are governed by Florida Administrative Code 33-208.002 - Rules of Conduct 4(8) which states... No employee shall willfully or negligently treat an inmate in a cruel or inhuman manner, nor shall profane or abusive language be used in dealing with an inmate or person under the employee's supervision."

Finally, the issue of retaliation related to actions falling under PREA is addressed in Code of Federal Regulations (CFR) 115.31 (4) - Employee training and Procedure 602.053 - "Prison Rape: Prevention, Detection, and Response," which both stress that all staff have the responsibility to report any and all acts of sexual abuse, sexual battery, and sexual harassment, and that both staff and inmates have the right to be free from retaliation for the reporting of such incidents.

Comments:

All employees are cross trained for male and female inmates. The training addresses both males and females.

The training subjects listed above are not as detailed as the descriptions within the lesson plan.

All employees receive Inservice (PREA) training annually and periodically as the need arises.

Staff interviewed were able to share those items listed in 115.31(a).

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors Curriculum PREA Brochure for Interns, Volunteers, and Contractors Training Records Training Sign-off Sheets: Medical, Contractors and Volunteers Interviews with Volunteers and Contractors</p> <p>The number of volunteers and individual contractors, who have contact with inmates, who have been trained in agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response: 71</p> <p>Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors Curriculum Purpose: This training is intended to communicate that the Florida Department of Corrections maintains a zerotolerance standard for sexual abuse, sexual assault, sexual battery, sexual harassment, and staff sexual misconduct within institutional and community supervision environments. It is directed to all interns, volunteers, and contracted staff who work in a correctional institution, Community Corrections office, or any other facility owned, operated, or under the control of the Florida Department of Corrections.</p> <p>It serves to instruct interns, volunteers, and contracted staff on the purpose and scope of the Prison Rape Elimination Act of 2003 with its focus to prevent, detect, and respond to all reported and suspected cases of sexual abuse and misconduct.</p> <p>What are the three primary objectives of Procedure 602.053 - Prison Rape: Prevention, Detection, and Response?</p> <ol style="list-style-type: none"> 1. To establish zero-tolerance standards for sexual assault/battery in institutions and community corrections while protecting the rights of inmates and offenders, regardless of gender, or sexual preference, through accountability of perpetrators and the punishment of those institutional and community correctional officials who fail to detect, prevent, reduce and punish sexual assault/battery/harassment crimes for incarcerated inmates and those offenders under departmental jurisdiction. 2. To establish and provide implementation of standards for the detection, prevention, reduction and punishment of sexual assault/battery by increasing the availability of data, information and training on the incidence of sexual assault/battery consequently improving the management and administration of correctional facilities. 3. To establish guidelines for proper and immediate reporting of such incidents as well as providing appropriate safeguards for victims, the management of evidence, and actions to be taken from reporting an allegation to substantiation of a sexual assault, sexual battery, and/or sexual harassment. <p>What are the procedures for reporting incidents and/or allegations of prison rape?</p>

The department maintains a zero-tolerance philosophy regarding inmate sexual battery/assaults. It is of primary importance that the prevention and the reporting of any allegation or act of inmate sexual assault and/or staff sexual harassment and staff sexual misconduct as outlined throughout the procedure be a priority of all agency staff, interns, volunteers and contractors. 5 NI1-127 (Revised 7/31/18)

All staff, inclusive of, wardens, circuit administrators, deputy circuit administrators, assistant wardens, chiefs of security, shift supervisors and department/section managers, interns, volunteers and contract employees will ensure that they foster an environment within their facility(ies) that clearly precludes sexual battery. This includes, but may not be limited to:

1. taking all reports concerning sexual battery seriously;
2. initiating immediate reporting of alleged sexual battery, staff sexual misconduct and staff sexual harassment to the Office of the Inspector General;
3. taking immediate steps to ensure preservation of possible crime scenes, inclusive of evidence protection;
4. taking all appropriate measures to ensure the safety of an inmate who may have been sexually battered or of an inmate who may have reported the sexual battery of another;
5. promptly reporting any allegation involving retaliation against alleged victims or identified reporters of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment;
6. promptly reporting any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse, sexual harassment, or retaliation.
7. ensuring non-harassment and non-humiliation of alleged victims or informants of sexual battery regardless of sexual preference or transgender status of the inmate(s).
8. Classification and/or housing assignment staff and medical personnel will ensure that, within twenty-four (24) hours of arrival a screening of each inmate is conducted (by an authorized medical/mental health professional).

Any staff member who has reason to believe that an inmate demonstrates a sexually assaultive behavior or poses a risk for sexual victimization, even though an incident may not have occurred, will notify the shift supervisor.

Comments:

The PREA Brochure for Interns, Volunteers, and Contractors includes its commitment to zero-tolerance and how to report. Documentation reviewed showed that all receive the training on a yearly basis.

Note: During an interview with a Chapel volunteer, he noted that he was not familiar with PREA although he had been there several years. The auditor shared the information with the Chaplain, and the PREA Auxiliary staff. The Chaplain immediately provided the volunteer with PREA training, provided a current sign-off form and also provided the last training documentation signed by the same volunteer, which was timely.

115.33	Inmate education
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Procedure # 601.210; Title: Inmate Orientation</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>Interviews with Staff</p> <p>Interviews with Inmates</p> <p>Interviews with Intake Staff</p> <p>Interview with Classification Staff</p> <p>Documentation of Inmate Orientation</p> <p>Review of Posters</p> <p>Site Review</p> <p>Offender Education Materials</p> <p>Inmate Handbook</p> <p>Of inmates admitted during the past 12 months: The number who were given this information at intake: 1613</p> <p>Of inmates admitted during the past 12 months whose length of stay in the facility was for 30 days or more: 1613</p> <p>The number who received comprehensive education on their rights to be free from both sexual abuse/harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake: 1613</p> <p>Procedure # 601.210; Title: Inmate Orientation</p> <p>(1) INMATE ORIENTATION PROGRAMS:</p> <p>(a) The inmate orientation program provides the necessary information important to an inmate upon entry into the Florida Department of Corrections and throughout her/his incarceration.</p> <p>(2) INITIAL ORIENTATION: Upon arrival at a reception center, the inmate will receive an initial orientation via an approved video presentation that specifically addresses the following:</p> <p>(d) information on PREA, the Department’s zero tolerance policy and how to report incidents or suspicion of sexual abuse or sexual harassment via the “Sexual Abuse Awareness Brochure”, NI1-120;</p> <p>(3) COMPREHENSIVE ORIENTATION:</p> <p>(d) The PREA (Sexual Assault & Sexual Harassment Orientation) will include:</p> <ol style="list-style-type: none"> 1. information on PREA and the Department’s zero tolerance standard relating to sexual assault 2. the viewing of “PREA – What You Need to Know” DVD; 3. a realistic presentation on how to avoid sexual violence while incarcerated;

4. information on how to prevent and reduce the risk of sexual violence;
5. explanation of appropriate methods of self-protection and intervention;
6. information on how to report sexual assault to staff, including contact information for the Office of the Inspector General;
7. information on available sexual assault counseling and treatment; and
8. instructions on the process for requesting sexual assault counseling and treatment.

(e) The inmate will sign the "Acknowledgment of Receipt of Orientation on the Prison Rape Elimination Act (PREA) of 2003," DC6-134C (a Spanish version of the DC6-134C is available for Spanish-speaking inmates). The original form will be placed in the inmate's institutional file and receipt of this orientation will be properly reflected in the inmate record.

(4) INSTITUTIONAL ORIENTATION:

(d) All inmates will receive information on the PREA, the Department's zero tolerance policy and how to report incidents or suspicion of sexual abuse or sexual harassment within 24 hours of receipt at a permanent facility

Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response

2. Inmates with recognized disabilities and Limited English Proficiency (LEP) shall be advised of the Department's zero tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in accordance with the resources outlined in Procedure 602.053 9 "Americans with Disabilities Act Provisions for Inmates," Procedure 604.101 and other Department resources as appropriate. Resources include:

- a. closed captioning (deaf/hard of hearing);
 - b. large print material (impaired vision);
 - c. reading of materials to inmate(s) by staff (blind/limited mental capacity);
 - d. the Departments translator list (LEP)<http://dcweb/co/sop/prea/files/FDC-TranslatorList.xlsx>;
- and

e. Language Line services (LEP) <http://dcweb/co/sop/prea/files/Language-Line.pdf>.

3. LEP inmates should be provided PREA education in their primary language.

4. All modifications to the PREA education process for LEP and disabled inmates should be documented on the "Acknowledgement of Receipt of Orientation on The Prison Rape Elimination Act (PREA) of 2003," DC6-134C.

5. Inmates shall not be used as interpreters or readers except in exigent circumstances.

6. Each institution will ensure that "Sexual Abuse Awareness," NI1-120 is distributed to inmates within the first 24 hours, and that the "Zero Tolerance for Sexual Abuse and Sexual Harassment," NI1-132, poster is clearly displayed, in both English and Spanish, in areas easily accessible to inmates, family members, and the public at each facility.

(a) Identification:

1. Initial orientation will be provided to all newly received inmates concerning sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in accordance with "Inmate Orientation," Procedure 601.210.

(e) Inmates:

1. Each institution will ensure that the inmate orientation process will encourage inmates to immediately report any concern or fear of possible sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment to correctional staff. This orientation will be conducted in accordance with "Inmate Orientation," Procedure 601.210.

The following methods are available for inmates and offenders to report incidents of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment:

Inmate Handbook

Prison Rape Elimination Act

In accordance with the Prison Rape Elimination Act (PREA) of 2003, the Department has adopted a zero-tolerance policy toward sexual assault/battery and sexual harassment by inmates or staff.

Comments:

The facility states that due to a facility mission change, intakes for the previous twelve (12) months were more than average.

Inmate orientation Form DC6-134C is placed in the inmates file. It is further documented in OBIS as an electronic contact, "Orientation".

Inmates reported that they received information about PREA (video, handbook, pamphlets) on the day that they arrive. LEP inmates received information (video, handbook and pamphlets) in their native language. LEP inmates also related that they saw the posters in Spanish.

As noted previously, there were no blind, deaf, visually impaired inmates present during the audit.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials reviewed: Investigating Sexual Abuse in Confinement Settings: Training for Corrections Investigators / Instructors Guide / PRC Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interviews with Investigative Staff Investigators Training Record</p> <p>The number of investigators the agency currently employs: 96 (Office of Inspector General)</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (a) Training/Education: All staff training on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment related to PREA standards shall be developed by the Bureau of Staff Development and Training. All staff shall be thoroughly trained and informed regarding the Department's zero-tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment at least every two years. In addition to the general PREA training, investigators, medical health care practitioners, and mental health care practitioners who work regularly with inmates shall complete specialized training.</p> <p>Comments: The department utilizes the curriculum "Investigating Sexual Abuse in Confinement Settings: Training for Corrections Investigators / Instructors Guide" created by the Moss Group.</p> <p>The PREA Coordinators Office in Central Office maintains the required training documents for the Investigators.</p> <p>All PREA investigations is completed by the Office of Inspector General, not by the facility.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Health Services Bulletin # 15.03.36; Subject: Post Sexual Battery Medical Action Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors / Training Affidavit Interview with Medical and Mental Health Staff</p> <p>The number of all medical and mental health care practitioners who work regularly at this facility who received the training: 70 The percent of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy: 100%</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (a) Training/Education: All staff training on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment related to PREA standards shall be developed by the Bureau of Staff Development and Training. All staff shall be thoroughly trained and informed regarding the Department's zero-tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment at least every two years. In addition to the general PREA training, investigators, medical health care practitioners, and mental health care practitioners who work regularly with inmates shall complete specialized training.</p> <p>Health Services Bulletin # 15.03.36; Subject: Post Sexual Battery Medical Action IV. SPECIALIZED TRAINING: All medical and mental health care practitioners who work regularly in Department of Corrections facilities, including contracted staff, will be trained in:</p> <ol style="list-style-type: none"> 1. How to detect and assess signs of sexual abuse and sexual harassment; 2. How to preserve physical evidence of sexual abuse; 3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>Comments: The Prison Rape Elimination Act Training for Interns, Volunteers, and Contractors / Training Affidavit is a signature-based document verifying knowledge of PREA. Included with the Affidavit reviewed is a certificate of completion. (Medical)</p> <p>The facility utilizes SART (Sexual Abuse Response Team) who responds to any need for a forensic examination. The facility only provides a cursory response pertaining to the need for a</p>

forensic exam.

Medical staff are employees of Centurion. The Medical/Mental Health Supervisor shared that their staff complete the same training as DOC employees. In addition, they complete training as required by Centurion.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>Procedure # 601.209; Title: Reception Process / Initial Classification</p> <p>IBAS IRMS Assessment</p> <p>Questions and Answers – PREA Assessments / Instructions</p> <p>Inmate PREA Screening Documentation</p> <p>Interviews with Inmates</p> <p>Interviews with Staff Responsible for Risk Screening</p> <p>Interview with Classification Staff</p> <p>Interview with Associate Warden of Programs</p> <p>Interview with Classification Supervisor</p> <p>Site Review</p> <p>In the past 12 months:</p> <p>The number of inmates entering the facility (either through intake or transfer) whose length of stay in the facility was for 72 hours or more who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility: 1161</p> <p>In the past 12 months:</p> <p>The number of inmates entering the facility (either through intake or transfer) who were reassessed for their risk of sexual victimization or being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received through intake: 1291</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>10. Classification will screen all inmates within 72 hours of intake. Characteristics such as the inmate’s age, criminal record, and prior identified history of sexual victimization or predation will be utilized to help determine if s/he is at risk of future victimization of sexual abuse, sexual battery, or is at risk of committing sexual abuse or sexual battery. If s/he is identified as a potential victim or abuser (perpetrator); housing, bed, and work assignments will be appropriately assigned based on known information and established protocol.</p> <p>11. Within 30 days from the initial intake screening, the institution will reassess the inmate’s risk of victimization or abusiveness if additional information is received by the institution.</p> <p>12. An inmate’s risk level will be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.</p> <p>13. Inmates will not be disciplined for refusing to answer, or for not disclosing complete information in response to the questions asked during the risk screening.</p>

Questions and Answers – PREA Assessments / Instructions

If an inmate refuses to answer a question, what should be selected?

We would like for staff to try to persuade the inmate to respond to all of the questions.

However, if you see that your staff is continuing to get inmates refusing to participate, we would like to be notified so that we can determine what changes may need to be made. In the future we may need to add a refuse to answer choice. As of now, if the inmate adamantly refuses to answer the best choice to choose would be “NO”. Please reiterate to your staff the importance of trying to get the inmate to participate. This will require all classification officers conducting these assessments to be professional, sensitive and able to communicate that the information being gathered will be used to help us house the inmate safely

Procedure # 601.209; Title: Reception Process / Initial Classification

(5) SCREENING AND ASSESSMENTS: During the reception process, all inmates will be subject to the following guidelines, screening, and assessments:

(i) screening for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of intake in accordance with Prison Rape Elimination Act National Standards, as well as to determine an initial Sexual Risk Indicator score.

IBAS IRMS Assessment is read to each inmate prior to beginning the assessment: “The following questions are solely designed to assist the Department of Corrections in complying with the Prison Rape Elimination Act in Providing a Safe and Secure Environment for all inmates.” “While these questions may be uncomfortable, you are encouraged to answer them honestly.”

A condensed version of the questions follows:

Orientation?

Gender Identity?

Observation by the Assessor.

Victim while Incarcerated – FDC?

Committed Sexual Abuse – FDC?

Victim – Other Correctional Setting?

Committed Sexual Abuse – Other Correctional Setting?

Victim – While Not Incarcerated?

Committed Sexual Abuse – While Not Incarcerated?

Assessor – Knowledge of Victimization.

Assessor – Knowledge of Predatory Behavior

Familiar with Prison Environment?

Currently being Approached or Pressured?

Assessor – Knowledge of Historical Arrest Circumstances

Comments:

A review of thirty-four (34) inmate assessments and reassessments was completed. This group was from the inmates that were randomly chosen for interviews. All were timely with the exception of two (2) reassessments. The first was one (1) day late; the other four (4) days late.

Several of the files noted multiple assessments and reassessments after transfer between

facilities.

Screening elements are appropriate. Staff noted that inmates are not disciplined for not answering questions. In addition, inmates shared that Classification staff meet with them and many times repeat questions.

It is noted that the dissemination of information regarding the responses go to classification and certain designated supervisors.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>Procedure # 601.209; Title: Reception Process / Initial Classification</p> <p>IBAS IRMS Assessment</p> <p>Procedure: Identification and Management of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria</p> <p>Interview with Associate Warden for Programs</p> <p>Interview with Classification Supervisor</p> <p>Interview with Classification Officer</p> <p>Interviews with Transgender/Bi-Sexual/Gay Inmates</p> <p>Site Review</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>6. Housing for potential GD inmates, transgender inmates, and intersex inmates will be determined on a case by case basis. The inmate’s safety as well as the safety and the security of the institutional compound will be taken into consideration when making the housing determination. Housing will be determined as outlined in “Identification and Management of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria,” Procedure 403-012.</p> <p>8. GD, transgender, and intersex inmates will be assessed biannually by classification. An interview will be conducted as well as a review of their housing, program and work assignments to determine if there are any necessary changes or threats to the inmate’s safety</p> <p>9. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</p> <p>10. Classification will screen all inmates within 72 hours of intake. Characteristics such as the inmate’s age, criminal record, and prior identified history of sexual victimization or predation will be utilized to help determine if s/he is at risk of future victimization of sexual abuse, sexual battery, or is at risk of committing sexual abuse or sexual battery. If s/he is identified as a potential victim or abuser (perpetrator); housing, bed, and work assignments will be appropriately assigned based on known information and established protocol.</p> <p>12. An inmate’s risk level will be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.</p> <p>IBAS IRMS Assessment is read to each inmate prior to beginning the assessment: “The following questions are solely designed to assist the Department of Corrections in complying with the Prison Rape Elimination Act in Providing a Safe and Secure Environment for all inmates.” “While these questions may be uncomfortable, you are encouraged to answer them honestly.”</p> <p>A condensed version of the questions follows:</p> <p>Orientation?</p> <p>Gender Identity?</p>

Observation by the Assessor.
Victim while Incarcerated – FDC?
Committed Sexual Abuse – FDC?
Victim – Other Correctional Setting?
Committed Sexual Abuse – Other Correctional Setting?
Victim – While Not Incarcerated?
Committed Sexual Abuse – While Not Incarcerated?
Assessor – Knowledge of Victimization.
Assessor – Knowledge of Predatory Behavior
Familiar with Prison Environment?
Currently being Approached or Pressured?
Assessor – Knowledge of Historical Arrest Circumstances

Procedure # 601.209; Title: Reception Process / Initial Classification

(10) CLASSIFICATION TEAM MEETING:

(c) The inmate's permanent institutional assignment will be made at this time based on bed allocations and an evaluation of the inmate's:

1. risk;

Identification and Management of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria

(1) PLACEMENT:

(a) Facility and housing assignments shall be made on a case by case basis, considering the inmate's health and safety as well as potential programming, management and security concerns. An inmate's own views regarding safety shall be given careful consideration.

Comments:

The Florida Department of Corrections utilizes a computer program that ensures that certain inmates are not housed in the same cell or in a nearby bunk. Examples include potential predator and potential victim; rivalry gang members, etc. When a staff member goes to assign a bed, the system will not allow the bed assignment. The staff member is not informed of the reason for the refusal, thus having to find another (safe) bed.

Placement in the Charlotte C.I. and Fort Meyer Work Camp is not made by the facility itself but by the Department.

The Transgender inmates interviewed shared that they meet with their Classification Officer every six (6) months and are always asked about their feelings of being safe. Both reported that they are able to take their shower in the evening during count.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response F.A.C. 33-602.220 Administrative Confinement Interview of Staff who Supervise Inmates in Segregated Housing Interview of Warden Interview of Associate Warden of Programs Interview of Classification Supervisor Documentation of Housing Assignments of Inmates at High Risk for Victimization</p> <p>The number of inmates at risk of sexual victimization who were held in involuntary segregation housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0</p> <p>In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (a) Institution: Any employee, volunteer, or contractor who observes, has knowledge of, or receives information, written or verbal (either firsthand or from a third party), regarding the fear of coercion into, or actual sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will immediately notify the Shift Supervisor, the Chief of Security, the Warden, or the Office of the Inspector General, who will then take immediate steps to evaluate the inmate's concern/allegation.</p> <p>a. Upon notification of a PREA incident the inmate victim will be immediately afforded the opportunity to indicate his/her housing preference on the PREA Victim Housing Preference: DC6-2084. If the inmate indicates that s/he would like to be housed in Administrative Confinement, the inmate is no longer involuntarily segregated and thus may be placed in administrative confinement pursuant to the provisions of "Administrative Confinement". Rule 33-302.220, FAC.</p> <p>b. If the inmate victim indicates s/he wants to remain in general population and it has been determined that there are no available alternative means of separation from likely abusers the inmate may be placed in administrative confinement pursuant to the provision of "Administrative Confinement," Rule 33.302.220, FAC. The Institutional Classification Team (ICT) will then conduct a 72-hour review of the named PREA victim. The JCT will further</p>

review the inmate and the allegation. verify the inmate's housing preference. and reassess the availability of any alternative housing. If the inmate victim remains involuntarily segregated JCT will ensure proper documentation is placed in OBIS related to the basis of the facilities concern for the inmate's safety and why no alternative means of separation can be arranged.

F.A.C. 33-602.220 Administrative Confinement

(1) Definitions.

(a) Administrative Confinement-· the temporary removal of an inmate from the general inmate population in order to provide for security and safety until such time as more permanent inmate management processes can be concluded.

(b) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter.

(3) Once the investigation is complete, the ICT shall interview the inmate to determine whether the inmate has a legitimate, verifiable need for protection. The ICT shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. The inmate's written request for release and the DC6-203 will also be reviewed. The following elements shall be considered in determining whether protective management is necessary:

a. A record of having been assaulted

f. Reliable, confirmed evidence of sexual harassment;

g. Other factors such as physical size, build and age producing a risk from the general inmate population.

Comments:

Inmates at high risk of being victimized are not placed into segregated housing status unless there are no other choices and if done, the inmate will not be kept in that location for more than twenty-four (24) hours. An alternative for this housing is a transfer to another location.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Zero-Tolerance Posters (English and Spanish) Florida Department of Corrections Sexual Abuse Awareness Brochure (English and Spanish) PREA - Instructions for Filing a Third-Party Grievance 33-103.006 Formal Grievance- Institution or Facility Level Inmate Orientation Handbook MOU with Center for Abuse and Rape Emergencies of Charlotte County, Inc. (Charlotte C.I.) MOU with Abuse Counseling and Treatment Inc. (Ft. Meyers Work Camp) MINS Incident Report (2) Incident Report (2) PREA Training Curriculum Interviews of Staff Interviews of Inmates Interview of Associate Warden of Programs Site Review PREA Posters (Charlotte C.I. and Ft. Meyers Work Camp) Inmate Handbook Calls to TIPS Hot Line</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response To establish guidelines for proper and immediate reporting of such incidents as well as providing a appropriate safeguards for victims, the management of evidence, and actions to be taken from reporting an allegation to substantiation of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment.</p> <p>(3) REPORTING: All incidents or allegations of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment will be reported in accordance with: “Incident Reports - Institutions,” Procedure 602.008; or “Incident Reports – Community Corrections,” Procedure 302.045, as appropriate; and “Reporting Incidents to the Inspector General and Management Information Notification System,” Procedure 108.007; and “Emergency Action Center,” Procedure 602.012.</p> <p>(a) The following methods are available for inmates and offenders to report incidents of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment:</p> <ol style="list-style-type: none"> 1. a verbal report to any staff member, volunteer, or contractor; 2. calling the TIPS line (866-246-4412 or *8477 for inmates); Procedure 602.053 10 3. calling an outside entity (Gulf Coast Children’s Advocacy Center) and report (850-832- 3905 or 8466 for inmates); 4. filing an “Inmate Request,” DC6-236; 5. filing an informal and/or formal grievance; 6. having a family member, friend, or other member of the public fill out the online Citizen’s Complaint form;

7. having a family member, friend, or other member of the public submit a third-party grievance;
8. write or e-mail the Office of the Inspector General;
9. write or e-mail the PREA Coordinator.

(4) RESPONSE:

(a) Institution: Any employee, volunteer, or contractor who observes, has knowledge of, or receives information, written or verbal (either first hand or from a third party), regarding the fear of, coercion into, or actual sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will immediately notify the Shift Supervisor, the Chief of Security, the Warden, or the Office of the Inspector General, who will then take immediate steps to evaluate the inmate's concern/allegation. The authority notified will ensure proper medical treatment (if applicable) and mental health treatment are obtained. An investigation will be initiated in accordance with "Investigative Process," Procedure 108.003 and "Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations," Procedure 108.015.

PREA - Instructions for Filing a Third-Party Grievance is located on Website Florida Department of Corrections.

33-103.006 Formal Grievance- Institution or Facility Level.

1. If an inmate believes he or she is the victim of sexual abuse they should immediately report it. There are several ways that allegations of sexual abuse may be reported, filing a grievance is one of those ways. If an inmate decides to use the grievance process to report sexual abuse, they must complete form DC 1-303, Request for Administrative Remedy or Appeal and file within the requirements and guidelines listed below.

(2) Procedural Requirements.

(a) The inmate shall fill out the identifying data at the top of the form, printing his committed name, Department of Corrections number, institution or facility name and checking the appropriate box.

(b) The inmate shall sign and date the form, indicating his Department of Corrections number. If the inmate fails to sign the grievance, it shall result in a delay in addressing the grievance until it can be verified that it is that inmate's grievance.

(j) If the inmate or third party is filing a grievance involving sexual abuse, it shall be clearly stated in the first line of the grievance that it is a grievance related to sexual abuse. Also on Form DCI-303 the third party filer shall check the box next to Third Party Grievance Alleging Sexual Abuse. If this statement is not included in the grievance and if the third party box is not checked, the grievance shall be responded to.

(a) Emergency Grievance - Upon receipt, the reviewing authority as defined in paragraph 33-103.002(15), F.A.C., shall take the following action as soon as possible, but no later than two calendar days following receipt:

1. Review complaint and contact staff for additional information if necessary;
2. If an emergency is found to exist, initiate action to alleviate condition giving rise to the emergency;
3. Provide formal response to the inmate within 15 calendar days as required by paragraph 33-103.011 (3)(d), F.A.C.; and
4. If an emergency is not found to exist, a response will be provided to the inmate indicating that the complaint is "not a emergency" with instructions to resubmit at the proper level, signed

and dated by the responding employee, and returned to the inmate within 72 hours of receipt.

Inmate Orientation Handbook

If you feel that any of these have happened to you or another inmate, immediately notify a staff member so that appropriate action can be taken.

The Department takes all allegations very seriously and investigates all reports of sexual abuse and sexual harassment.

MOU with Center for Abuse and Rape Emergencies of Charlotte County, Inc.

This is an Amendment to the Agreement between the Florida Department of Corrections ("Department") and Center for Abuse and Rape Emergencies of Charlotte County, Inc. ("Participating Entity") to provide advocacy services for incarcerated victims of sexual assault.

MOU with Abuse Counseling and Treatment Inc. (Ft. Meyers Work Camp)

This is an Amendment to the Agreement between the Florida Department of Corrections ("Department") and Abuse Counseling and Treatment, Inc. ("Participating Entity") to provide advocacy services for incarcerated victims of sexual assault.

PREA Training Curriculum

6. Recognize the rights of inmates/offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment.

Comments:

PREA - Instructions for Filing a Third-Party Grievance is located on the Department's website.

The agency does not detain inmates solely for civil immigration purposes.

The MOU with the Center for Abuse and Rape Emergencies of Charlotte County, Inc. began on June 27, 2016, and ends at midnight on June 26, 2022. See prior noted discussion with the Sexual Abuse Program Manager.

The MOU with Abuse Counseling and Treatment Inc. (Ft. Meyers Work Camp) This Agreement began on the date on which it is signed by both parties (September 26, 2018), and shall end at midnight on January 4, 2022.

Two MINS Incident Reports were included in the OAS. The first was a sexual battery and the SART was activated. The second was reported as a sex offense (sexual harassment). At the time the OAS was completed both were still under investigation.

The two Incident Reports filed as an Incident Report in OAS was connected to the MINS Incident report as noted above. Documentation showed a review by the levels of supervision.

New employee orientation and annual in-service training provides the information.

The training segment noted above is explained in greater detail than is listed above.

There are several methods for reporting privately, verbally, written, anonymously, and via third-party. Those methods include third party (via FDC website, call to facility or TIPS hotline), verbally (to any staff, contractor, medical, chaplain, volunteer, mental health, third-party, TIPS Hotline, PREA Hotline), written (notes, requests, letters, grievances, PREA Office), anonymously (TIPS Hotline, PREA Hotline, request form, grievance form, third party).

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed</p> <p>33-103.006 Formal Grievance – Institution or Facility Level</p> <p>33-103.005 Informal Grievance – Institution or Facility Level</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p>33-103.011 Time Frames for Inmate Grievances.</p> <p>Memo from Associate Warden of Programs</p> <p>Inmate Grievance</p> <p>33-103-017 Inmate Grievances – Reprisal</p> <p>Interview with Inmates who Reported a Sexual Abuse</p> <p>Interview with Supervisors</p> <p>Logs of Grievances and findings</p> <p>The past 12 months:</p> <p>The number of grievances filed that alleged sexual abuse: 2</p> <p>The number of grievances alleging sexual abuse that reached final decision within 90 days after being filed: 0</p> <p>In the past 12 months, the number of grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days: 0</p> <p>The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate’s decision to decline: 0</p> <p>The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months: 0</p> <p>The number of those grievances that had an initial response within 48 hours: 0</p> <p>In the past 12 months, the number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith: 0</p> <p>The number of grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days: 0</p> <p>33-103.005 Informal Grievance – Institution or Facility Level</p> <p>Inmates shall use the informal grievance process prior to initiating a formal grievance. Inmates may skip this step and initiate this process at a formal institutional level for issues pertaining to</p>

the following:grievances regarding allegations of sexual abuse ...

(j) Grievances alleging sexual abuse as defined in subsection 33-103.002(17), F.A.C.

1. If an inmate believes he or she is the victim of sexual abuse they should immediately report it. There are several ways that allegations of sexual abuse may be reported, filing a grievance is one of those ways. If an inmate decides to use the grievance process to report sexual abuse they must complete form DC1-303, Request for Administrative Remedy or Appeal and file within the requirements and guidelines listed below. This rule is established to meet the requirements of the Prison Rape Elimination Act (PREA) of 2003. 28 CFR Part 115.

a. The grievance should begin at the formal level at the institution unless filing pursuant to paragraph 33-103.007(6)(a), F.A.C., or subparagraph 33-103.007(6)(b)5., F.A.C. There is no time limit on when an inmate or third party may initiate a grievance regarding allegations of sexual abuse. However, normal time limits as described in rule 33-103.011, F.A.C., will apply when the inmate receives the response to the formal grievance and elects to proceed to the next level of review. Staff shall comply with response time requirements outlined in rule 33-103.011, F.A.C.

33-103.006 Formal Grievance – Institution or Facility Level

(1) When an inmate decides to file a formal grievance, he or she shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal,

(j) If the inmate or third party is filing a grievance involving sexual abuse, it shall be clearly stated in the first line of the grievance that it is a grievance related to sexual abuse. Also, on Form DC1-303 the third-party filer shall check the box next to Third Party Grievance Alleging Sexual Abuse. If this statement is not included in the grievance and if the third-party box is not checked, the grievance shall be responded to. This will not be a reason to return the grievance without action to the filer.

(j) Grievances alleging sexual abuse as defined in subsection 33-103.002(17), F.A.C.

1. If an inmate believes he or she is the victim of sexual abuse they should immediately report it. There are several ways that allegations of sexual abuse may be reported, filing a grievance is one of those ways. If an inmate decides to use the grievance process to report sexual abuse they must complete form DC1-303, Request for Administrative Remedy or Appeal and file within the requirements and guidelines listed below. This rule is established to meet the requirements of the Prison Rape Elimination Act (PREA) of 2003. 28 CFR Part 115.

a. The grievance should begin at the formal level at the institution unless filing pursuant to paragraph 33-103.007(6)(a), F.A.C., or subparagraph 33-103.007(6)(b)5., F.A.C. There is no time limit on when an inmate or third party may initiate a grievance regarding allegations of sexual abuse. However, normal time limits as described in rule 33-103.011, F.A.C., will apply when the inmate receives the response to the formal grievance and elects to proceed to the next level of review. Staff shall comply with response time requirements outlined in rule 33-103.011, F.A.C.

(j) If the inmate or third party is filing a grievance involving sexual abuse, it shall be clearly stated in the first line of the grievance that it is a grievance related to sexual abuse.

F.A.C. There is no time limit on when an inmate or third party may initiate a grievance

regarding allegations of sexual abuse.

c. Third parties, including fellow inmates, staff members, family members, attorneys and outside advocates, shall be permitted to assist inmates in filing grievances alleging sexual abuse. Third parties are also permitted to file such grievances on behalf of inmates.

f. If the inmate agrees to let the grievance filed by a third party proceed, staff shall log the third party grievance alleging sexual abuse and provide a receipt to the inmate. The response will be provided to the inmate. If the inmate is unsatisfied with the response to the formal grievance they may file an appeal on Form DC1-303.

h. An inmate may file an emergency grievance when they believe they are of substantial risk of imminent sexual abuse.

i. When receiving an emergency grievance from an inmate expressing belief, they are subject to a substantial risk of imminent sexual abuse the institution must take immediate corrective action. Staff handling this grievance shall provide an immediate response within 48 hours and shall issue a final decision within 5 calendar days from the receipt of the grievance. The final decision will document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

b. Inmates filing grievances alleging sexual abuse shall not be instructed to file the grievance to the individual(s) who are the subject(s) of the complaint. Additionally, grievances of this nature shall not be referred to the subject(s) of the complaint

g. The Department shall claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision due to the need for additional investigation. The inmate shall be notified in writing of the extension and a date by which a decision will be made

33-103.011 Time Frames for Inmate Grievances.

(a) Informal Grievances – Must be received within 20 days of when the incident or action being grieved occurred unless the inmate has requested in writing and received approval for a 45 day extension to file an informal grievance

(b) Formal Grievances – Must be received no later than 15 calendar days from:

4. Pursuant to sub-subparagraph 33-103.006(3)(j)1.a., F.A.C., and notwithstanding the above provisions, sexual abuse grievances filed either by the inmate or a third party may be filed at any time after the incident is alleged to have occurred. After the initial filing, all other applicable timeframes shall apply.

5. (c) Grievance Appeals to the Office of the Secretary – Must be received within 15 calendar days from the date the response to the formal grievance is returned to the inmate.

2. (d) Direct Grievances to the Office of the Secretary – Must be received within 15 calendar days from the date on which the incident or action which is the subject of the grievance occurred.

(3) Responding to Grievances.

(a) Informal Grievances – Following the initial receipt of an informal grievance, a written

response shall be completed within 15 calendar days. See rule 33-103.005, F.A.C.

(b) Formal Grievances – The reviewing authority as defined in paragraph 33-103.002(15)(b), F.A.C., shall have up to 20 calendar days from the date of receipt of the grievance to take action and respond. See rule 33-103.006, F.A.C.

(c) Grievance Appeals and Direct Grievances to the Office of the Secretary – Shall be responded to within 30 calendar days from the date of the receipt of the grievance. See rule 33-103.007, F.A.C.

(d) Emergency Grievances – Shall be responded to within 15 calendar days of receipt pursuant to paragraphs 33-103.006(3)(a) and 33-103.007(6)(b), F.A.C.

(e) Emergency Grievances Alleging Substantial Risk of Imminent Sexual Abuse – corrective action shall be conducted within 48 hours and a response must be provided within 5 calendar days.

(4) The time limit for responding to grievances and appeals may be extended for a reasonable period agreeable to both parties if the extension is agreed to in writing by the inmate.

33-103-017 Inmate Grievances – Reprisal

(2) An inmate shall be subject to disciplinary action if the inmate knowingly includes false, threatening, obscene or profane statements in the grievance or any of its attachments.

Comments:

A Memorandum from the Associate Warden of Programs notes that there have been no extensions given for this facility within the past twelve (12) months.

In the OAS, a Grievance was included that was identified as being a Third-Party grievance. Upon review, this was a formal grievance reported about a sexual statement by a staff member. Video and audio review disputed the inmate's allegation. The case was reviewed by the Warden.

The grievance log was reviewed with the findings listed above.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response PREA Posters (Spanish and English)</p> <p>Sexual Abuse Awareness Brochure (Spanish and English) – Charlotte C.I. Sexual Abuse Awareness Brochure (Spanish and English) – Fort Meyers</p> <p>Inmate Orientation Handbook (Spanish and English)</p> <p>Abuse Counseling and Treatment Inc. Agreement The Centers of Abuse and Rape Emergencies, Inc. Agreement</p> <p>Posters</p> <p>Interviews with Inmates Interviews with Inmates who Reported Sexual Abuse Interviews with Booking Officer</p> <p>Department's Website Site Review</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (25) Victim Advocate, where used herein, refers to a qualified individual trained in rape crisis counseling.</p> <p>5. Any inmate who alleges sexual abuse or sexual battery shall be given a copy of the NI1-120 and advised of her/his right to access crisis intervention services, to have a forensic examination, and to have a victim advocate present during the forensic examination and/or the investigative interview, if s/he chooses.</p> <p>(c) Alleged victims of sexual abuse, sexual battery or staff sexual misconduct shall receive timely, unimpeded access to emergency treatment and crisis intervention services.</p> <p>Inmate Orientation Handbook (Spanish and English) Prison Rape Elimination Act</p> <p>All calls made to these secure lines will not be recorded. Additionally, all calls made to the advocacy hotline (speed dial 8499) will remain confidential. The Department takes all allegations very seriously and investigates all reports of sexual abuse and sexual harassment.</p> <p>Sexual Abuse Awareness Brochure (Spanish and English) – Charlotte C.I. Victim Advocate Information:</p> <ol style="list-style-type: none"> 1. Call 8499 (Enter 1, then 1, then 8499) 2. Write to: The Centers of Abuse and Rape Emergencies, Inc. P.O. Box 510234 Punta Gorda, FL. 333951 <p>Sexual Abuse Awareness Brochure (Spanish and English) – Fort Meyers Victim Advocate Information:</p> <ol style="list-style-type: none"> 1. Call 8499 (Enter 1, then 1, then 8499)

2. Write to: The Center for Counseling and Treatment Inc.
P.O. Box 60401 Fort Meyers, FL. 33906

PREA Posters (English and Spanish)

The PREA Posters state that inmates may contact the Gulf Coast Children’s Advocacy Center, Inc either in writing or via the T.I.P.S. line (*8477). Third-party may report via the agency’s website. The two facility can contact those locations listed above.

Abuse Counseling and Treatment Inc. Agreement

This agreement was renewed for three years, ending January 4, 2022 to provide advocacy services for incarcerated victims of sexual assault.

The Centers of Abuse and Rape Emergencies, Inc. Agreement

This agreement was renewed for three years, ending June 26, 2022 to provide advocacy services for incarcerated victims of sexual assault.

Comments:

Charlotte C.I. does not detain inmates solely for civil immigration purposes.

Please note comments in 115.51.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Instructions for Filing Third Party Grievances - Website Methods for Third Party Reporting - Website</p> <p>Comments: Third parties may report via a third-party grievance, via the citizens complaint form on the Department website or by phone, mail, or email to any administrator at the Department.</p> <p>The facility reports that an inmate can have a family member, friend, or other member of the public fill out the online Citizen’s Complaint form; having a family member, friend, or other member of the public submit a third-party grievance; write or e-mail the Office of the Inspector General or write or e-mail the PREA Coordinator.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Associate Warden for Programs Interviews with Staff Interviews with Medical/Mental Health Staff</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (3) REPORTING: All incidents or allegations of sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment will be reported in accordance with: "Incident Reports - Institutions." Procedure 602.008; or "Incident Reports - Community Corrections," Procedure 302.0 45. as appropriate; and "Reporting Incidents to the Inspector General and Management Information Notification System," Procedure 108.007; and "Emergency Action Center," Procedure 602.012.</p> <p>(f) All staff, volunteers, and contractors will ensure that they foster an environment within their facility that precludes sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment. This includes, but is not limited to:</p> <ol style="list-style-type: none"> 4. taking all appropriate measures to ensure the safety of an inmate who may have been sexually abused or battered or of an inmate who may have reported the sexual abuse or sexual battery of another; 5. promptly reporting any allegation involving retaliation against alleged victims or identified reporters of sexual abuse, sexual battery, staff sexual misconduct or sexual harassment; and 6. promptly reporting any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse, sexual harassment, or retaliation. <p>a. Institution: Any employee, volunteer, or contractor who observes, has knowledge of, or receives information, written or verbal (either first hand or from a third party), regarding the fear of, coercion into, or actual sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will immediately notify the Shift Supervisor, the Chief of Security, the Warden, or the Office of the Inspector General, who will then take immediate steps to evaluate the inmate's concern/allegation.</p> <ol style="list-style-type: none"> 1. Any employee who fails to report or take immediate action regarding these incidents, or intentionally manifest actions to embarrass, demean, or humiliate any victim or informant, or trivializes a report of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment will be subject to discipline, up to and including termination <p>4. the rights of both staff and inmates to be free from retaliation for reporting sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment;</p> <p>7. Inmates and/or staff who report sexual abuse will be monitored for retaliation for at least 90</p>

days, with at least three contact status checks to occur within the 90-day monitoring Period at the 30-, 60-, and 90-day marks from the date of the allegation.

a. Conduct, including a review of disciplinary reports, treatment by other staff and inmates, and changes in housing, program assignments, work assignments, and demeanor will be reviewed along with the periodic status checks. For auditing purposes, it is the responsibility of the originating facility.

b. If an inmate is transferred during the 90-day monitoring period, it is the receiving institutions' procedural responsibility to continue monitoring the inmate for the remainder of the 90-day period.

c. Although monitoring shall continue for at least 90 days, if during this period, the investigation has determined the allegation to be unfounded, monitoring may cease.

(12) CONFIDENTIALITY OF RECORDS: No employee, volunteer, or contractor may knowingly disclose any information pursuant a sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment to any person other except as permitted by law. The release of any information identifying any PREA or other sexual battery or sexual abuse victims in the custody of the Department shall not be printed, published, or broadcasted unless a court determines that such information is no longer confidential and exempt pursuant to section 92.56, F.S., or other applicable law.

Comments:

All staff interviewed shared that they have a responsibility to keep inmates safe which includes the reporting of any knowledge, suspicion or information and that retaliation on anyone's part is unacceptable. Interview with the Health Services Administrator showed that they strictly follow their duty to report and the limits of confidentiality in relation to sexual abuse.

Charlotte C.I. does not house inmates under the age of eighteen (18).

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Supervisory Staff Interview with Staff Interview with Contractors Interview with Volunteers</p> <p>In the past 12 months, the number of times the agency or facility determined that an inmate was subject to substantial risk of imminent sexual abuse: 0 If the agency or facility made such determinations in the past 12 months, the average amount of time that passed before taking action: n/a The longest amount of time elapsed before taking action, if not immediate (please explain): n/a</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response a. Upon notification of a PREA incident the inmate victim will be immediately afforded the opportunity to indicate his/her housing preference on the "PREA Victim Housing Preference." DC6-2084.</p> <p>Comments: All interviews indicated that staff understand steps to be taken if they learn that an inmate is at imminent risk of sexual abuse. All described the steps in detail.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Documentation of Allegations/Investigations</p> <p>In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: 1 In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 1</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response 8. If staff at a receiving institution receives information that sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment occurred at another institution, the receiving institutions Warden shall notify the sending institutions Warden within 72 hours of receiving the allegation. The notification shall be documented on a DC6-210.</p> <p>9. The receiving institution, where the allegation is reported, will be responsible for contacting EAC, completing a DC6-210, and entering the appropriate information into MINS for appropriate handling</p> <p>Comments: The facility received one (1) allegation that an inmate was sexually abused while at another facility. Charlotte C.I. immediately processed the allegation and notified the facility where the abuse allegedly occurred. Documentation of the notification was provided.</p> <p>The facility received one (1) allegation from another facility (Bureau of Prisons) that an inmate had alleged sexual abuse while at Charlotte C.I. An investigation was initiated.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interviews with Staff Investigation Files</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused: 12 Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser: 12 In the past 12 months, the number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 3</p> <p>Of these allegations the number of times the first security staff member to respond to the report: Preserved and protected any crime scene until appropriate steps could be taken to collect any evidence. 2 (1 allegation had no clear crime scene to be preserved) Requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating. 3 Ensured that the alleged abuser does not take any actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. 3</p> <p>Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 1</p> <p>Of those allegations responded to first by a non-security staff member, the number of times that staff member requested that the alleged victim not take any actions that could destroy physical evidence: 1</p> <p>Of those allegations responded to first by a non-security staff member, the number of times that staff member: Requested that the alleged victim not take any actions that could destroy physical evidence. Notify security staff. 1</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response 4. Upon learning of an inmate sexual abuse or sexual battery allegation or incident, the first security staff</p>

- member to respond to the report shall be required to;
- a. separate the alleged victim and abuser;
 - b. preserve and protect any potential crime scene until appropriate steps can be taken to collect any evidence;
 - c. if the alleged 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 but not limited to, washing, bathing, brushing teeth, changing clothes, urinating, defecating, drinking or eating;
 - d. if the alleged 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 but not limited to, washing, bathing, brushing teeth, changing clothes, urinating, defecating, drinking, or eating; and
 - e. if the first responder is not a security staff member, request that the alleged victim not take any action that could destroy physical evidence, and then notify security staff.

Comments:

When staff and contractors were interviewed regarding the steps that they would take if they encountered or were told of a sexual abuse, all were able to list those responsibilities noted in 115.64. In addition, staff related additional steps required by their department to include notification of Office in Charge (OIC), where to take separated alleged victim and abuser, steps taken by the OIC, report to the Emergency Action Center, MINS report to initiation of investigation by the Office of Inspector General, and more.

The volunteer interviewed also stated the information in 115.64, additionally the reporting to his supervisor and the staff assigned to his location.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Materials Reviewed: PREA Coordinated Response (Charlotte C.I. and Fort Myers Work Camp) Institution Plan Interview of Warden</p> <p>Comments:</p> <p>The PREA Coordinated Response Plan is dated February 8, 2019. The facility's Coordinated Response plan is a well written document outlining steps to be taken after an allegation.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: PBA – SSU Agreement Interview with Warden</p> <p>PBA – SSU Agreement The State of Florida and the Florida Police Benevolent Association effective July 1, 2017.</p> <p>Comments: The State of Florida and the Florida Police Benevolent Association effective July 1, 2017. A review of this agreement showed no language related to PREA.</p>

115.67	Agency protection against retaliation
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Assistant Warden for Programs Interview with Assistant Warden for Operations Inmates who Reported a Sexual Abuse</p> <p>The length of time that the agency/facility monitors the conduct or treatment: 90 days The number of times an incident of retaliation occurred in the past 12 months: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response 5. promptly reporting any allegation involving retaliation against alleged victims or identified reporters of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment</p> <p>7. Inmates and/or staff who report sexual abuse will be monitored for retaliation for at least 90 days, with at least three contact status checks to occur within the 90-day monitoring period at the 30-, 60-, and 90-day marks from the date of the allegation. a. Conduct, including a review of disciplinary reports, treatment by other staff and inmates, and changes in housing, program assignments, work assignments, and Procedure 602.053 12 demeanor will be reviewed along with the periodic status checks. For auditing purposes, it is the responsibility of the originating facility. b. If an inmate is transferred during the 90-day monitoring period, it is the receiving institutions' procedural responsibility to continue monitoring the inmate for the remainder of the 90-day period. c. Although monitoring shall continue for at least 90 days, if during this period, the investigation has determined the allegation to be unfounded, monitoring may cease.</p> <p>Training/Education: 4. the rights of both staff and inmates to be free from retaliation for reporting sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment;</p> <p>Comments: Retaliation is monitored via the Office of the Assistant Warden for Programs.</p> <p>Documentation was reviewed that identified dates that classification staff met with inmates that alleged sexual abuse to check for any retaliation or other issues being had by the inmates. Inmate interviews confirmed that those checks were being completed.</p>

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Staff who Supervises Inmates in Segregated Housing Inmate File Reviews 30-day Reviews On-Site Visit</p> <p>The number of Inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completions of assessment: 0</p> <p>In the past 12 months, the number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement: 0</p> <p>From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH: 0</p> <p>(a) A statement of the basis for facility’s concern for the inmate’s safety (b) The reason or reasons why alternative means of separation could not be arranged.</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response 2. Inmate victims of sexual abuse and/or sexual harassment will not be involuntarily segregated unless an assessment of all other available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.</p> <p>a. Upon notification of a PREA incident the inmate victim will be immediately afforded the opportunity to indicate his/her housing preference on the “PREA Victim Housing Preference,” DG6-2084. If the inmate indicates that s/he would like to be housed in Administrative Confinement, the inmate is no longer involuntarily segregated and thus may be placed in administrative confinement pursuant to the provisions of "Administrative Confinement", Rule 33-302.220, FAC.</p> <p>b. If the inmate victim indicates s/he wants to remain in general population and it has been determined that there are no available alternative means of separation from likely abusers the inmate may be placed in administrative confinement pursuant to the provision of “Administrative Confinement,” Rule 33.302.220, FAC. The Institutional Classification Team (ICT) will then conduct a 72-hour review of the named PREA victim. The ICT will further review the inmate and the allegation, verify the inmate’s housing preference, and reassess the availability of any alternative housing. If the inmate victim remains involuntarily segregated ICT</p>

will ensure proper documentation is placed in OBIS related to the basis of the facilities concern for the inmate's safety and why no alternative means of separation can be arranged.

Comments:

The facility reports that no inmates were held in involuntary segregation due to a sexual abuse during the past year. Policy dictates any use of segregation.

While reviewing investigation files, the auditor noted forms signed by inmates showing their preference for housing.

115.71	Criminal and administrative agency investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Materials Reviewed: Procedure # 108.001; Authority of the Inspector General Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Associate Warden for Programs Interview with Investigative Staff Interviews with Inmates who Reported a Sexual Abuse Review of Investigative Files</p> <p>The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit: 3</p> <p>Procedure # 108.001; Authority of the Inspector General PURPOSE: To provide guidelines for members of the Office of the Inspector General (OIG) in carrying out their duties and responsibilities as outlined in section(s) 20.055, 901.15, 944.31, and 957.09, F.S.</p> <p>(b) The Inspector General shall have the primary responsibility for the investigation of civil, criminal, and administrative matters relating to the Department and within the jurisdiction of the Department.</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (11) CASE RECORDS: Case or investigation records, including but not limited to, any criminal investigation, administrative investigation, medical evaluations and treatments, recommendations of post-release treatment, and counseling associated with allegations of sexual abuse or sexual battery shall be retained by the agency for ten years after the date of the initial collection or for the incarceration period of the victim or employment of the suspect or subject, plus five years, whichever is longer. Compliance Managers are responsible for uploading all related documents to the facility's electronic retention file once a PREA case is completed.</p> <p>Comments: All PREA investigations are completed by trained investigators with the Office of Inspector General. (Note prior explanation of training.)</p> <p>Investigators, as previously reported, are assigned to an investigation at the time the facility reports to the EAC and completes a MINS report. The information provided, as well as a discussion with the facility determines when the investigator will arrive on site. If the alleged incident happened within the previous seventy-two hours, SART (Sexual Abuse Response</p>

Team) will be contacted. (Note: The facility physician will do a preliminary examination to determine their recommendation for contact of SART.) The investigator then collects all physical and DNA evidence and begins his interviews and collection of evidence.

If the investigator determines that the incident rises to the level of criminal prosecution, he will provide an affidavit to the Prosecutor who will determine if charges will be filed. The full documentation of investigation by the OIG is kept within their office. The institution keeps a file with documentation that corresponds with actions within the facility; i.e.: Responder Check-off (Supervisory, Medical, Mental Health), 30-day reviews, sign-off form for offenders housing choice, etc.

File retention corresponds with the time frame in this standard.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 108.015; Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations Interview with Investigative Staff</p> <p>Procedure # 108.015; Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations</p> <p>(12) ADMINISTRATIVE INVESTIGATIONS:</p> <p>(a) During investigation into any PREA allegations, Inspectors shall include an effort to determine whether staff actions or failure to act contributed to the abuse and report any violations of rules or procedures.</p> <p>(b) Any criminal investigation involving PREA allegations by a staff member that has policy, procedure, or rule violations that were not covered in the criminal case or where probable cause exists but no prosecution of the case, shall require a parallel administrative investigation.</p> <p>(c) Any parallel administrative investigation shall be tolled during the criminal investigation.</p> <p>Comments: The investigator shared that he utilizes all available information, physical/DNA, interviews, video, etc. to determine findings.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Procedure # 108.015; Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations</p> <p>Inmate Notices of Determination of PREA Allegation Interview with Warden Interview with Assistant Warden of Programs Interview with Classification Staff/PREA Auxiliary Interview with Classification Supervisor Interview with Investigative Staff Interviews with Inmates who Reported a Sexual Abuse Review of Sexual Abuse Investigations</p> <p>In the past 12 months: The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility: 3 Of the alleged sexual abuse investigations that were completed, the number of inmates who were notified verbally or in writing of the results of the investigation: 3</p> <p>In the past 12 months: The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency: 0 Of the outside agency investigations of alleged sexual abuse, the number of inmates alleging sexual abuse in the facility who were notified verbally or in the writing of the results of the investigation: 0</p> <p>In the past 12 months: The number of notifications to inmates that were provided pursuant to this standard: 0 The number of those notifications that were documented: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (10) INVESTIGATIVE FINDINGS – REPORT: (a) When an allegation is returned to management (RM) from the Office of the Inspector General, the institution will be responsible for conducting a PREA administrative security investigation utilizing a “PREA Investigative Report,” DC6-2079. Upon completion of this investigation, the facility will also be responsible for notifying the inmate(s) regarding the outcome of the investigation via an “Inmate Notification Administration Investigation Outcome,” DC6-2080. Once completed, the DC6-2079 will be forwarded to the PREA Coordinator.</p>

Procedure 602.053 16

(b) Unless the allegation is unfounded, following an inmate's allegation that a staff member has committed sexual abuse against her/him, the Warden or her/his designee shall inform the inmate via an "Inmate Notification PREA Staff Allegation," DC6-2081, whenever the staff member is no longer:

1. assigned to the facility; or
2. employed with the Department

Procedure # 108.015; Sexual Battery, Sexual Harassment, and Sexual Misconduct Investigations

(11) Reporting Investigative Findings to Victims:

(c) The case Inspector shall notice any PREA victim inmate if an allegation against a staff member for sexual abuse, sexual battery, sexual misconduct, sexual harassment, or voyeurism (administrative or criminal) is exonerated, sustained, partially sustained, not sustained, unfounded, closed by arrest, exceptionally cleared, or placed in open-inactive status.

(d) The case Inspector, Inspector Supervisor or designee shall notice any victim inmate the following pertaining to any PREA allegation: Procedure 108.015 11

1. when the Department learns the alleged abuser has been indicted on a charge related to sexual abuse; or
2. when the Department learns that the alleged abuser was convicted on a charge related to sexual abuse.

Comments:

The OIG investigators complete all criminal and administrative investigations. Institution staff state that they often times have to call the OIG's office to obtain updated information on the status of the investigation.

There have been no substantiated or unsubstantiated allegations toward a staff member within the last twelve (12) months.

The auditor reviewed Inmate Notifications of the results of PREA investigations. The form includes the signature of the inmate acknowledging notification.

115.76	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Materials Reviewed: Rule 33-208.003; Range of Disciplinary Actions Rule 60L-36-005; Conduct of Employees Procedure # 208.039; Employee Counseling and Discipline</p> <p>In the past 12 months: The number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0 The number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies: 0 In the past 12 months, the number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies: 0</p> <p>Rule 33-208.003; Range of Disciplinary Actions Violations of the foregoing Rules of Conduct as well as other departmental and institutional policies will result in disciplinary actions, which may be by written reprimand, suspension, demotion or dismissal.</p> <p>Rule 60L-36-005; Conduct of Employees (1) This rule sets forth the minimal standards of conduct that apply to all employees in the State Personnel System, violation of which may result in dismissal.</p> <p>(g) Misconduct. Employees shall refrain from conduct which, though not illegal or inappropriate for a state employee generally, is inappropriate for a person in the employee's particular position. ... By way of further example, people are generally free to relate with others, but it may be entirely unacceptable for certain employees to enter into certain relations with others, such as correctional officers with inmates.</p> <p>Procedure # 208.039; Employee Counseling and Discipline 6. Malicious Use of Profane or Abusive Language Toward Inmates, Visitors, or Persons Under Supervision: The use of language that is threatening or abusive, whether directed towards a supervisor, another employee, an inmate or offender, or any other person. Includes any offensive language whether or not directed toward anyone in particular, regardless of intent. a. First occurrence: written reprimand, suspension, demotion, or dismissal. b. Second occurrence: dismissal</p>

13. Negligence (Job Related): Employees shall exercise due care and reasonable diligence in the performance of job duties. Carelessness in omission of, or inattention to, the performance of assigned duties and responsibilities. Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence, or discretion.

a. First occurrence: counseling, written reprimand, suspension, demotion, or dismissal.

b. Second occurrence: written reprimand, suspension, demotion, or dismissal.

c. Third occurrence: suspension, demotion, or dismissal.

d. Fourth occurrence: dismissal.

20. Use of Corporal Punishment or Hazing: Corporal Punishment is a form of physical punishment that involves the deliberate infliction of pain or ridicule in order to punish or embarrass.

a. First occurrence: written reprimand, suspension, demotion, or dismissal.

b. Second occurrence: dismissal.

22. Conduct Unbecoming a Public Employee or Failing to Maintain a Proper Level of Professionalism:

a. ... Employees shall be courteous, considerate, respectful, and prompt in dealing with and serving the public and co-workers.

39. Discrimination and/or Harassment on the Job: Failure to uphold the Department's policy on an anti-harassment work environment. This includes, but is not limited to an employee found to have committed, failed to report, or to have falsely reported any form of harassment in the workplace, pursuant to the "Department of Corrections Equal Employment Opportunity and Anti-Harassment Statement" and/or "Sexual Harassment – Your Rights and Responsibilities," CO-ER-1 pamphlet which are both provided to employees upon hire and as requested.

a. First occurrence: dismissal

Comments:

The disciplinary misconduct form identifies specific behaviors and the range of disciplinary actions; first through fourth occurrence. Dependent upon the staff action, disciplinary can range from written reprimand, suspension, demotion to dismissal. For acts of sexual abuse, discipline moves immediately to termination.

Investigations completed by the OIG that involve staff sexual misconduct/abuse are handled in the same manner as inmate sexual misconduct/abuse. An affidavit is provided to the area Prosecutor requesting charges be filed.

115.77	Corrective action for contractors and volunteers
	<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="252 327 517 360">Materials Reviewed:</p> <p data-bbox="252 371 1279 405">Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p data-bbox="252 416 911 450">Procedure # 205.002; Title: Contract Management</p> <p data-bbox="252 461 513 495">Interview of Warden</p> <p data-bbox="252 506 654 539">Review of Investigative reports</p> <p data-bbox="252 629 1404 741">In the past 12 months, contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates: 0</p> <p data-bbox="252 842 1279 875">Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p data-bbox="252 887 887 920">(17) Sexual Abuse, where used herein, refers to:</p> <p data-bbox="252 931 1484 999">(b) any of the following acts perpetrated by a staff member, contractor, or volunteer against an inmate, with or without consent of the inmate:</p> <ol data-bbox="252 1010 1484 1693" style="list-style-type: none"> 1. contact between the penis and the vulva or the penis and the anus, including penetration, however slight; 2. contact between the mouth and the penis, vulva, or anus; 3. contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; 4. penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; 5. any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; 6. any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs 1-5 of this section; 7. any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, and 8. voyeurism by a staff member, contractor, or volunteer. <p data-bbox="252 1704 504 1738">(21) Sexual Battery</p> <p data-bbox="252 1749 1366 1816">Any inmate, employee, volunteer, or contractor who commits a sexual battery may be criminally prosecuted pursuant to chapter 794, F.S.</p> <p data-bbox="252 1872 1417 1939">An inmate or offender cannot consent to sexual or romantic behavior with a staff member, contractor, or volunteer while under the supervision of the Department of Corrections.</p> <p data-bbox="252 2007 1465 2119">The Office of Human Resources will ensure that the PREA case number is recorded on all documents related to any employee disciplinary action resulting from actions taken relative to this procedure, including the "Human Resources Tracking System."</p>

Procedure # 205.002; Title: Contract Management

(c) Termination for Cause: Examples include, but are not limited to:

4. the contractor fails to comply with the Department's PREA policies and procedures and/or Federal Rule 28 C.F.R. Part 115.

Comments:

Charlotte C.I. states there have been no terminations of contractors or volunteers due to allegations of sexual misconduct.

The interview with the Warden indicated that a contractor or volunteer who was alleged to have engaged in inappropriate behavior, sexual abuse or sexual harassment, would be removed from the facility for investigation. The investigation would be moved forward and reported to law enforcement.

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Procedure # 33-601.301; Title: Inmate Discipline – General Policy Procedure # 33-601.314; Title: Rules of Prohibited Conduct and Penalties for Infractions. Procedure: # 33-601.800; Title: Close Management Interview with Warden Review of Investigative Reports Interviews with Medical/Mental Health Staff</p> <p>In the past 12 months: The number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 0 The number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response 9) DISCIPLINE: (a) Inmate(s) who have been found guilty of sexual abuse, sexual battery, or sexual harassment, through the course of either internal or external hearings will be processed in accordance with “Disciplinary Confinement,” Rule 33--602.222, F.A.C., unless otherwise ordered through judicial or administrative process. (b) All inmates who have been found guilty (with a finding of sustained, exceptionally cleared, or closed by arrest) of sexual abuse or sexual battery will be referred for Close Management (CM) review, in accordance with “Close Management,” 33-601.800, F.A.C. and/or issued a Disciplinary Report (DR), in accordance with applicable inmate disciplinary rules 33-601.301, F.A.C, through 33-601.314, F.A.C. All CM and DR reviews will take into consideration whether the mental disabilities or mental illness contributed to the abuser or perpetrator’s behavior. (c) When it is determined that an inmate has filed a PREA report in bad faith, i.e., knowingly filed a false report, that inmate shall be subject to discipline.</p> <p>Procedure # 33-601.301; Title: Inmate Discipline – General Policy (1) Inmate behavior that is not in compliance with department rules shall be corrected through the disciplinary process, which includes informal disciplinary intervention.</p> <p>Procedure # 33-601.314; Title: Rules of Prohibited Conduct and Penalties for Infractions. • Sexual battery or attempted sexual battery 60 DC + All GT • Lewd or lascivious exhibition by intentionally masturbating, intentionally exposing genitals in a lewd or lascivious manner, or intentionally committing any other sexual act in the presence of a staff member, contracted staff member or visitor. 60 DC + 90 GT</p>

Note: "DC" means the maximum number of days of disciplinary confinement that may be imposed, and "GT" means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

Procedure: # 33-601.800; Title: Close Management

(2) Levels of Close Management.

(a) Close Management I (CMI).

1. Close Management I is the most restrictive single cell housing level of all the close management status designations.

2. An inmate assigned to CMI will be ineligible for a work assignment. An inmate may be placed in CMI without having previously been in CMII or III. Any of the following factors constitutes a basis for placement of an inmate in CMI status:

a. An incident causing death;

I. Participation in a sexual assault or battery;

Comments:

Inmates would be held accountable in-house for notated PREA behavior as noted in the above policies. As written, the sanctions are maximum amount of disciplinary confinement and loss of 'gain' time. This allows for consideration of the inmate's prior behavior and current mental disabilities or illness.

Health Services makes counseling available to inmates who have been both the victim and the perpetrator. Advocacy is also made available. The Sexual Assessment Program Manager at the Center for Abuse and Rape Emergencies (C.A.R.E.) noted that they do provide services to the inmates at the facilities if requested. Currently they are providing advocacy to one (1) inmate.

Consensual sexual activity between inmates is prohibited at Charlotte C.I. and Fort Meyers Work Camp.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Incident Report; Sexual Harassment, Staff-on-Inmate Medical and MH informed consent form Interview with Inmates who Disclose Sexual Victimization at Risk Screening Interview with Classification Staff On-Site Review</p> <p>In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow up meeting with a medical or mental health practitioner: 100% In the past 12 months, the percent of inmates who have previously perpetrated sexual abuse, as indicated during the screening, who were offered a follow up meeting with a mental health practitioner: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (6) MEDICAL AND MENTAL HEALTH CARE: If results of an SRI assessment or medical assessment indicate that an inmate has experienced prior sexual victimization, or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the inmate shall be offered a follow-up meeting with a mental health practitioner within 14 days of the screening.</p> <p>(a) The provision of any information relating to sexual victimization or abuse that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners, and other staff as necessary, to inform treatment plans and security and management decisions, including Procedure 602.053 14 housing, bed, work, education, and program assignments, or as otherwise required by Federal, state, or local law.</p> <p>10. Classification will screen all inmates within 72 hours of intake. Characteristics such as the inmate's age, criminal record, and prior identified history of sexual victimization or predation will be utilized to help determine if s/he is at risk of future victimization of sexual abuse, sexual battery, or is at risk of committing sexual abuse or sexual battery. If s/he is identified as a potential victim or abuser (perpetrator); housing, bed, and work assignments will be appropriately assigned based on known information and established protocol.</p> <p>(b) If during a screening or services, medical and mental health practitioners gain knowledge of sexual abuse, sexual battery, staff sexual misconduct, or sexual harassment that did not occur in an institutional setting they shall obtain informed consent from the inmate before reporting the information, unless the inmate is under the age of 18. This informed consent shall be documented as received on a DC6-2 I 0.</p>

Comments:

Inmates interviewed by the auditor, who disclosed sexual abuse that occurred prior to their arrival at the facilities, stated that they were referred to Mental Health. Those meetings were held within the allotted fourteen (14) day period. The same would occur if an inmate perpetrated sexual abuse prior to arriving at the facility. Information about prior sexual abuse and abusiveness is available only to specified supervisors and classification staff. Medical/Mental Health staff are also made aware during their reception process.

Informed Consent is utilized in all cases.

115.82	Access to emergency medical and mental health services
	<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="252 327 517 360">Materials Reviewed:</p> <p data-bbox="252 371 1278 405">Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p data-bbox="252 416 842 450">Medical / Mental Health Screening Evaluation</p> <p data-bbox="252 461 1362 495">Procedure # 401.010; Title: Co-Payment Requirements for Inmate Medical Encounter</p> <p data-bbox="252 506 587 539">Medical – PREA Checklist</p> <p data-bbox="252 551 794 584">Interview with Medical/Mental Health Staff</p> <p data-bbox="252 595 943 629">Interview with Inmates who Reported a Sexual Abuse</p> <p data-bbox="252 640 676 674">Interviews with Supervisory Staff</p> <p data-bbox="252 685 512 719">Interviews with Staff</p> <p data-bbox="252 730 528 763">Interviews with SART</p> <p data-bbox="252 775 405 808">On-site visit</p> <p data-bbox="252 887 1278 920">Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response</p> <p data-bbox="252 931 1453 1043">(f) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigations arising out of the incident.</p> <p data-bbox="252 1144 1362 1178">Procedure # 401.010; Title: Co-Payment Requirements for Inmate Medical Encounter</p> <p data-bbox="252 1189 1086 1223">(d) Waiver of co-payment may be granted if the health care visit:</p> <p data-bbox="252 1234 1469 1267">10. is a Prison Rape Elimination Act (PREA) incident involving sexual abuse or sexual battery.</p> <p data-bbox="252 1357 405 1391">Comments:</p> <p data-bbox="252 1402 1469 1469">The facility shared two (2) medical/mental health evaluations of inmates who alleged a sexual abuse. The document was inclusive.</p> <p data-bbox="252 1536 1449 1603">Note: Procedure # 602.053 could not be copied in its entirety to this Standard, as part of the language was “cut-off” in the OAS.</p> <p data-bbox="252 1659 1453 1939">Upon arriving at Medical after a report of sexual assault, an inmate will get a cursory examination by the physician to provide feedback for use of SART or if the inmate should be immediately transported to a hospital due to the nature of his injuries. If the SART is utilized, before leaving the facility, the nurse will provide ‘recommendations’ for treatment and care. The facility physician will complete the orders. As part of the process, the inmate receives information about sexually transmitted infection prophylaxis and other necessary care information.</p> <p data-bbox="252 2007 1043 2040">No cost is associated with the services provided to the victim.</p>

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

Materials Reviewed:

- Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response
- Procedure # 401.010; Title: Co-Payment Requirements for Inmate Medical Encounter
- Interviews with Medical/Mental Health Staff
- Interview with Classification Staff/PREA Auxiliary
- Interview with Associate Warden of Programs
- Interview with Classification Supervisor
- Interviews with Inmates who Reported a Sexual Abuse
- Site Visit
- Medical and/or Mental Health File Review

Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response
(e) Inmate victims of sexual abuse, sexual battery, or staff sexual misconduct 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. Additionally, the victim will be offered support services by means of a mailing address and/or telephone numbers to local community support group organizations, where available.

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

1. As appropriate, medical and mental health evaluation and treatment shall be offered to all inmates who have been sexually victimized in any Department or contracted facility and will be consistent with the community level of care. The evaluation and treatment of such victims shall include as appropriate, follow-up services, and, when necessary, referrals for continued care following a transfer to, or placement in, another facility, or a release from custody.

3. A mental health evaluation will be offered to any identified inmate-on-inmate abusers within 60 days of learning of such abuse history and, as appropriate, the abuser will be offered treatment.

Procedure # 401.010; Title: Co-Payment Requirements for Inmate Medical Encounter

(d) Waiver of co-payment may be granted if the health care visit:
10. is a Prison Rape Elimination Act (PREA) incident involving sexual abuse or sexual battery.

Comments:

As noted previously, the facilities provide medical and mental health care to all inmates who have been sexual abused or who has perpetrated the abuse. This care would include follow-up care and any needed testing. If an inmate is transferred to another facility, care is continued after the move. The Health Service Administrator stated that the services provided by the facility is 'more than' consistent with the level of care available in the community.

Charlotte CI does not house female inmates.

No cost is associated with the services provided to the victim.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Summary of Investigative Findings Memorandum from Assistant Warden of Programs 2018 Facility Corrective Action Plan/PREA (Charlotte C.I. and Ft. Meyers Work Camp) Interview with Warden Interview with Associate Warden for Programs Interview with Classification Supervisor</p> <p>In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only “unfounded” incidents: 0 In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only “unfounded” incidents: 0</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (13) SEXUAL ABUSE INCIDENT REVIEW: The institution shall conduct a sexual abuse incident review within 30 days of the conclusion of the investigation by completing the “Sexual Abuse Incident Review/Facility Investigation Summary,” DC6-2076. This review team shall consist of the Assistant Warden, Chief of Security, and Classification Supervisor. The team will also obtain input via reports from line supervisors, investigators, and medical or mental health practitioners. The SAIRC is not responsible for conducting a review of any allegation that is unfounded. The SAIRC shall meet to, at a minimum: (a) assess the adequacy of staffing levels in the area where the incident happened; (b) consider whether the incident/allegation was motivated by race, ethnicity, LGBTI identification, gang affiliation, or other group dynamics at the institution; (c) examine the area that the incident allegedly occurred to assess whether physical barriers or obstructions in the area may have enabled abuse; (d) assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and (e) on a monthly basis, prepare a report with recommendations for improvements, and submit to the PREA Coordinator.</p> <p>Memorandum from Assistant Warden of Programs “Charlotte Correctional Institution has not had any conclusions of sexual abuse investigations, including; where the allegation has not been substantiated, unless the allegation has been determined to be unfounded received from the Office of Inspector General to complete an abuse incident review, during this review period.”</p>

2018 Facility Corrective Action Plan/PREA (Charlotte C.I. and Ft. Meyers Work Camp)

Findings:

During the 2018 calendar year Charlotte CI had a total of 23 documented PREA allegations. Of the 23 allegations, the following actions were taken by the Office of the Inspector General; eighteen cases remain open with ongoing investigations; five were not sustained.

In comparison to 2017, Charlotte CI had a slight increase in PREA allegations in 2018. The increase in reports may be due in part to staff awareness. There has been an increase in the availability of data, information, and training of staff on the incidence of sexual abuse, sexual battery, and sexual harassment. Additionally, the inmate orientation process encourages inmates to immediately report any concern or fear of possible sexual abuse, sexual battery or sexual harassment to staff. In 2018 Charlotte CI did make changes to its operation due to PREA reviews. Additional cameras were installed in food service, education classrooms and the library to assist in the detection of sexual abuse and enhance supervision in these areas. An additional corner mirror was installed in the chapel to allow an unobstructed view of a blind corner. There were no motivational factors or physical barriers identified at the institution that contributed to any of the allegations. (2017 – nineteen (19); 2018 – twenty-three (23)).

2018 – 0 Sustained (Substantiated)

5 Unsustained (Unsubstantiated)

0 Unfounded

Corrective Action Plan:

Charlotte Correctional Institution and Ft. Myers work camp would request that additional staffing and video monitoring surveillance be considered as both of these resources would greatly assist in eliminating sexual victimization among incarcerated individuals.

In addition, the creation of an intervention program to the inmate population to foster a culture that does not accept the status quo of violence in prison.

Program could include;

Removing sexually charged overtones

Addressing behaviors of intimidation, pressure or bullying that can lead to sexual coercion

Understanding and respecting other's boundaries and limits

Overcoming deviant preferences and behavior

Shaming the behavior, not the victim

PREA contagion/copycat reporting

Comments:

Summary of Investigative Findings provided via OAS.

The Incident Review Team has not met within the past year due to lack of completed PREA investigations that were not unfounded. When addressed during interviews, participants knew those items to be reviewed (115.86 (d)).

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response SSV-2 2017</p> <p>2018 Facility Corrective Action Plan/PREA (Charlotte C.I. and Ft. Meyers Work Camp)</p> <p>Interview with Assistant Warden for Programs</p> <p>Interview with Classification Supervisor</p> <p>Interview with Classification Officer/PREA Auxiliary</p> <p>Website – Annual Report</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (7) DATA COLLECTION AND ANALYSIS:</p> <p>The PREA Coordinator will be responsible for the compilation and reporting of data related to PREA incidents as defined herein, including the data necessary to complete the PREA survey administered by the Federal Bureau of Justice Statistics using a “Survey of Sexual Victimization-Incident Form,” SSV-IA and “Survey of Sexual Victimization-State Prison Systems Summary Form,” SSV-2. The data will also be utilized to Procedure 602.053 15 improve the effectiveness of the Department’s efforts toward sexual abuse prevention, detection, and response policies, practices and training, including identifying problem areas, taking corrective action, and the preparation of an annual report that includes a comparison of the current year’s data and corrective actions with those from prior year. Each Compliance Manager will be responsible for compiling institution specific PREA data and preparing an annual corrective action plan for her/his institution.</p> <p>Comments:</p> <p>The SSV-2 2016 form was attached to the OAS but had no data entry. SSV-2 2017 was attached, having data for the entire state.</p> <p>PREA information from the facility is reported monthly. ‘Central Office’ then compiles the data to complete the annual report.</p>

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed:</p> <p>2016 Corrective Action Plan for PREA Audit</p> <p>2018 Facility Corrective Action Plan/PREA (Charlotte C.I. and Ft. Meyers Work Camp</p> <p>Interview with Warden</p> <p>Interview with Assistant Warden for Programs</p> <p>Interview with Classification Supervisor</p> <p>Review of Annual Report</p> <p>Website: http://www.dc.state.fl.us/</p> <p>2018 Facility Corrective Action Plan/PREA (Charlotte C.I. and Ft. Meyers Work Camp)</p> <p>See response noted in 115.86.</p> <p>Comments:</p> <p>As noted, the department completes their own Corrective Action Plan for each facility. See 115.86 for more details. In addition, a statewide Annual Report is noted in their website.</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Materials Reviewed: Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response Interview with Warden Interview with Assistant Warden for Programs Review of Corrective Action Plans Website</p> <p>Procedure # 602.053; Title: Prison Rape: Prevention, Detection, and Response (11) CASE RECORDS: Case or investigation records, including but not limited to, any criminal investigation, administrative investigation, medical evaluations and treatments, recommendations of post-release treatment, and counseling associated with allegations of sexual abuse or sexual battery shall be retained by the agency for ten years after the date of the initial collection or for the incarceration period of the victim or employment of the suspect or subject, plus five years, whichever is longer. Compliance Managers are responsible for uploading all related documents to the facility's electronic retention file once a PREA case is completed.</p> <p>(7) DATA COLLECTION AND ANALYSIS: The PREA Coordinator will be responsible for the compilation and reporting of data related to PREA incidents as defined herein, including the data necessary to complete the PREA survey administered by the Federal Bureau of Justice Statistics using a "Survey of Sexual Victimization-Incident Form," SSV-2. The data will also be utilized to Procedure 602.053 15 improve the effectiveness of the Department's efforts toward sexual abuse prevention, detection, and response policies, practices and training, including identifying problem areas, taking corrective action, and the preparation of an annual report that includes a comparison of the current year's data and corrective actions with those from prior year. Each Compliance Manager will be responsible for compiling institution specific PREA data and preparing an annual corrective action plan for her/his institution.</p> <p>Comments: Those interested can find the annual report on the Department's website. Personal identifiers are redacted from the report. Per policy, data retained for a minimum period of ten (10) years.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor was able to view all areas of the facility. Interviews for all staff, contractors, volunteers and inmates were conduct in private. Any questions and requests by the auditor was immediately addressed by staff.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	PREA Audits are available on the Department website. The Florida Department of Corrections posts it annual report on it's website and is available for review.

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 adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes

	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

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

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

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

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

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes

115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes

115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes

115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na

115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes

115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	na

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.)	na
	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.)	na

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes

115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes

115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes

115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes

115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes

115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes

115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes

115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes

115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes

115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes

115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes

115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes

115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes

115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na

115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes

115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes

115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes

115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes

115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes

115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes

115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes

115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes

115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes

115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes

115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	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.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes

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?	yes

115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes

115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

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

115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes

115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes

115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes

115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes

115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes

115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes

115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes

115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes

115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes

115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes

115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes

115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	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.)	yes

115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes

115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes

115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes

115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes

115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

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

115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes

115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes

115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes

115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes

115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes

115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes

115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes

115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes

115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes

115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	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).	yes

115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes

115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes

115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes

115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes

115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na

115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na

115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes

115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	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.)	na

115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes

115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes

115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes

115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes

115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes

115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes

115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

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

115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes

115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes

115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes

115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes