

PREA Facility Audit Report: Interim

Name of Facility: Eastern Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: 09/08/2023

Date Final Report Submitted: NA

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input 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 type="checkbox"/>
Auditor Full Name as Signed: Karen d. Murray	Date of Signature: 09/08/ 2023

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	
End Date of On-Site Audit:	

FACILITY INFORMATION	
Facility name:	Eastern Correctional Institution
Facility physical address:	2821 NC-903, Maury, North Carolina - 28554
Facility mailing address:	p.o. box 215, maury, North Carolina - 28554

Primary Contact	
Name:	robert civils
Email Address:	robert.civils@dac.nc.gov
Telephone Number:	252-653-5950

Warden/Jail Administrator/Sheriff/Director	
Name:	Robert Civils
Email Address:	robert.civils@dac.nc.gov
Telephone Number:	252-653-5950

Facility PREA Compliance Manager	
Name:	Robert Civils
Email Address:	robert.civils@ncdps.gov
Telephone Number:	O: 252-653-5950
Name:	Fitzroy Jerkins
Email Address:	fitzroy.jerkins@dac.nc.gov
Telephone Number:	O: 252-747-8101

Facility Health Service Administrator On-site	
Name:	cora mattocks
Email Address:	cora.mattocks@dac.nc.gov
Telephone Number:	252-747-8101

Facility Characteristics	
Designed facility capacity:	476
Current population of facility:	454

Average daily population for the past 12 months:	451
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	39
Facility security levels/inmate custody levels:	close/ medium
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	250
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	6
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	52

AGENCY INFORMATION	
Name of agency:	North Carolina Department of Adult Correction
Governing authority or parent agency (if applicable):	
Physical Address:	214 West Jones Street , Raleigh , North Carolina - 27603
Mailing Address:	
Telephone number:	9198252739

Agency Chief Executive Officer Information:	
Name:	
Email Address:	

Telephone Number:	
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Agency-Wide PREA Coordinator Information			
Name:	Charlotte Jordan-Williams	Email Address:	charlotte.williams@dac.nc.gov

Facility AUDIT FINDINGS	
Summary of Audit Findings	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
2	<ul style="list-style-type: none">• 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator• 115.83 - Ongoing medical and mental health care for sexual abuse victims and abusers
Number of standards met:	
39	
Number of standards not met:	
4	<ul style="list-style-type: none">• 115.31 - Employee training• 115.33 - Inmate education• 115.35 - Specialized training: Medical and mental health care

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| | <ul style="list-style-type: none">• 115.53 - Inmate access to outside confidential support services |
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Standards
Auditor Overall Determination Definitions
<ul style="list-style-type: none"> 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
<p>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.</p>

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> Eastern Correctional Institution PAQ NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 NC Department of Adult Correction Organization Chart, dated 1.23.2023 Designation of PREA Compliance Manager(s), dated 1.31.2023 <p>Interviews:</p> <ol style="list-style-type: none"> Random Offenders Targeted Offenders

3. Correctional Officers

4. Administrative staff

5. Assistant Warden / PREA Compliance Manager

Through interviews with offenders and staff and review of offender and personnel files, it is evident that this facility interweaves PREA in their daily protocols. Both offenders and staff could speak to facility PREA practices and protocols being used as is described in the agency's Offender Sexual Abuse and Sexual Harassment Policy. Offender's also offered unsolicited comments regarding the facility and facility personnel, stating the following.

- Good about going over rules with me – can contact my Case Manager anytime.
- Strict about PREA – putting something new about it up every day.
- Good prison – staff pretty cool here about everything.
- Assistant Warden very down to earth.
- No problems with PREA on this camp.
- They are most definitely up on PREA here.
- One thing I can say is they make it a point of talking to us if we are feeling unsafe.

Site Observation:

During the tour of the facility, the Auditor witnessed standardized bulletin boards, throughout the facility, in multiple locations, consisting of Audit Notices on green and pink laminated paper, Sexual Abuse Awareness for the Inmate, Break the Silence, NC Casa, laminated flyers and brochures. Bulletin boards are bright, decorated and current. Staff had a sense of pride, providing offenders with colorful, current and multiple PREA informational flyers and brochures.

The facility has four living and one restricted housing units. Living units are two-tiered and have single dry cells with showers and bathrooms at both sides of the front of each 'Block'. Shower curtains were observed for each shower and toileting areas allowing offenders privacy while dressing, showering and toileting.

During the tour, multiple informal interviews were conducted with offenders and personnel. Offenders stated they were aware of PREA and reporting options. Informal interviews with staff demonstrated each would separate offenders upon receiving information regarding sexual harassment or sexual abuse of an offender, take victims

to the medical department and aggressors to restricted housing, ensuring each does not disturb evidence until appropriate personnel arrives for collection of evidence.

Cameras were reviewed in the Master Control Booth and each appeared to be functioning. The facility has cameras and mirrors throughout hallways, programming areas and living units. The facility has only two holding cells with toileting areas and each are pixelated and surrounded by metal walls ensuring privacy while toileting.

(a) The Eastern Correctional Institution PAQ states the agency Safe Prisons/PREA Plan mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract. The PAQ states, "It is the policy of North Carolina Department of Adult Correction (NCDAC), Division of Prisons (DOP) to provide guidelines for the prevention, detection, response, investigation, prosecution and tracking of offender on offender and staff on offender sexual abuse and sexual harassment (5-ACI-1C-09)."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 5, section .3404, states, "The North Carolina Department of Public Safety is committed to a standard of zero-tolerance of sexual abuse and sexual harassment toward offenders, either by staff, contractors, volunteers, or by offenders (5-ACI-3D-14). Therefore, it is the policy of Prisons to provide a safe, humane and appropriately secure environment, free from the threat of sexual abuse and sexual harassment for all offenders, by maintaining a program of prevention, detection, response, investigation, prosecution and tracking."

(b) The Eastern Correctional Institution PAQ states the agency employs or designates an upper-level, agency-wide PREA Coordinator. The position of the PREA Coordinator in the agency's organizational structure is the PREA Director.

The facility provided a NC Department of Adult Correction Organization Chart. Page 2 of the organization chart demonstrates the PREA Director is in the agency organizational chart and reports directly to the Professional Standards Deputy Secretary.

(c) The Eastern Correctional Institution PAQ states the facility has designated a PREA Compliance manager. The PREA Compliance Manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. The facility Associate Warden of Custody/Operations is the PREA Compliance Manager

	<p>who reports to the facility Warden.</p> <p>The facility provided a Designation of PREA Compliance Manager(s) demonstrating the primary PREA Compliance Manager is the Compliance Manager and the secondary is the Captain who reports to the Facility Warden, Regional Director and the PREA Director.</p> <p>Through such reviews of the facility standardized bulletin boards with laminated documents throughout the facility and the facilities obvious pride in sharing multiple and current informational flyers and brochures with offenders, the facility meets the standard requirements.</p>
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115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. Memorandum of Agreement, Center for Community Transitions, dated 3.3.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Director / Head of Agency <p>During the pre-audit phase, the PREA Director conveyed the agency did have one privatized contract. Such contracts do contain language mandating each private provider comply with PREA standards. In addition, unionized staff are mandated to comply with PREA standards and disciplinary action would swiftly take place should noncompliance exist.</p> <p>(a-b) The Eastern Correctional Institution PAQ states the agency does contract with one private agency for confinement services of their inmates.</p> <p>The facility provided a Memorandum of Agreement between the State of North Carolina and the Center for Community Transitions. Page 10, section PREA, contains</p>

	<p>language demonstrating the facility is required to comply with the Prison Rape Elimination Standards.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC PREA Prevention Planning, Policy DAC-PREA-100, dated 10.11.2021 3. NC Department of Adult Correction § 115.13 Staffing Analysis Eastern Correctional Institution, dated 12.2022 4. NC Department of Adult Correction § 115.13 Staffing Analysis Eastern Correctional Institution, dated 12.2021 5. Eastern Correctional Institution #3400 Daily Activity Log, dated 6.28.2023 6. Post Audit: Shift Narratives Reflecting Cross-Gender Announcements Training in Line Up, dated 8.18.2023, 8.19.2023, 8.20.2023, 8.23.2023, 8.24.2023, 8.25.2023, 8.26.2023, 8.27.2023, <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Lieutenant III 2. Warden III <p>The interview with the Correctional Lieutenant demonstrated she completes rounds throughout each department and living unit of the facility. When completing unannounced rounds, she looks for and addresses any and issues with offenders and staff, in each area. Once unannounced rounds are completed the Correctional Lieutenant informs Master Control who then documents the completed rounds in the Shift Narrative of the Daily Activity Log.</p> <p>During the onsite review and interviews with Correctional Officers demonstrated cross-gender announcements take place at the beginning of the shift and one time</p>

when female personnel enter offender Blocks at the beginning of their shift.

The interview with the Warden III is new to his position and the Staffing Plan Analysis. Review of the staffing plan components were familiar to the Warden III and he understands his responsibilities in tandem with the PREA Analyst/PREA Coordinator and the PREA Office throughout the year and or at least annually.

Site Observation:

During the tour of the facility, Daily Shift Logs were observed in the Master Control Booth demonstrating rounds are completed and documented throughout each week at different times on each shift.

Action Plan:

- Train all staff to make cross-gender announcements each time female staff enter the offender blocks.
- Upload training documentation to the online audit system when complete.

Post audit the facility provided Shift Narratives demonstrated Language Resource Center (LRC) Interpretation Services and gender announcements in the blocks every time a female officer enters for each of the following shifts. Shift 1 A, Shift 2 A, Shift 1 B, and Shift 2 B.

(a) The Eastern Correctional Institution PAQ states the agency requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates is 452. The average daily number of inmates on which the staffing plan was predicated is 452.

The facility provided a NC Department of Adult Correction § 115.13 Staffing Analysis Eastern Correctional Institution. The analysis demonstrates the following plan and review areas:

- NCDAC PREA Report: Staffing Analysis
- General Facility Information

- o Mission
- o Offender Population and Special Vulnerabilities
- o Facility Program and Services
- o Current Staffing Level
- § Facility management
- § Housing
- § Special Populations
- § Programs
- § Medical/Mental Health
- § Judicial Findings of Inadequacy
- § Physical Plant Considerations
- PREA
- o Prevalence of Substantiated and Unsubstantiated Incidents of Sexual Abuse and Harassment
- o Previous Audit Findings
- o Additional Information and/or Recommendations
- Conclusion

The Staffing Analysis is signed by the PREA Director.

(b) The Eastern Correctional Institution PAQ states each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility did not have deviations from the staffing plan. All deviations are noted on the daily shift narratives. Six most common reason for deviating from the staffing plan are approved leave, sick leave, hospital assignments, staff training and special assignments.

(c) The Eastern Correctional Institution PAQ states at least once every year the facility/agency, in collaboration with the PREA coordinator, reviews the staffing plan to whether adjustments are needed in (a) the staffing, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance with the staffing plan. The facility completes a staffing plan annually to ensure continued compliance.

	<p>(d) The Eastern Correctional Institution PAQ states facility requires that intermediate level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.</p> <p>NCDAC PREA Prevention Planning, Policy DAC-PREA-100, page 9, section 5. ii, states, "Prohibit employees from alerting one another that supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility."</p> <p>The facility provided Eastern Correctional Institution #3400 Daily Activity Logs for Shift A and Shift B. The Narrative demonstrates unannounced rounds are completed by Lieutenants, Captains, and the Warden multiple times throughout each shift.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.14	Youthful inmates
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Warden / PREA Compliance Manager 2. Warden III <p>Interviews with the PREA Compliance Manager and the Warden III demonstrated youthful inmates were not housed at this facility.</p> <p>Site Observation:</p> <p>The facility tour, formal and informal interviews with offenders and staff demonstrated youthful inmates were not housed at the facility.</p>

	<p>(a) The Eastern Correctional Institution PAQ states the facility prohibits placing youthful inmates in a housing unit in which a youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. The facility does not house youthful offenders.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, dated 10.11.2021 3. DPS Cross Gender Announcement & Acknowledgment, dated 4.19.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Correctional Officers <p>Interviews with random and targeted offenders demonstrated searches to their bodies are conducted respectfully and each stated they felt to be sexually safe in the facility. Offenders stated female staff do not observe them when they are dressing, toileting and or showering.</p> <p>Interviews with female Correctional Officers demonstrated cross gender searches had been trained and each conducts pat frisk searches. When all Correctional Officers were asked if they would search a transgender for the purpose of learning their gender, each stated no. Interviews with Correctional Officers demonstrated cross-gender announcements are completed over the intercom at the beginning of the shift and the first time female staff enter a Block at the beginning of their shift.</p>

Site Review Observation:

During the tour the intake area was observed, where searches are conducted. The search area is in a private room of the receiving department. The room is not in camera view and offenders are placed behind three separate wooden partitions where individual offenders are strip searched with one Correctional Officer each. Tour of the facility demonstrated cross gender announcements were not consistent upon entry into each Block.

(a) Eastern Correctional Institution PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Inmates. In the past 12 months zero cross-gender strip or cross-gender visual body cavity searches of offenders.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. a., states, "Each ACJJ facility shall limit cross-gender viewing and searches by: a) Not conducting cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners."

(b) Eastern Correctional Institution PAQ states this standard is not applicable as females are not housed at the Eastern Correctional Institution.

(c) Eastern Correctional Institution PAQ states the facility policy requires that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. c., states, "Documenting all cross-gender strip searches and cross-gender visual body cavity searches and documenting all cross-gender pat-down searches of female offenders, residents, and safekeepers."

(d) Eastern Correctional Institution PAQ states the facility has implemented policies and procedures that enable Inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera). Policies

and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. d., states, "Implementing policies and procedures that enable offenders, residents, and safekeepers to shower, perform bodily functions, and change clothing without nonmedical employees of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require employees of the opposite gender to announce their presence when entering an offender, resident, and safekeeper housing unit."

(e) The Eastern Correctional Institution PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex Inmate for the sole purpose of determining the Inmate's genital status. Such searches did not occur in the past 12 months.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9-10, section B. e., states, "Prohibiting searching or physically examining transgender or intersex offenders, residents, and safekeepers for the sole purpose of determining their genital status. If the offender, resident, or safekeeper's genital status is unknown, it may be determined during conversations with them, 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."

(f) The Eastern Correctional Institution PAQ states 100% of security staff at each facility receive training on conducting cross-gender pat-down searches and searches of transgender and intersex Inmates in a professional and respectful manner.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 10, section B. f., states, "Training applicable employees in how to conduct cross-gender pat-down searches, and searches of transgender and intersex offenders, residents, or safekeepers, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs."

The facility provided a DPS Cross Gender Announcement & Acknowledgment. Personnel affirm their training through signature of the following training.

The limits to cross gender viewing and searches by facilities include the following:

	<p>1. Shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.</p> <p>2. Shall not permit cross-gender pat-down searches of female persons in confinements, absent exigent circumstances. Facilities shall not restrict female persons in confinements' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.</p> <p>3. Shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female persons in confinements.</p> <p>4. Shall implement policies and procedures that enable persons in confinements 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. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering a housing unit.</p> <p>5. Shall not search or physically examine a transgender or intersex persons in confinement or under supervision for the sole purpose of determining the person's genital status. If the person's genital status is unknown, it may be determined during conversations with the person's, 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.</p> <p>6. Shall conduct cross-gender pat-down searches, and searches of transgender and intersex persons in confinements, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.</p> <p>I acknowledge that I have been oriented and understand the limitations to cross gender viewing and searches under the standards for Prison Rape Elimination Act of 2003, and Division policy.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, dated 10.11.2021
3. Language Resource Center Contact Instruction Sheet, not dated

Interviews:

1. Targeted Offenders
2. Correctional Officers
3. Correctional Case Manager

Interviews with one handicapped, one cognitive, one hard of hearing, one LEP offender demonstrated most understood the PREA education they had received, understood the many internal and external reporting options available to offenders. The cognitive offender had a very hard time focusing on the conversation at hand and perseverated on being transferred to another facility and could not answer most questions asked of him.

The interviews with Correctional Officers demonstrated a large percentage were unaware offenders could not be used for interpreters and the agency language line procedures.

The interview with the Correctional Case Manager demonstrated she reads PREA information to each offender to include the agency zero tolerance policy, their rights not to be sexually harassed or sexually abused and how to report to a trusted staff member or through the external hotline.

Site Review Observation:

Standardized bulletin boards were witnessed throughout the facility. Each standardized bulletin board consisted of laminated postings included Audit Notices in Green and Pink paper, PREA – Sexual Abuse Awareness for the Inmate, Break the Silence, and NC Casa Advocate flyers and brochures.

Recommendation:

Train correctional staff on interpreter and language line services. Facility response demonstrated personnel on each of the four shifts were trained on language line

services during line up.

(a) The Eastern Correctional Institution PAQ states the agency has established procedures to provide disabled inmates equal opportunities to be provided with and learn about the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 10, section 9. a-e, states, "Each ACJJ facility shall take appropriate steps to ensure that offenders, residents, and safekeepers with disabilities (including, for example, offenders, residents, and safekeepers who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) and offenders, residents, and safekeepers who are Limited English Proficient, have an equal opportunity to participate in or benefit from all aspects of DPS's efforts to prevent, detect, and respond to sexual abuse and sexual harassment by:

- a. Ensuring effective communication with offenders, residents, and safekeepers who are deaf or hard of hearing, by providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary;
- b. Ensuring that written materials are provided in formats or through methods that ensure effective communication with offenders, residents, and safekeepers with disabilities;
- c. Providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary; and
- d. Not relying on offender, resident or safekeeper interpreters, readers, or other types of assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender, resident, or safekeeper's safety, the performance of first-response duties under PREA standards §115.64, 115.264, and 115.364 or the investigation of the offender, resident, or safekeeper's allegations.
- e. ACJJ facilities are not required to take actions they can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under Title II of the Americans with Disabilities Act, 28 CFR 35.164."

The facility provided a Language Resource Center Contact Instruction Sheet. The instruction sheet demonstrates the facility has an active contract with a language service and provides contact instructions for medical staff, Dental staff, Mental Health

	<p>staff, Programs Staff and ADA and Custody staff.</p> <p>(b) The Eastern Correctional Institution PAQ states the agency has established procedures to provide Inmates with limited English 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.</p> <p>(c) The Eastern Correctional Institution PAQ states the agency prohibits the use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations. In the last 12 months the facility has had zero instances where inmates were used for interpreters. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, dated 10.11.2021 3. NCDPS Criminal History Check Form, dated 9.2013 4. NCDPS Applicant Verification Form, dated 12.2020 5. NCDPS Employment Statements Form, dated 12.2020 6. NCDPS Professional Reference Check, dated 12.2020 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Administrative Specialist II <p>The interview with the Administrative Specialist II demonstrated the agency</p>

completes background checks for Correctional Officers and contractors and the facility completes background checks for all other candidates, once selected, initially and again every five years, thereafter. Administrative adjudication questions are completed during the interview process and again during the promotion process. The Administrative Specialist stated the agency decides if applicant past substantiated sexual harassment incidents is considered for employment.

Site Review Observation:

By utilizing the PREA Audit Adult Prison & Jail Documentation Review Employee File/ Records template, 14 employee files reviewed demonstrated each had background checks upon hire and within five years, thereafter. The facility was able to demonstrate administrative questions were asked during the application and promotion processes and institutional reference checks were completed, requested or attempted during the hiring process.

(a) The Eastern Correctional Institution PAQ states the agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who: (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 2., states,

1. "DPS shall not hire or promote anyone who may have contact with offenders, residents, or safekeepers, and shall not enlist the services of any contractor who may have contact with offenders, residents, or safekeepers, who:

i. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);

ii. 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;

iii. Has a substantiated finding of abuse, neglect, or other rights infringement on any applicable NC registry, criminal justice standards commission, or other licensing authorities or bodies; or iv. Has been civilly or administratively adjudicated to have

engaged in the activities described in this section.

2. In the event an employee is alleged to have engaged in any of the activities described in Sections IV.C.1.i-iv, they will be reassigned from all offender, resident, and safekeeper contact and management will consult with the DPS PREA Office, DPS Central Human Resources, and the DPS Office of the General Counsel to determine whether an internal investigation is required in accordance with the DPS-SI-100 OSI Authority to Conduct Investigations policy.”

The facility provided an NCDPS Employee Statement, demonstrating applicants have affirmed they have not engaged in sexual harassment and sexual abuse, upon hire.

The facility provided NCDPS Applicant Verification where applicants affirm agreement with PREA hiring and Promotion Prohibitions in relation to 115.17.

The facility provided a NCDPS Criminal History Record Check demonstrating the applicant has no convictions, traffic violations other than those that are considered minor.

The facility provided a NC Department of Public Safety Professional Reference Check demonstrating the agency has a system for conducting institutional reference checks.

(b) The Eastern Correctional Institution PAQ states agency policy requires the consideration of any incidents of sexual harassment when determining to hire and or promote anyone, or to enlist services of any contractor, who may have contact with inmates.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 3., states, “DPS shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or custodial agents, who may have contact with offenders, residents, or safekeepers.”

(c) The Eastern Correctional Institution PAQ states agency policy requires that before it hires any new employees who may have contact with inmates, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes 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. In the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks was 56.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 4., states, "Before hiring new employees who may have contact with offenders, residents, or safekeepers DPS shall:

a. Perform a criminal and administrative background records check, to include any applicable North Carolina registry, criminal justice standards commission, or other licensing authorities or bodies; and

b. Consistent with Federal, State, and local law, make its best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse."

(d) The Eastern Correctional Institution PAQ states the agency policy requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past 12 months there were 20 contracts for services where criminal background record checks were conducted on all contractors covered in the contract who might have contact with inmates. Policy compliance can be found in provision (c) of this standard.

(e) The Eastern Correctional Institution PAQ states the agency requires background checks to be completed every five years.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 6, section C. 5-6, state,

1. "DPS shall perform a criminal background record check before enlisting the services of any contractor who may have contact with offenders, residents, or safekeepers.

2. For current employees and contractors who may have contact with offenders, residents, or safekeepers, DPS shall conduct criminal background records checks at least once every five years."

(f) NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, page 6, section C. 7, states, "For all applicants and employees who may have contact with offenders, residents, or safekeepers, DPS shall ask about previous misconduct

	<p>described in this section in written applications, in interviews for hiring or promotions, and in any interviews or written self- evaluations conducted as part of reviews of current employees.”</p> <p>(g) The Eastern Correctional Institution PAQ states that agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.</p> <p>NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, page 6, section C. 8, states, “All employees shall have a continuing affirmative duty to disclose sexual misconduct. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.”</p> <p>(h) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 6, section C. 9, states, “Unless prohibited by law, upon receiving a request from an institutional employer for whom an employee or former employee has applied to work, DPS shall provide information on substantiated allegations of sexual abuse or sexual harassment involving the employee or former employee.”</p> <p>The facility provided a NCDPS Professional Reference Check. Page 2 states and asks the past employer the following: “The NC Department of Public Safety (NCDPS) is required to conduct background checks on all applicants and employees who may have direct contact with offender or resident (juvenile) populations as a requirement by the standards of the Prison Rape Elimination Act (PREA) of 2003 (Public Law 108-79), specifically Hiring and Promotion Prohibitions Standards (§115.17). As part of this background check, we would like to ask you the following question: Are you aware of your employee, being involved in any allegation of sexual abuse or sexual harassment that was found to be true or resigning during a pending investigation of any allegation of sexual abuse or sexual harassment before the investigation was finished?”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III <p>Interviews with the Warden demonstrated the facility has not acquired a new facility or made substantial expansions since the last PREA Audit.</p> <p>(a) The Eastern Correctional Institution PAQ states the facility has not acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit.</p> <p>(b) The Eastern Correctional Institution PAQ states the facility has not installed electronic surveillance system since the last PREA audit.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.21	Evidence protocol and forensic medical examinations
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Health Services Policy & Procedure Manual, Policy AD III-1, dated 1.2016 4. NCDAC Memorandum of Understanding, REAL Crisis Intervention Inc., dated 5.19.2023 5. PREA Support Person Role and Responsibilities Document, not dated 6. NCDAC Memorandum, RE: PREA Investigations and Compliance, dated 8.21.2023

Interviews:

1. Correctional Health Assistant II

The interview with the Correctional Health Assistant demonstrated she is aware of signs and symptoms of sexual abuse and would immediately report allegations to the PREA Sergeant or her immediate supervisor, provide immediate assistance as she knows there is limitations on oral evidence.

(a) The Eastern Correctional Institution PAQ states the facility is responsible for conducting administrative sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct).

If another agency has responsibility for conducting either administrative or criminal sexual abuse investigations, the name of the agency that has responsibility is the Green County Sheriff's Department. The PAQ states, "A secondary outside agency that might conduct the investigation would be the NC State Bureau of Investigation. Local law enforcement is contacted first."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section A. i., states, "Investigations into allegations of sexual abuse and sexual harassment, shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports."

(b) The Eastern Correctional Institution PAQ states the protocol is not developmentally appropriate for youth as the facility does not provide services for youth.

(c) The Eastern Correctional Institution PAQ states the facility offers all inmates who experience sexual abuse access to forensic medical examinations. Forensic examinations are offered at no cost to the victim. Where possible, all examinations are conducted by SAFE or SANE examiners. There have been one forensic medical exam performed by a SAFE/SANE in the last 12 months.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22-23, section 4. a-b., states,

a. "If an alleged act of sexual abuse has occurred and there may be forensic medical evidence, the offender may need medical assistance, or other circumstances

dictate, arrangements shall be promptly made to have the alleged offender-victim examined by medical services.

b. Medical Services will follow medical protocol, which includes provisions for examination, documentation and transport to the local emergency department when appropriate, where the following will occur: collection of forensic evidence, testing for sexually transmitted diseases, counseling, and prophylactic treatment. Medical Services will ensure that the offender receives medical follow-up and is offered a referral for mental health services.”

NCDPS Health Services Policy & Procedure Manual, Policy AD III-1, page 4, section 3, states, “If emergency evaluation and/or treatment is provided, and the condition is determined to be an emergency or there is an admission to an infirmary or hospital there will be no co-payment charged.”

(d) The Eastern Correctional Institution PAQ states the facility attempts to make a victim advocate from a rape crisis center available to the victim, in person or by other means. All efforts are documented. If a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff or community member.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section 5. a., states, “Victim Support shall be offered by a PREA Support Person (PSP). The PSP shall: (A) Be made available to provide victim advocate services.”

The facility provided a NCDAC Memorandum of Understanding, REAL Crisis Intervention Inc. The memorandum is current and in full force for one year from the date of the signature. The memorandum is signed and dated by the Superintendent of Eastern Correctional Institution and the Executive Director of REAL Crisis Intervention Inc. on 5.19.2023.

(e) The Eastern Correctional Institution PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22-23, section 5, states, “Victim Support shall be

	<p>offered by a PREA Support Person (PSP). The PSP shall:</p> <ul style="list-style-type: none"> a. Be made available to provide victim advocate services. b. Offender victim of alleged sexual abuse by an employee, contractor, or volunteer, the PSP shall consult with the Warden on a weekly basis for three weeks following the report of sexual abuse to update the victim on the progress of the investigation, answer any questions of the offender victim and provide support. c. As requested by the victim, the PREA support person, of the same gender, shall accompany and support the victim through the forensic medical examination process." <p>The facility provided a NCDAC Memorandum, RE: PREA Investigations and Compliance, addressed to Local Law Enforcement Agencies and Sheriffs, stating, "In accordance with DAC policies, all administrative investigations conducted by the DAC investigators concerning allegations of sexual abuse and sexual harassment, will comply with the national PREA Standards. It is the desire of DAC that all assisting law enforcement entities also adhere to the below listed requirements of PREA Standard 115.21, 115.221, as applicable." The memorandum is signed on 8.21.23.</p> <p>(f, g, h) The Eastern Correctional Institution PAQ states the agency is not responsible for investigating administrative or criminal allegations of sexual abuse and relies on another agency to conduct these investigations, the agency has requested that the responsible agency follow the requirements of paragraphs §115.21 (a) through (e) of the standards.</p> <p>The facility provided a PREA Support Person Role and Responsibilities document. Page 1, section Role, states, "The PREA Support Person is a system-based advocate. Their role will be to link services and support to inmates who report sexual abuse and harassment by an offender, juvenile or DPS staff, contractor and/ or volunteer. The PSP will connect the alleged victim to the investigative process and professional resources offered by community-based advocates and/ or mental health professionals found in a confinement setting."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. North Carolina Department of Adult Education PREA Incident Detail Report

Interviews:

1. Correctional Officers
2. Nurse Supervisor
3. Contract Staff Psychologist

Staff interviews demonstrated each understands it is their duty to report any knowledge, suspicion or information they may have regarding sexual harassment, sexual abuse and or retaliation to their sergeant, immediate supervisor or through the chain of command.

Site Review Observation:

The facility has received 37 total sexual abuse allegations in the past 12 months. Ten investigations reviewed demonstrated referrals for allegations are completed within one to seven days upon receipt of the allegation.

(a) The Eastern Correctional Institution PAQ states the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse and staff sexual misconduct). In the past 12 months the facility has had 43 allegations of sexual abuse and sexual harassment that were received. In the past 12 months, the number of allegations resulting in an administrative investigation was 43. In the past 12 months, the number of allegations referred for criminal investigation was eight. The PAQ states, "3 investigations are not complete; 2 are under consultation at the region level and 1 is pending facility head review."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33-34, section K, states, "CONFIDENTIALITY: The Facility Investigator and all others involved in the PREA process, to the extent possible, will ensure the confidentiality of PREA complaints as well as all data

collected through the investigation of those complaints except as required in the following circumstances: (1) to cooperate with law enforcement in any investigation and prosecution of the incidents alleged in such complaints; (2) to take and enforce disciplinary action against any staff member as a result of the incidents alleged in the complaints; (3) to defend against claims brought by the offender for violation of the offender's rights for having been subjected to sexual abuse; and (4) to otherwise comply with the law."

The facility provided a North Carolina Department of Adult Education PREA Incident Detail Report. The report provides information on all PREA reported allegations for the past 12 months.

(b-c) The Eastern Correctional Institution PAQ states the agency has policy that requires allegations of sexual abuse or harassment to be referred for investigation to an agency with the legal authority to conduct criminal investigations.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section C. ii., states, "All substantiated reports of staff on offender sexual abuse or sexual harassment shall be reported in writing to the Region Director who will in turn forward the report to the Commissioner of Prisons. The written report shall include evidence to support the substantiation. The Commissioner of Prisons will forward all substantiated incidents of sexual abuse of an offender by staff to the Secretary of the Department of Public Safety, or designee, for referral to the State Bureau of Investigation (SBI) or other law enforcement agency for further investigation."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section B. 1., states, "Reported allegations, including persons involved and preliminary steps taken, shall be documented in OPUS on the PR (PREA) Incident Report within 72 hours of receiving the report. All PREA investigations shall be consulted (referred) to the Region level for final decision."

(d) The Eastern Correctional Institution PAQ states if the agency is responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another state entity has that responsibility, this other entity has a policy governing how such investigations are conducted is applicable.

The agency policy is available on the agency website at: <https://files.nc.gov/ncdps/>

	documents/files/Divisions/DAC/Prisons/F.340 0_-_Offender_Sexual_Abuse_and_Sexual_Harrassment.pdf Through such reviews, the facility meets the standard requirements.
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115.31	Employee training
	Auditor Overall Determination: Does Not Meet Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS DAC Office of Staff Development and Training 101 Curriculum, dated 7.1.2022 4. PREA Staff Training Acknowledgment of Understanding, dated 1.1.2023 5. ACTION PLAN REQUIRED <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Compliance Specialist 2. Assistant Warden / PREA Compliance Manager <p>Formal and informal interviews with staff demonstrated each were aware of and received initial, annual and refresher PREA training. Facility staff stated training is delivered to them once a year through in-service training attendance, through the learning management system and during line-ups throughout the year.</p> <p>Site Observation:</p> <p>Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Employee File / Records Review template, 14 of 20 employee training files demonstrate personnel have not consistently completed PREA annual and or refresher training in the past two years.</p>

Action Plan:

- All facility staff must run individual training reports to ascertain which facility staff need to complete PREA annual and refresher training, record those names on a spreadsheet.
- Applicable facility staff to complete annual and refresher training and record completed training dates on the spreadsheet.
- Once all training has been completed, upload the spreadsheet to the supplemental files with the facility training report demonstrating the required training has been documented in the learning management system.
- The facility Warden to write a sustainable memorandum stating which facility staff will monitor ongoing staff annual and refresher training to ensure training is completed timely and how this system will be sustained by the facility.

(a) The Eastern Correctional Institution PAQ states the agency trains all employees who may have contact with Inmates in all required provisions of this standard.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 10, section 3., states, "Understanding the Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) Population New and current employees shall receive training specific to the care and custody of LGBTI offenders as follows:

- a. Sexual Abuse and Harassment 101/201 in accordance with Chapter F .3400 policy (Annually).
- b. PREA Understanding the LGBTI Offender
- c. Multicultural Awareness training
- d. Professional Ethics in the Workplace
- e. Safe Search Practices (certified staff)
- f. Annual Refresher: All staff shall receive refresher training in accordance with policy."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 6, section (a) (1) (A-L), states, "New Employees: shall receive the Sexual Abuse and Harassment 101 training that addresses the following:

- A. The agencies standard of zero-tolerance of sexual abuse and sexual harassment toward offenders, either by staff, contractors, volunteers, or by offenders.

- B. Employees' responsibilities when responding to sexual abuse and harassment;
- C. Offenders' right to be free from sexual abuse and sexual harassment;
- D. Offenders' and employees' right to be free from retaliation for reporting sexual abuse and harassment;
- E. The dynamics of sexual abuse and sexual harassment in confinement;
- F. Common reactions of sexual abuse and sexual harassment victims;
- G. Detect and respond to signs of threatened and actual sexual abuse;
- H. How to avoid inappropriate relationships with offenders;
- I. How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders;
- J. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
- K. Relevant laws regarding age of consent; and
- L. Unique attributes of working with males and/or females in confinement/supervision."

The facility provided a NCDPS DAC Office of Staff Development and Training Curriculum 101. The curriculum includes the following components:

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the agency's zero-tolerance policy of sexual abuse and sexual harassment for offenders/persons under supervisions.
2. Define sexual abuse and sexual harassment.
3. Define offenders'/persons under supervisions' right to be free from sexual abuse and sexual harassment; and from retaliation for reporting.
4. Identify relevant laws.
5. Define employee responsibilities when responding to sexual abuse and sexual harassment.
6. Define the unique attributes of working with females in confinement/under supervision.
7. Define the unique attributes of working with males in confinement/under supervision.
8. Define the vulnerabilities of persons in confinement/under supervision.

9. Identify the dynamics of sexual abuse and sexual harassment in confinement/under supervision.
 10. Identify how to detect signs of threatened and actual sexual abuse in confinement/under supervision.
 11. Identify the common reactions to sexual abuse and sexual harassment.
 12. Identify methods of avoiding inappropriate relationships with offenders/persons under supervisions. DPS In-Service Training PREA: Sexual Abuse and Sexual Harassment 101 Course Code: DPS-556 Revision Date: 07/01/2022 Academic Checklist Page 2
 13. Identify techniques for communicating effectively and professionally with offenders/persons under supervisions including lesbian, gay, bisexual, transgender, intersex (LGBTI) and gender nonconforming populations.
- (b) The Eastern Correctional Institution PAQ states training is tailored to the unique needs and attributes and gender of Inmates at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training.
- (c) The Eastern Correctional Institution PAQ states between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. The facility completes PREA 101 trainings annually. The PAQ states, "Mini-trainings conducted in lineups; posters placed around the facility to remind staff about the SAH policy."
- NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 7, section (2), states, "All staff shall receive SAH 101 refresher training every two years and receive SAH 201 refresher information during the alternate years on offender sexual abuse and sexual harassment issues emphasizing the zero-tolerance and duty to report, as well as covering current sexual abuse and sexual harassment policies and procedures."
- The facility provided a NCDPS DAC Office of Staff Development and Training 201 Curriculum. The curriculum includes the following components.
1. Identify the Prison Rape Elimination Act (PREA) and prevention strategies.
 2. Define sexual abuse and sexual harassment of persons in confinement.
 3. Define relevant North Carolina General Statutes.

	<p>4. Identify the NCDPS policies on sexual abuse and sexual harassment.</p> <p>5. Identify ways to report sexual abuse and sexual harassment.</p> <p>6. Define first responder duties.</p> <p>7. Identify disciplinary sanctions.</p> <p>(d) The Eastern Correctional Institution PAQ states the agency documents that employees who may have contact with Inmates, understand the training they have received through employee signature or electronic verification.</p> <p>The facility provided a PREA Staff Training Acknowledgment of Understanding form. This form documents, "I acknowledge understanding of the Prison Rape Elimination Act of 2003, NC General Statute Chapter 14-27.31, and NCDPS zero-tolerance policy for sexual abuse and sexual harassment. I also acknowledge that I must report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment immediately."</p> <p>Through such reviews, the facility does not meet the standard requirements.</p>
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115.32	Volunteer and contractor training
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Prison Rape Elimination Act (PREA) of 2003 Acknowledgment Form, dated 6.19.2017 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Contract Staff Psychologist <p>Interviews with one mental health contractor demonstrated he had completed a four-</p>

hour training block on the facility sexual abuse policy, undue familiarity and how to report any type of information he may hear or receive regarding allegations of sexual harassment and sexual abuse and would immediately report to the any staff.

Site Observation:

Volunteer training records were provided during the onsite review demonstrating the contractor had received NCDPS DAC Office of Staff Development and Training 101 Curriculum in the year 2023.

(a) The Eastern Correctional Institution PAQ states all volunteers and contractors who have contact with Inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and harassment prevention, detection, and response. 52 total contract staff and volunteers who have contact with Inmates, have completed the required training.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 7, section (b)(1)(A), states, "Volunteers (with the exception of One-Time volunteers who have no direct contact with offenders), custodial agents, contractors and other persons providing services to offenders:

(i) Shall receive the Sexual Abuse and Harassment 101 training as part of initial orientation which addresses:

- The agencies standard of zero-tolerance of sexual abuse and sexual harassment toward offenders, either by staff, contractors, volunteers, or by offenders; and
- Applicable methods to report incidents of sexual abuse and sexual harassment.

(ii) The application process will not be complete until the volunteer verifies understanding of training by signing the PREA Acknowledgement Form and returning the form to the facility."

(b) The Eastern Correctional Institution PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates.

All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

The facility provided a NCDPS DAC Office of Staff Development and Training Plan 101. The plan includes the following components:

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the agency's zero-tolerance policy of sexual abuse and sexual harassment for offenders/persons under supervisions.
2. Define sexual abuse and sexual harassment.
3. Define offenders'/persons under supervisions' right to be free from sexual abuse and sexual harassment; and from retaliation for reporting.
4. Identify relevant laws.
5. Define employee responsibilities when responding to sexual abuse and sexual harassment.
6. Define the unique attributes of working with females in confinement/under supervision.
7. Define the unique attributes of working with males in confinement/under supervision.
8. Define the vulnerabilities of persons in confinement/under supervision.
9. Identify the dynamics of sexual abuse and sexual harassment in confinement/under supervision.
10. Identify how to detect signs of threatened and actual sexual abuse in confinement/under supervision.
11. Identify the common reactions to sexual abuse and sexual harassment.
12. Identify methods of avoiding inappropriate relationships with offenders/persons under supervisions. DPS In-Service Training PREA: Sexual Abuse and Sexual Harassment 101 Course Code: DPS-556 Revision Date: 07/01/2022 Academic Checklist Page 2
13. Identify techniques for communicating effectively and professionally with offenders/persons under supervisions including lesbian, gay, bisexual, transgender, intersex (LGBTI) and gender nonconforming populations.

(c) The Eastern Correctional Institution PAQ states the agency maintains documentation confirming that the volunteers and contractors understand the training they have received.

The facility provided a Prison Rape Elimination Act (PREA) of 2003 Acknowledgment Form. This form documents, "I acknowledge understanding of the Prison Rape

	<p>Elimination Act of 2003, NC General Statute Chapter 14-27.31, and NCDPS zero-tolerance policy for sexual abuse and sexual harassment. I also acknowledge that I must report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment immediately.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.33 Inmate education	
	Auditor Overall Determination: Does Not Meet Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Facilitator Talking Points: Sexual Abuse & Sexual Harassment Intake and Orientation Upon Transfer for People in Confinement, dated 1.1.2023 4. NCDPS Sexual Abuse Awareness for the Inmate Brochure English & Spanish, dated 12.21.2015 5. NCDPS Offender PREA Education Acknowledgement, dated 6.19.2017 6. ACTION PLAN REQUIRED <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Correctional Case Manager <p>Interviews with offenders demonstrated 6 of 26 offenders stated they received PREA education through reading postings found throughout the facility. The remaining offenders stated they were aware each were aware of their rights, the agency zero tolerance policy and multiple internal and external reporting options.</p> <p>The interview with the Correctional Case Manager demonstrated she provides PREA</p>

education to offenders assigned to her, at the time she completes risk assessments, typically within 24 hours of intake. The Correctional Case Manager stated she explains the agency zero tolerance policy, reporting options, and their rights not to be sexually harassed, abused or retaliated against. Upon asking her when the education acknowledgment is signed, the Correctional Case Manager stated it depends on when she sees them as this could have been signed during receiving.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template demonstrated 10 of 15 offenders did not receive PREA education during the intake process or comprehensive education and when education was provided offenders were signing the education acknowledgment intended for personnel. Through offender file review it was observed that offenders assigned to the Pecan Unit had not signed education acknowledgment and were signing acknowledgements based on rules related to the Pecan Unit.

Action Plan:

- The facility to provide offenders training as described in the agency 'Talking Points'. (provided to the intake department during the onsite review.)
- The facility to provide offenders the correct education participation acknowledgment. (completed during the onsite review.)
- The facility to track offender intake and comprehensive education for 60 days' post audit. (October 10, 2023)
- The facility to upload offender names, dates of intake and the offender PREA education acknowledgements, for 60 days' post audit. (October 10, 2023)
- The facility Warden to write a sustainable memorandum stating which facility staff will monitor ongoing offender intake and comprehensive education to ensure the intake and comprehensive education is acknowledged by offenders through documentation on the Offender PREA education acknowledgment.

(a) The Eastern Correctional Institution PAQ states Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The number of inmates admitted in the past 12 months who were given this information at intake was zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 10, section (d) Offender Education, 1-2, state,

1. "RECEPTION: All offenders shall receive, during reception, information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse and sexual harassment, prevention/intervention, self-protection, treatment, and counseling (5-ACI-3D
 2. INTAKE: All offenders shall receive comprehensive education about sexual abuse and sexual harassment. Such education shall be completed within 30 days of intake and upon transfer to a different facility. (A) Comprehensive education shall include: (i) Offenders' rights to be free from sexual abuse and sexual harassment; (ii) Offenders' rights to be free from retaliation for reporting incidents of sexual abuse and sexual harassment; and (iii) Policies and procedures for responding to incidents of sexual abuse and sexual harassment. (iv) Methods available to offenders for reporting incidents of sexual abuse or sexual harassment internally and to an external agency or entity."
- (b) The Eastern Correctional Institution PAQ states the number of those inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake was 496.
- (c) The Eastern Correctional Institution PAQ states of those who were not educated during 30 days of intake, all inmates have been subsequently educated. Agency policy requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous facility.
- NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 10, section (d) Offender Education, 3, states, "TRANSFER: All offenders shall receive education about sexual abuse and sexual harassment upon transfer to a different facility.
- a. Education shall be completed utilizing the Offender Fact Sheet OPA-T101 Facilitator Talking Points.
 - b. Each offender shall receive a copy of the PREA Brochure.
 - c. Each offender will sign the Orientation Form and placed in his/her field jacket.
 - d. Education for offenders shall be offered by a designated employee at the facility."

The facility provided Facilitator Talking Points: Sexual Abuse & Sexual Harassment Intake and Orientation Upon Transfer for People in Confinement. The document includes the following talking points.

1. The rights of people in confinement to be free from sexual abuse and sexual harassment.
2. How you can report an allegation.
3. What you need to know about our response to allegations.
4. Outside Confidential Support Services for victims of sexual abuse and sexual harassment.

(d) The Eastern Correctional Institution PAQ states Inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient, deaf, visually impaired, otherwise disabled or have limited reading skills. Policy compliance can be found in provision (a) of this standard.

(e) The Eastern Correctional Institution PAQ states the facility maintains documentation of inmate participation in PREA education sessions.

The facility provided a NCDPS Offender PREA Education Acknowledgement. The acknowledgement is signed and dated by the offender and a witness attesting to the following. "The North Carolina Department of Public Safety has committed to a standard of zero-tolerance of sexual abuse and sexual harassment of offenders either by staff, offenders, volunteers, contracted agents, or individuals having custody of or responsibility for the safety, security, care, and/or treatment of offenders. Sexual acts between an offender and departmental staff, correctional agents, agency vendors, and volunteers will not be tolerated and these relationships are criminal and may be prosecuted under state and federal statutes. I have received education on the Prison Rape Elimination Act, information on Rape Crisis Center services, and have been afforded an opportunity to ask questions related to the material presented. I understand that I am encouraged to report any threat or occurrence of undue familiarity or offender sexual abuse and harassment to Department of Public Safety staff so that any potential victim may be protected and the abuser can be prosecuted to the fullest extent of the law."

(f) The Eastern Correctional Institution PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.

	<p>The facility provided a Sexual Abuse Awareness for the Inmate brochure in English and Spanish. The brochure provides the following information.</p> <ul style="list-style-type: none"> · Sexual Abuse and Sexual Harassment Definitions · Preventing Sexual Abuse · What to Do If You Are Sexually Abused · Facts About Sexual Abuse · Report Incidents to: · Facts for the Inmate Who Sexually Abuses Another Inmate <p>Through such reviews, the facility does not meet the standard requirements.</p>
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115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS PREA: Sexual Abuse and Sexual Harassment Investigations Curriculum, dated 7.1.2017 4. Transcript Report, Eight Investigators <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Housing Unit Manager / Investigator <p>The interview with the Investigator demonstrated that he had completed investigator training at the Craven College on the NCDPS Investigator curriculum.</p> <p>Site Observation:</p>

The investigator training records were uploaded to the online audit system and reviewed during the pre-audit phase.

(a) The Eastern Correctional Institution PAQ states the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 9, section C. 1., states, "Investigators: Sexual Abuse and Harassment

A. Shall complete appropriate employee training defined in section .3406(a)

B. Shall receive training on conducting sexual abuse and harassment investigations in a confinement setting. Such training shall include:

(i) Techniques for interviewing sexual abuse victims;

(ii) Proper use of Miranda and Garrity Warnings;

(iii) Sexual abuse evidence collection in a confinement setting; and

(iv) Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

C. Completion of training shall be documented on form OSDT-1 and in appropriate agency training tracking system."

The facility provided a NCDPS PREA: Sexual Abuse and Sexual Harassment Investigations Curriculum. The training objectives include the following.

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the National Standards.

2. Identify associated North Carolina sexual offense statutes.

3. Identify NCDPS Divisional Sexual Abuse and Sexual Harassment Policies.

4. Define the importance of a specialized Sexual Abuse (PREA) Investigator.

5. Define sexual abuse and sexual harassment.

	<p>6. Define Investigative Warnings</p> <p>7. Identify common patterns of sexual abuse in confinement settings.</p> <p>8. Define a Victim-Centered Investigative Approach.</p> <p>9. Identify interviewing sexual abuse victims.</p> <p>10. Identify the responsibilities of the Investigator in sexual abuse and sexual harassment incidents.</p> <p>11. Identify the process and responsibilities of the OSI Investigator in a sexual abuse or sexual harassment investigation.</p> <p>12. Define Incident Scene and Evidence Processing in confinement settings.</p> <p>13. Determine validity and standard of proof for administrative action or prosecution referral.</p> <p>(b) The agency states investigator training has been completed on the National Institute for Corrections Specialized Investigator training website, which includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p>(c) The Eastern Correctional Institution PAQ states the agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The facility has eight employees who have completed investigator training.</p> <p>The facility provided eight training transcripts demonstrating each have completed specialized training for investigators.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Does Not Meet Standard
	Auditor Discussion

Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. ACTION PLAN REQUIRED

Interviews:

1. Nurse Supervisor
2. Contract Staff Psychologist

Interviews with medical and mental health staff demonstrated each had completed annual PREA training. The Contract Staff Psychologist could speak to completing specialized medical and mental health training to include the proper protocols of reporting, separating victims from abusive situations, acute and follow up care. The Nurse Supervisor could recall completing annual PREA training through the learning management system annually.

Site Observation:

Mental health staff certifications were uploaded to the online audit system during the pre-audit phase.

Action Item:

- Medical staff to complete specialized PREA Medical/Mental Health Training.
- Facility to upload completed training transcripts when training is completed.
- Nurse practitioner to write a memorandum providing a sustainable action plan providing an action plan stating how the medical department will assure continuance of all newly hired staff will complete required specialized and annual training.

(a) The Eastern Correctional Institution PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. 11 staff, 100% of medical and mental health staff who work at the facility who have received training required by agency policy. See facility response to percentage of training requirements in provision (d) of this standard.

	<p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 9-10, section 2. A-C, states, "Medical and Mental Health care practitioners:</p> <p>A. Shall complete mandated training defined in section .3406(a) for Employees; or mandated training defined in section .3406(b) for Volunteers, Custodial Agents, Contractors, and Other Persons Providing Services to Offenders for contractors. All full- and part-time medical and mental health care practitioners who work regularly in its facilities shall be trained in:</p> <ul style="list-style-type: none"> I. Detecting and assessing signs of sexual abuse and sexual harassment; II. Preserving physical evidence of sexual abuse; III. Responding effectively and professionally to victims of sexual abuse and sexual harassment; and IV. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>B. Verification of employee training shall be documented on form OSDT-1 and in appropriate agency training tracking system."</p> <p>(b) The Eastern Correctional Institution PAQ states their medical staff do not conduct forensic medical exams.</p> <p>(c) The Eastern Correctional Institution PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>NEED TRAINING RECORDS</p> <p>Through such reviews, the facility does not meet the standard requirements.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. NCDPS OPA-S010 Screening for Risk, dated 10.18.2021
4. Action Plan Required

Interviews:

1. Random Offenders
2. Targeted Offenders
3. Correctional Case Manager
4. Correctional Program Supervisor

Interviews with offenders demonstrated most had remembered being asked risk screening questions during the intake process; however, many could not remember being asked like questions again within 30 days of their intake date.

Interviews with the Correctional Case Manager demonstrated risk assessments are completed within 24 hours in a one-on-one setting in her office. The Correctional Case Manager stated she evaluates if offenders have been sexually assaulted in their past, if they feel safe, how they identify sexually, and review of collateral information is different from what the offender discloses during the assessment.

An informal interview with the Correctional Program Supervisor demonstrated the Program personnel had understood risk assessments needed to be completed within three business days and often times would not be completed if an offender left the facility for a court hearing, or a hospital overnight or longer stay.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template, 15 of the 30 offenders interviewed had been in the facility 12 or less months, eight of those 15 offenders' risk screenings were completed outside of the required 72-hour time frame and 15 of 15 offender reassessment were completed within 30-days of intake.

Action Plan:

- The facility to complete offender risk assessments within the provision requirement of 72 hours.

- The facility to track offender intake risk assessments for 60 days' post audit. (October 10, 2023)

The facility to upload offender names, dates of intake and completed risk assessments, for 60 days' post audit. (October 10, 2023)

- The facility Warden to write a sustainable memorandum stating which facility staff will monitor risk assessments to ensure each are completed within the 72-hour intake process requirement.

(a) The Eastern Correctional Institution PAQ states the facility has a policy that requires screening, upon admission or transfer, for risk of sexual abuse victimization or sexual abusiveness toward other Inmates.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 11-12, section (e) General Provision, (1)(A) states, "Screening for risk of victimization and abusiveness:

A. All offenders and safekeepers shall receive a screening inventory, administered via the web-based OPUS intake system, within 24 hours after admission to Prisons (5-ACI-3D-10). Diagnostic Services staff shall conduct screening to determine an offender's risk of being sexually abused by other offenders or their risk of being sexually abusive towards other offenders (5-ACI-3D-12, 5-ACI-3D-13). The screening shall use an objective screening instrument that obtains the following minimum biographical data about the offender:

- (i) Whether the offender has a mental, physical, or developmental disability;
- (ii) The age of the offender;
- (iii) The physical build of the offender;
- (iv) Whether the offender has previously been incarcerated;
- (v) Whether the offender's criminal history is exclusively nonviolent;
- (vi) Whether the offender has prior convictions for sex offenses against an adult or child;
- (vii) Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;

(viii) Whether the offender has previously experienced sexual victimization;

(ix) The offender's own perception of vulnerability; (x) Whether the offender is detained solely for civil immigration purposes; and

(x) The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing offenders for risk of being sexually abusive."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (G), states, "Upon transfer to another facility, within 24 hours, the PCM and/or OIC shall review an offender's risk of victimization and abusiveness by reviewing the dashboard and acknowledging housing placement is appropriate."

(b) The Eastern Correctional Institution PAQ states the number of inmates entering the facility (either through intake or transfer) within the past 12 months (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 with 72 hours of their entry into the facility was 629 of inmates. Policy compliance can be found in provision (a) of this standard.

(c-e) The Eastern Correctional Institution PAQ states the facility conducts risk assessments by using an objective screening instrument. The facility does not house offenders solely for civil immigration purposes.

The facility provided a NCDPS OPA-S010 Screening for Risk. The screening includes the following components:

A. Ask the Person in Confinement

1. (§115.41(d)1-3 and 115.241(d)1-3 (fig.1, q.1-3, 10)

i. General information such as gender, body build, race, age, date of birth, and height

ii. Health class information to include physical capability and mental health

iii. Education level to include: Highest grade completed (if Person in Confinement is a HS graduate or has a GED? Years of college- if applicable

	<p>iv. If the Person in Confinement has any ADA status requirements?</p> <p>v. Status as Developmental Disability?</p> <p>2. (§115.41(d)4-6 and 115.241(d)4-6 (fig.1, q.4-6)</p> <p>i. Previous incarceration</p> <p>ii. Criminal History (Fig 2)</p> <p>iii. Prior convictions for sex offenses against an adult or child</p> <p>Note: This information reassesses in the event new charges have been added.</p> <p>3. (§115.41(d)7-9 and 115.241(d)7-9 (fig.1, q.7,11-13)</p> <p>i. If the Person in Confinement is gay, lesbian, bisexual, transgender, intersex, or gender non-conforming</p> <p>ii. If the Person in Confinement has experienced prior sexual victimization</p> <p>iii. Offender's/resident's own perception of vulnerability (115.81(a-c)), they will be afforded an opportunity for a follow-up meeting with mental health. (fig.1, q.13)</p> <p>B. Observe the Person in Confinement</p> <p>1. (§115.41(d)7 and 115.241(d)7 (fig.1, q.14)</p> <p>Does the screener perceive the Person in Confinement to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming?</p> <p>C. Alerts and Referrals</p> <p>1. An automatic referral is made to mental health when there is a "Yes" response to any question 1-6."</p> <p>(f) The Eastern Correctional Institution PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive with 30 days after their arrival at the facility based upon any additional relevant information received since intake was 496.</p>
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NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (F), states, "Within a set time period, not to exceed 30 days from the offender's arrival at the facility, the facility will reassess the offender's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening."

During the pre-audit phase the PREA Compliance Manager was asked to demonstrate why only 77.9% of offenders had completed risk assessments completed within 30 days of intake? The PREA Compliance Manager stated, "During our phone conversation, it was explained that there was variance in numbers between what I had put in for the facility characteristics (267 offenders admitted in the past 12 months for length of stay 30 days or more) and what numbers I put in from the admission statistics (208 offenders) provided by the PREA office."

(g) The Eastern Correctional Institution PAQ states the policy requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13, section (H), states, "An offender's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse and/or sexual harassment, or receipt of additional information that bears on the offender's risk for sexual victimization or abusiveness."

(h) The Eastern Correctional Institution PAQ states the policy prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the inmate has a mental, physical, or developmental disability; (b) whether or not the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (E), states, "Offenders may not be disciplined for refusing to answer or for not disclosing complete information during screening or assessment."

	<p>(i) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 11, section (D), states, “The responses to the MHSI, are confidential; therefore, the facility shall implement appropriate controls on the dissemination of responses to questions asked in order to ensure that sensitive information is not exploited to the offender’s detriment by staff or other offenders.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Post Audit: NCDAC Memorandum, RE: Risk Assessments, dated 8.28.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted Offenders 2. Assistant Correctional Unit Manager 3. Associate Warden / PREA Compliance Manager 4. PREA Director / Head of Agency <p>Interviews with one gay, one transgender and one offender who stated she identified as a female – not gay or transgender stated each believed they were housed appropriately and felt safe in their housing and work assignments. The transgender offender stated showering was not an issue as showers in his unit were single showers with shower curtains.</p> <p>An informal interview with Assistant Correctional Unit Manager demonstrated transgender offenders are housed in the first five cells, nearest the Block entrance, providing them a quicker exit and access to Correctional Officers.</p>

The interview with the PREA Compliance Manager demonstrated the Correctional Case Managers, and Correctional Program Supervisors are the only personnel who have access to completed risk assessment. The PREA Compliance Manager was unsure how offender classification assignments were completed.

The interview with the PREA Director demonstrated the agency has a Transgender Accommodation Review Committee that reviews all special requests from individual transgender inmates. In addition, the PREA Director stated the agency system will not allow potential victims and potential aggressors to be placed in work or education assignments at the same time, preventing any possible ongoing victimization and or perpetration incidents from taking place.

Site Observation:

Due to offender risk assessments being completed outside of the required time frame and administrative personnel being unsure how offenders are classified and housed based on risk screening information an action plan clarifying these processes is required.

Action Plan:

The facility Warden to write a memorandum explaining how offenders' bed, work, and programs assignments are classified based on risk assessment information. In addition, the facility Warden to provide a sustainable action plan stating which facility position will monitor housing bed, work and program assignments to ensure each are placed correctly throughout the programmatic day.

The facility provided a NCDAC Memorandum, RE: Risk Assessments, to the PREA Auditor, from the Assistant Warden / PREA Compliance Manager, stating, "Offender risk assessments are considered when making housing, job and program assignments. If offenders have special requests based on assessments, these are addressed with their case managers and addressed accordingly. It will be the responsibility of the Facility Warden, Associate Warden for Custody and Operations and the Associate Wardens for Programs to review the High Risk Victims and Aggressors on a weekly basis and sign off on accordingly."

(a) The Eastern Correctional Institution PAQ states the facility uses information from the risk screening required by §115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of

being sexually victimized from those at high risk of being sexually abusive.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13-14, section (3) Use of screening information, (C) states, "Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law."

(b) The Eastern Correctional Institution PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each inmate. Policy compliance can be found in provision (a) of this standard.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section 3 (B)(iv), states, "(i) The facility shall make individualized determination for bed assignments, based on facility housing designs, to ensure the safety of each offender."

(c) The Eastern Correctional Institution PAQ states the agency/facility makes housing and program assignments for transgender, or intersex inmates in the facility on a case-by-case bases.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (E) states, "In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems."

(d) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (F) states, "Placement and programming assignments for each transgender or intersex offender shall be reassessed by the case manager at least twice each year to review any threats to safety experienced by the offender."

	<p>(e) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (G) states, "A transgender or intersex offender's own views with respect to his or her own safety shall be given serious consideration."</p> <p>(f) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (H) states, "Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders."</p> <p>(g) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (I) states, "The agency shall not place lesbian, gay, bisexual, transgender, or intersex offenders in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such offenders."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Lieutenant III 2. Assistant Warden / PREA Compliance Manager 3. Warden III <p>The interview with the Correctional Lieutenant III demonstrated victims placed in restricted housing will be afforded all privileges except for work assignments. The</p>

Correctional Lieutenant III stated Program staff keep in contact with these offenders while in restricted housing; however, in his year on this post he has not experienced where a victim has been placed in his unit.

Interviews with the Warden III and the PREA Compliance Manager demonstrated offender victims are not typically placed in Restricted Housing unless the offender request protective custody. Each interviewed stated victims are afforded privileges and if not, those reasons would be documented by the Program Department.

(a) The Eastern Correctional Institution PAQ states the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless and an assessment of all available alternatives has been made and a determination has been made that there is not available alternative means of separation from likely abusers. The number of inmates at risk of sexual victimization who were held in involuntary segregated housing the past 12 months for one to 24 hours awaiting completion of assessment was zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (4)(A) Protective Custody A., states, "Offenders at high risk for sexual victimization shall not be placed in restrictive 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 (5-ACI-4B-34). If a facility cannot conduct such an assessment immediately, the facility may hold the offender in restrictive housing for less than 24 hours while completing the assessment."

(b) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (4) (B)., states, "Offenders placed in restrictive housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:

- i. The opportunities that have been limited;
- ii. The duration of the limitation; and
- iii. The reasons for such limitations."

(c) The Eastern Correctional Institution PAQ states the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past

12 months, for longer than 30 days while awaiting alternative placement was zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4) (C)., states, “The facility shall assign such offenders to restrictive housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

(i) Alternative placements can include, but are not limited to, the following temporary options:

- Relocation to a different housing unit;
- Placement in a cell or bed closer to the Corrections Officer’s desk within the unit;
- Any other housing area that the facility head or designee deems appropriate to separate from likely abusers.”

(d) The Eastern Correctional Institution PAQ states 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 facilities concern for the inmate’s safety, and (b) the reason or reason why alternative means of separation could not be arranged was zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4)(D), states, “If a restrictive housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document:

- i. The basis for the facility’s concern for the offender’s safety; and
- ii. The reason why no alternative means of separation can be arranged.
- iii. The other alternative means for separation that were explored;

(e) The Eastern Correctional Institution PAQ states if an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population. The PAQ states, “No documentation is available for 30-day reviews due to

	<p>no offenders in the last 12 months being placed involuntarily in Restrictive housing.”</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4)(E), states, “Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Sexual Awareness Brochure for the Offender, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Correctional Officers 4. Administrative Associate II (Mail) <p>Interviews with the 26 offenders demonstrated they were comfortable and aware they would use offender payphones to call the hotline, write a letter or fill out a grievance.</p> <p>Interviews with Correctional Officers demonstrated each would accept and report allegations report to them personally, through a note or grievance with or without offender names and or through a third-party report.</p>

The interview with the Administrative Associate II demonstrated she is the only staff who has access to the mail room. The Administrative Associate II stated all outgoing and incoming legal mail is logged in separate logbooks and offenders sign for all legal mail received. Once offenders sign for their mail, the mail is opened in front of the offender, copied on the copy machine and the original mail is then shredded in the offender's presence.

Site Observations:

Standardized bulletin boards with PREA postings, third party reporting and offender tablets provide offenders phone and address information with several internal and external reporting options. During the tour the mailroom was observed to be a single room, with one staff in attendance, behind a locked door. Offender risk assessment records are kept electronically in the agency prison management system, OPUS, with limited staff access to facility personnel.

During the tour the Auditor utilized offender payphones to contact the PREA hotline by following calling instructions provided from offender standardized bulletin boards. The Auditor was able to leave a message on the PREA hotline requesting a call back explaining protocols to be followed if an offender were to leave a message through this phone number. A return call was provided the day of the request and the caller stated she would notify the PREA office, and the facility of any call received.

(a) The Eastern Correctional Institution PAQ states the agency has established procedures allowing for multiple internal ways for inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f)(1)(A)(i), states, "Multiple internal ways shall be provided for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents."

The facility provided a NCDPS Sexual Awareness Brochure for the Offender. The brochure includes the following information.

- Sexual abuse and Harassment Definitions
- Any Sexual Contact Between an Inmate and Staff Member is Considered Sexual Abuse Whether ‘Consensual’ or Not.
- Preventing Sexual Abuse
- What to do if you are Sexually Abused
- Facts About Sexual Abuse
- Reporting Incidents
- Facts for the Inmate Who Sexually Abuses Another Inmate

The facility provided an Offender Announcement PREA External Reporting Phone Lines. The announcement explains the following, in detail. “Offenders are now allowed to Dial 1-972-535-3499 from any offender phone. The number is posted in your housing units. This external (outside) reporting line for victims of sexual abuse and sexual harassment housed in a NC prison facility allows you to make a report and to request help. Your official report will be forwarded to the Forgiven Ministry’s Project I.R.S.A.- Offender Reporting Sexual Abuse and the NC Department of Public Safety PREA office.”

(b) The Eastern Correctional Institution PAQ states facility provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency. The agency does not have a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f)(ii), states, “At least one way shall be provided for offenders to report abuse or sexual harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to agency officials, allowing the offender to remain anonymous upon request. There shall also be no time limit on when an offender may report sexual misconduct.”

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f) Reporting and Investigation of Sexual Abuse and Sexual Harassment, (1)(A)(iii), states, “Offenders detained solely for civil immigration purposes shall be provided information on how to contact relevant

consular officials and relevant officials at the US Department of Homeland Security.”

(c) The Eastern Correctional Institution PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Staff are required to document verbal reports.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f) Reporting and Investigation of Sexual Abuse and Sexual Harassment, (1)(A)(iv), states, “Ways of reporting incidents of sexual abuse and harassment:

- i. To any Department of Public Safety employee;
- ii. Administrative remedy process;
- iii. PREA/Grievance locked box where applicable; and
- iv. Toll free telephone number for reporting directly to an external agency or entity, incidents of sexual abuse and sexual harassment.”

(d) The Eastern Correctional Institution PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. The PAQ states, “Staff are informed of the reporting procedures in New Hire Orientation, Shift line-up, Staff meetings, Basic Correctional Officer Training, Annual In-Service Training, and posters throughout the facility.”

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (C) Staff and Agency Reporting Duties, state,

- (i) All staff are required to report immediately 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.
- (ii) Staff has a duty to report any allegations that offenders are having sexual relationships with other offenders or with staff.
- (iii) Any retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- (iv) Staff may report allegations privately. Ways to report include but are not

	<p>limited to:</p> <ul style="list-style-type: none"> i. The PREA office by email at PREA@ncdps.gov, or by telephone at (919) 825-2754. ii. Anonymously by contacting the Fraud, Waste, Abuse & Misconduct Hotline at (844) 208-4018. iii. Local law enforcement agency. <p>(v) All reports of sexual abuse and sexual harassment, however made, are to be forwarded to the Facility Head and the PREA Office.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.52	Exhaustion of administrative remedies
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ul style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, dated 12.18.2021 3. Correspondence Tracking System Report, dated 7.1.2022 through 7.31.2023 4. Onsite Review Action Plan: NCDAC Memorandum, RE: Administrative Remedy Procedures (Grievances) 8.9.2023 <p>Interviews:</p> <ul style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Associate Warden / PREA Compliance Manager <p>Interviews with offenders demonstrated most were aware they could report an allegation of sexual harassment or sexual abuse through the grievance process. Offenders stated they had no problems obtaining grievances by simply asking a Correctional Officer. Offenders stated they have access to writing utensils if they need to fill out a grievance.</p>

The interview with the PREA Compliance Manager demonstrated grievances could be handed to staff or placed in grievance boxes. The PREA Compliance Manager stated one staff is responsible for checking grievances Monday through Friday. Upon learning the facility did not have a staff checking grievance boxes during weekends and holidays the Auditor requested the facility provide an action plan to ensure grievances were checked at least six days per week to assure they were addressed within the required 48 hours.

Site Observation:

Grievance forms were observed near Correctional Officer desks in grievance boxes were observed at the entrance of each housing unit.

Onsite Action Plan:

During the onsite action plan the facility provided a NCDAC Memorandum, from the Assistant Warden, to the PREA Auditor, stating, "During my current Audit, it was determined that ECI is at risk concerning the 48-hour timeframe for Emergency Sexual Abuse / Harassment grievances that are submitted on weekend days. To remedy this issue, I have instructed my Visitation Officers to check offender grievance submissions on Saturday afternoon at the conclusion of visitation and on designated holidays."

(a) The Eastern Correctional Institution PAQ states the agency has an administrative procedure for dealing with Inmate grievances regarding sexual abuse.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 1, section (a)-(d), state, "

a. "The policy of the North Carolina Department of Public Safety is to provide inmates an opportunity for administrative settlement of legitimate grievances. Most grievances can be resolved quickly through informal communication with responsible authorities at the facility in which the problem arose. An inmate should be encouraged to use this method prior to the initiation of a formal grievance. When this method is not possible, the Department of Public Safety seeks to reduce tension and provide a stable atmosphere by providing formal channels of communication of grievances.

b. A grievance is a written complaint by an inmate on the inmate's own behalf concerning an action, incident, policy, or condition within the facility or within Prisons as a whole.

c. The Administrative Remedy Procedure shall afford a successful grievant a meaningful remedy to include but not be limited to, an order requiring that specific action be taken, modification of Prisons policy, restoration or restitution for personal property, and such other remedies that will meaningfully resolve the grievance presented.

d. Employees who intentionally obstruct the grievance process shall be subject to disciplinary action.”

(b) The Eastern Correctional Institution PAQ states agency policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred.

NCDAC Policies & Procedures Chapter G Section .0300, page 6, section (c) 1-3, states,
“

“If an emergency grievance alleges an inmate is subject to a substantial risk for imminent sexual abuse, the facility shall:

1. immediately forward the grievance (or any portion thereof that alleges such substantial risk) to a level of review at which immediate corrective action can be taken,
2. provide an initial response with 48 hours, and
3. issue a final agency decision with 5 calendar days.

The initial response and final agency decision shall document the agency’s determination that the inmate is at substantial risk of imminent sexual abuse about and the action taken in response to the emergency grievance.”

(c) The Eastern Correctional Institution PAQ states the agency’s policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency’s policy and procedure require that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.

NCDAC Policies & Procedures Chapter G Section .0300, page 3, section .0305 Screening Officer, states, “Facility Heads will appoint one or more screening officers to review grievances and decide whether they should be accepted or rejected under the criteria set forth in Sections .0304 and .0306 herein. Facility Heads may designate

screening officers or screen grievances themselves. The appointment of fair and knowledgeable screening officers will ensure compliance with the grievance procedure and facilitate mediation of grievances at the facility level. No employee who appears to be involved in a grievance shall participate in any capacity in the resolution process, except as a witness where necessary. In addition, no employee who appears to be involved in an inmate sexual abuse or harassment allegation shall accept a grievance which suggests such personal involvement or shall participate in any capacity in the response to the grievance.”

(d) The Eastern Correctional Institution PAQ states the agency’s policy and procedures that require a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months there has been 14 grievance filed alleging sexual abuse. In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was 15.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 4, section .0307 Time Limits (a), states, “From filing to final disposition, all grievances shall be processed within ninety (90) days. For purpose of counting days under the grievance procedure, all references to days shall be interpreted to mean calendar days. The 90-day period commences the day after the grievance has been accepted.”

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 5-6, section .0307 Time Limits (5)(6), state,

4. “If at any level of the administrative remedy process, including the final level, the inmate does not receive a response within the time provided for reply, including any properly noticed extension, the absence of a response shall be a denial at that level which the inmate may appeal, but the 24 hours’ time limit to request an appeal does not begin until the inmate receives a written denial.

5. Prisons may grant an extension of time to respond for up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.”

The facility provided a Correspondence Tracking System Report demonstrating there were two grievances filed for sexual harassment in the past 12 months demonstrating 15 grievances were opened and completed.

(e) The Eastern Correctional Institution PAQ states agency policy and procedure permits third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Agency policy and procedure requires that if an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate's decision to decline. 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 was zero.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 2, section .0302 Accessibility, section (4), states, "Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates shall be permitted to assist inmates in submitting a grievance relating to allegations of sexual abuse and shall be permitted to submit such a grievance on behalf of an inmate. If a third party submits a grievance on behalf of an inmate, the facility may require, as a condition of processing the grievance, that the alleged victim agree to have the grievance submitted on his or her behalf and also may require the alleged victim personally to pursue any subsequent steps in the grievance process. If the inmate declines to have the grievance processed on his or her behalf, the facility shall document the inmate's decision. (A)

If the inmate declines to have the grievance processed on his or her behalf, the facility shall document the inmate's decision."

(f) The Eastern Correctional Institution PAQ states the facility has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. The facilities policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours. The facilities policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within five days. Zero grievances were received alleging substantial risk of imminent sexual abuse, that were filed in the past 12 months.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 2, section .0308 Emergency Grievances, section (e), states, "If an emergency grievance alleges an inmate is subject to a substantial risk for imminent sexual abuse, the facility shall:

	<ol style="list-style-type: none"> 1. immediately forward the grievance (or any portion thereof that alleges such substantial risk) to a level of review at which immediate corrective action can be taken, 2. provide an initial response with 48 hours, and 3. issue a final agency decision with 5 calendar days. <p>The initial response and final agency decision shall document the agency's determination that the inmate is at substantial risk of imminent sexual abuse about and the action taken in response to the emergency grievance."</p> <p>(g) The Eastern Correctional Institution PAQ states the facility has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the Inmate filed the grievance in bad faith. In the past 12 months, there have been zero grievances alleging sexual abuse to occasions where the agency demonstrated that the Inmate filed the grievance in bad faith.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (4) Offenders, (e), states, "For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Does Not Meet Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

3. NCDAC Memorandum of Understanding, REAL Crisis Intervention Inc., dated 5.19.2023

4. Onsite Action Plan: Email Communications, RE: ECI Offender Telephones, dated 8.10.2023

5. ACTION PLAN REQUIRED

Interviews:

1. Random Offenders
2. Targeted Offenders

During the tour, and informal and formal interviews, offenders were asked to demonstrate how they could make hotline calls via dorm payphones. Offenders stated they could dial *63 on their pay phones.

Site Observation:

During the pre-audit phase the facility was requested to provide the victim advocate telephone and address information provided to victims. During the onsite observation it was observed the MOU is posted in offender living Blocks, not providing telephone and address information. PREA hotline and advocate (*63) phone numbers and instruction were observed being posted on standardized PREA bulletin boards in all offender Blocks; however, this information was not near offender pay phone.

During the onsite review the Auditor attempted to contact the advocacy agency from offender payphones and the call was unable to connect.

Action Plan:

- Provide the Auditor and post the advocate phone number and address information given to offenders
- Complete work order submitted during the onsite review to connect the advocate agency with offender payphones when dialing *63.

During the onsite review the PREA Compliance Manager provided email communications stating, "There is a problem with the ECI offender telephones contacting the *63 (Rape Crisis Center). Could you please research?" Later that same day a ticket case number was provided to address the issue with offender phones.

Recommendation:

Post advocate and PREA hotline contact information and instruction near offender phones.

(a) The Eastern Correctional Institution PAQ states the facility provides Inmates with access to outside victim advocates for emotional support services related to sexual abuse by:

- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations.
- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil immigration purposes.
- The facility provides inmates with access to such services by enabling reasonable communication between inmates and these organizations in as confidential a manner as possible.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (5)(E), states, "Offender victim shall be provided access to outside victim advocates for emotional support services related to sexual abuse by giving the offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (E), states, "Offender victim shall be provided access to outside victim advocates for emotional support services related to sexual abuse by giving the offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible."

(b) The Eastern Correctional Institution PAQ states the facility informs Inmates, prior

	<p>to giving them access to outside support services, the extent to which such communications will be monitored. The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State, or local law.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (F), states, "The facility shall inform the offenders, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws."</p> <p>(c) The Eastern Correctional Institution PAQ states the facility maintains memoranda of understanding with community service providers that are able to provide inmates with emotional support services related to sexual abuse.</p> <p>The facility provided a NCDAC Memorandum of Understanding, REAL Crisis Intervention Inc. The memorandum is current and in full force for one year from the date of the signature. The memorandum is signed and dated by the Superintendent of the Eastern Correctional Institution and the Executive Director of REAL Crisis Intervention Inc. on 5.19.2023.</p> <p>On 7.14.2023 at 1:53 pm EST, this Auditor phoned the REAL Crisis Intervention Center at 252.758.4357, address 1310 E. Arlington Blvd., Greenville, North Carolina. After proper introductions and the reason for the call the Auditor was told by the operator, I would need to call back the following Monday to talk to the person in charge as she could not answer questions regarding how the agency would respond if an offender called the center regarding the need for emotional support services in cases of sexual assault.</p> <p>Through such reviews, the facility does not meet the standard requirements.</p>
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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. Report Fraud, Waste, Abuse or Misconduct, dated 2.11.2014

Interviews:

1. Random Offenders
2. Targeted Offenders
3. Correctional Officers

Interviews demonstrated many offenders and staff were aware of third party reporting options and where reporting information could be located. Offenders who were not aware of the third party option were made aware by the Auditor.

Site Observation:

During the tour of the facility, standardized bulletin boards were available to include postings with third party reporting information to include the visitation area through the Reporting Information flyer.

(a) The Eastern Correctional Institution PAQ states the facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. The agency publicly distributes information on how to report Inmate sexual abuse or sexual harassment on behalf of Inmates. The PAQ states, "Third Party Reporting: can be made via email, phone or letter. This includes family, friends, outside organizations, to any of the resources available to the offender population. The methods include reporting to: To any NCDAC employee; Administrative remedy process; Toll free telephone number for reporting directly to an external agency or entity (Forgiven Ministries or Promise Place); The DPS PREA office by email at PREA@ncdps.gov, or by telephone at (919) 825-2754; Anonymously by contacting the Fraud, Waste, Abuse & Misconduct Hotline at (844) 208-4018."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (B) states, "Third Party Reporting: can be made via email, phone or letter."

	<p>On 7.14.2023 at 1:38 pm, this Auditor phoned 844.208.4018 to test this third party reporting option. Upon the second ring the following message was provided. "Thank you for calling the North Carolina Department of Safety Fraud, Waste, Abuse or Misconduct Hotline. We are unavailable to take your call at this time, please leave a message or you can visit us on line at www.NCDPS.gov. On 7.17.2023 at 5:30 am the call was returned explaining she had received the voicemail and whenever a complaint is submitted the office would automatically send to the PREA Director Charlotte Williams and the PREA Help Desk.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Officers 2. Specialized Staff <p>Interviews with the facility staff and offenders demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment.</p> <p>Site Observations:</p> <p>The facility has had 37 sexual harassment and sexual abuse investigation completed in the past 12 months. Of the 37 investigations, 10 were reviewed during the onsite review. Of those 10 investigations reviewed, the source of the allegations were two grievances, six were reported directly to a staff member, one was reported due to staff observation, and one was reported through the PREA hotline. All allegation reports demonstrate the facility reporting systems are responding to allegations as in accordance with the agency policy and procedures.</p>

(a) The Eastern Correctional Institution PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy any retaliation against Inmates or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse was zero. The PAQ states, "Alleged Abusers were immediately separated from the victims. In OPUS, offender abusers were not assigned to a cell in Restrictive housing cell for approx. 2.75 after the incident was reported. This is due to conducting a preliminary investigation, conducting a medical screening, making bed space in restrictive housing, and not creating a control action until the offender is physically in the cell."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (C) Staff and Agency Reporting Duties, (i)-(iii), state,

- i. "All staff are required to report immediately 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.
- ii. Staff has a duty to report any allegations that offenders are having sexual relationships with other offenders or with staff.
- iii. Any retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation."

(b) The Eastern Correctional Institution PAQ states, apart from reporting to designated supervisors or official and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33-34, section (k), states, "CONFIDENTIALITY: The Facility Investigator and all others involved in the PREA process, to the extent possible, will ensure the confidentiality of PREA complaints as well as all data collected through the investigation of those complaints except as required in the

	<p>following circumstances: (1) to cooperate with law enforcement in any investigation and prosecution of the incidents alleged in such complaints; (2) to take and enforce disciplinary action against any staff member as a result of the incidents alleged in the complaints; (3) to defend against claims brought by the offender for violation of the offender's rights for having been subjected to sexual abuse; and (4) to otherwise comply with the law."</p> <p>(c) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (vi), states, "Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse to inform offenders of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services."</p> <p>(d) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (vii), states, "If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, reporting such allegation to the local NC Department of Social Services is required."</p> <p>(e) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (viii) Staff and Agency Reporting Duties, states, "The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

	<p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Correctional Officers 4. Assistant Warden / PREA Compliance Manager <p>Interviews with offenders demonstrated none had reported allegations of an actual sexual abuse incident. However, those who reported allegations where they believed to be sexually abused, were separated from their aggressors and made aware the aggressor would be separated from them through the investigation process.</p> <p>Interviews with facility personnel demonstrate the facility staff act promptly and responds properly at the discovery of any incident involving sexual harassment or sexual abuse. Personnel interviewed formally and informally demonstrated each would separate the victim from their aggressor, keep those victims with them until they can be delivered to the medical department and ensure victims were safe throughout the reporting process.</p> <p>Site Observation:</p> <p>Investigation file review demonstrated offenders who reported asexual harassment or sexual abuse were no longer in the facility at the time of the onsite review.</p> <p>(a) The Eastern Correctional Institution PAQ states when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the Inmate. In the past 12 months, the facility reports zero inmates were subject to substantial risk of imminent sexual abuse.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (2), states, "Protection Duties: When the staff learns that an offender is subject to a substantial risk of imminent sexual abuse immediate action shall be taken to protect the offender."</p> <p>Through such reviews the facility meets the standard requirements.</p>
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	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none">1. Eastern Correctional Institution PAQ2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.20223. PREA Incident Detail Report, dated 2.15.2023 <p>Interviews:</p> <ol style="list-style-type: none">1. Assistant Warden / PREA Compliance Manager2. Warden III <p>The interview with the Warden demonstrated that he was aware that upon receiving an allegation from an incoming offender who alleged sexual abuse from another facility, he or his Assistant Warden would notify the facility Warden within 72 hours. The Assistant Warden stated he had one past offender who reported abuse occurred at another facility and he personally contacted the facility Warden within 24 hours of receiving the allegation.</p> <p>Site Observation:</p> <p>During the pre-audit phase, the facility provided a PREA Incident Detail Report demonstrating the allegation having to occurred at another facility was reported as is instructed in standard provision.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency’s policy also requires that the head of the facility notify the appropriate investigative agency. In the past 12 months the has received one allegation that an inmate was abused while in confinement at another facility. Upon discovery of inmates being subject to substantial risk, the facility immediately separates the victim from the perpetrator, made notification and completed incident reporting requirements. The PAQ states, “If we ever received an allegation of abuse that happened at another facility, our Warden would notify the Warden of the facility or appropriate office of the agency where the alleged abuse occurred within 72 hours of the notification and document it with statement sent to the other facility through</p>

the Correspondence Tracking System (CTS). We have had no such reports in the last 12 months."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (D)(i), states, "Upon receiving an allegation that an offender was sexually abused while confined at another facility, the Warden of the facility that received the allegation shall notify the Warden of the facility or appropriate office of the agency where the alleged abuse occurred."

(b) The Eastern Correctional Institution PAQ states agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (D)(ii), states, "Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation."

(c) The Eastern Correctional Institution PAQ states the facility documents that it has not had a need to provide such notification within 72 hours of receiving the allegation.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (D)(iii), states, "The Facility Head shall document such notification by completing a memorandum to file and uploading into the correspondence tracking system (CTS)."

(d) The Eastern Correctional Institution PAQ states facility policy requires that allegations received from other agencies or facilities are investigated in accordance with the PREA standards. In the last 12 months, there have been one allegation of sexual abuse.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (D)(iv), states, "Upon receiving notification from another facility or agency that an allegation of sexual abuse or sexual harassment has been reported, the Warden shall ensure that the allegation is investigated in accordance with these standards."

	<p>The facility provided a PREA Incident Detail Report demonstrated the allegation provided from an offender from a receiving facility was documented and investigated.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Officers 2. Assistant Warden / PREA Compliance Manager <p>Interviews with Correctional Officers demonstrated they were aware of their first responder responsibilities. If sexual abuse occurred, Correctional Officers stated they would immediately separate the victim and the aggressor, ensure neither washed, smoked, used toileting facilities, or changed clothes deliver the victim to the medical department. Correctional Officers stated they would block off the crime scene and ensure any potential evidence was not tampered with.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to separate, preserve, protect, collect physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes,</p>

urinating, defecating, smoking, drinking, or eating.

In the past 12 months, two allegations occurred where an inmate was sexually abused. Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was two.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20-22, section (3)(A), states, "Upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to:

i. Take necessary steps to separate the alleged victim and abuser. If the Facility Head, in consultation with the PREA Support Person, determines that the safety of the offender victim requires placement in administrative segregation, then:

- Such restrictive housing shall be administered in accordance with the applicable policies and procedures for restrictive housing for administrative purposes.

- The Warden has the discretion regarding how separation occurs, who is moved, and where. Should the alleged victim be placed in restrictive housing, then an analysis of 1) information from the Preliminary Review to include the type of allegation, 2) prior complaints filed against the alleged abuser, 3) will the movement appear punitive toward an alleged victim shall be considered, and 4) documentation of the decision to move the alleged victim.

- The Region Director and the DPS PREA Office shall be notified of the use of restrictive housing and the reasons, therefore.

- To the maximum extent possible, the offender victim while in restrictive housing for administrative purposes shall have the same privileges of access to the canteen, telephone, visitation and property as they were afforded prior to reporting.

- Within 3 business days of the offender victim's release from restrictive housing for administrative purposes, the Warden or designee will return the offender victim to the gain time job assignment the offender victim had prior to period of restrictive housing for administrative purposes, if available. If, for operational reasons, the offender victim's prior job assignment is unavailable, the Warden or designee will place the offender victim in another gain time job assignment that is at least equal to the prior gain time job assignment.

- The Warden or designee will notify the Region Director in writing, that the offender victim has either been returned to prior job assignment or placed in equivalent one.

- Within three business days of the receipt of the written notification from the

	<p>Warden or designee, the Region Director, or their designee will request in writing to the Director of Rehabilitative Services that the offender victim's gain time be restored.</p> <p>· When offender victim is released from restrictive housing, whenever possible shall be allowed to return to previously assigned housing unit unless, in the discretion of the Warden, doing so exposes the offender to an increased risk to the offender victim's safety and security or the orderly operation of the facility."</p> <p>(b) The Eastern Correctional Institution PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. 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 was zero.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22, section (3) First Responder, (B) states, "If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. PREA Sexual Abuse Coordinated Response Plan, Eastern Correctional Institution 3400, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III

	<p>The interview with the Warden III demonstrated the facilities Coordinated Response was available in Standard Operating Procedure books maintained in the Unit Manager offices and on the internal network accessible to all staff.</p> <p>Site Observation:</p> <p>Review of the facilities Coordinated Response Plan demonstrates clear direction to staff to ensure first responder duties are fulfilled.</p> <p>(a) The Eastern Correctional Institution PAQ states the facility developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>The facility provided a PREA Sexual Abuse Institutional Response Plan. The plan includes instruction for the following:</p> <ul style="list-style-type: none"> I. First Responder Duties II. Medical III. Notification Procedures IV. Investigations V. PREA Compliance Manager VI. PREA Support Person VII. Sexual Abuse Response Team VIII. Mental Health and Aftercare <p>Through such reviews, the facility meets the standard requirements.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III <p>The interview with the Warden demonstrated the agency is not responsible for collective bargaining.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has not entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.67	Agency protection against retaliation
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Prison Rape Elimination Act (PREA) Retaliation Monitoring Persons in Confinement Form, dated 1.1.2023. 4. Post Audit: NCDAC Memorandum, RE: 90 Day Monitoring, dated 8.28.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Program Supervisor / PREA Support Person (PSP) <p>The interview with the Program Supervisor / PSP demonstrated she is assigned offenders for retaliation monitoring through the PREA Compliance Manager and meets</p>

with offenders directly thereafter. Upon the initial meeting the PREA Support Person advises the offender of her role in retaliation monitoring, makes him aware he can ask her any questions regarding the investigation, request to speak to her anytime if retaliation is happening, explain any concerns he may have, and how he may feel about retaliation monitoring. Once the investigation is complete, the PREA Support Person provides the offender with the outcome and will continue monitoring for up to 90 days or for as long as is needed.

Site Observation:

Of the five sexual abuse investigations reviewed, three did not have proper retaliation monitoring documented.

Action Plan:

Facility Warden to write a memorandum providing a sustainable action plan to ensure documented retaliation monitoring begins at the receipt of allegations of sexual abuse incidents and periodically (monthly as described in agency policy) thereafter for 90 days or as long necessary.

Post audit the facility provided a NCDAC memorandum, RE: 90 Day Monitoring, to the PREA Auditor, from the Assistant Warden / PREA Compliance Manager, stating, "In order to ensure that 90-day monitoring is being completed when required, the following procedures will be implemented immediately. The PCM will ensure the OPA-122 or the OPA-124 is attached to the original package that is presented to the investigating staff. At the conclusion of the investigation, the PCM will maintain the monitor paperwork and ensure follow up meetings are conducted, and the forms are closed out and attached to the investigation package when completed."

(a) The Eastern Correctional Institution PAQ states the agency has 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. The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation. The facility designates the Lieutenants and Correctional Case Managers with monitoring retaliation monitoring.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (g)(1) -(2), state, "Retaliation: Retaliation against staff or offenders making an allegation of offender sexual abuse or sexual harassment is prohibited.

(1) Offender monitoring – see section .3406 (f)5 victim support.

(2) Staff monitoring – see section .3406 (f)6 PREA compliance manager.”

The facility provided a NCDPS Prison Rape Elimination Act (PREA) Retaliation Monitoring Persons in Confinement Form. The form documents the following information.

- Facility / Incident Date / Incident #
- Assigned PSP / Subject of Monitoring / OPUS #
- Section 1: Periodic Status Checks
- Section 2: Final Status Check
- Section 3: Monitoring Completion Verification – signed and dated by the PREA Support Person and the Facility Head / Center Director

(b) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I)(v), states, “Continue monitoring for a minimum of 90 days or beyond 90 days if the initial monitoring indicates a continuing need.”

(c) The Eastern Correctional Institution PAQ states the facility monitors the conduct or treatment of inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by inmates or staff. The length of time that the facility monitors the conduct of treatment is 90 days. The facility acts promptly to remedy any such retaliation. The agency/facility continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. In the past 12 months, the facility has had zero incidents of retaliation.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I)(i)(ii), state,

i. “Upon notification of a Sexual Abuse or Sexual Harassment allegation the PSP will initiate monitoring the alleged victim and offender who reported the allegation or cooperated with officials during the investigation.

ii. The PSP shall monitor retaliation against the victim and the offender who either report allegations, or cooperate with investigations, of sexual abuse or sexual harassment.”

	<p>(e) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22, section (I) Monitor for Retaliation, (ii), states, “In the case of offenders, such monitoring shall also include periodic status checks.”</p> <p>(f) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I) Monitor for Retaliation, (v), states, “Termination of monitoring prior to minimum of 90 days requires:</p> <ol style="list-style-type: none"> I. Allegation to be determined unfounded II. Approval by Warden” <p>Through such reviews the facility meets the standard requirements.</p>
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115.68	Post-allegation protective custody
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Warden / PREA Compliance Manage <p>The interview with the Warden demonstrated restricted housing is not utilized for long term purposes and he could not recall protective custody being used in the past 12 months.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse 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. The number of inmates who allege to have</p>

	<p>suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section (7)(A)(5) states, "Alleged offender abuser - A determination shall be made, based upon the amount of time that has passed since the alleged incident and the possibility of evidence still existing, as to whether the alleged offender abuser, if known, should be placed in a restrictive housing cell to preserve forensic evidence. If an offender is placed in a restrictive housing cell for purposes of preserving forensic evidence, the offender shall be strip searched in accordance with the policies set forth in section F.0100, et seq. of Prisons Policy and Procedure Manual and all possessions taken from him or her and a paper gown issued."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Housing Unit Manager / Investigator <p>Interviews with the Investigator demonstrated each allegation of sexual harassment and or sexual abuse is investigated. The investigator stated investigations are assigned to him through the PREA Compliance Manager either the day of the allegation or when he returns to work. The Investigator stated he stays neutral throughout his processes of interviewing the victim, aggressor and any witnesses by using open ended questions, review of any evidence through statements and video footage and or any other evidence collected.</p>

Site Observation:

Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template 10 of 10 investigations reviewed demonstrated three were referred to law enforcement. Two of the referred allegations yielded no response and statements and a facility investigation were requested from one allegation, which was not investigated by law enforcement.

(a) The Eastern Correctional Institution PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section (7) Investigations (A)(i) states, “Investigations into allegations of sexual abuse and sexual harassment, shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.”

(b) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 9, section (c) Specialized Training, (1) (A-B), states, “Investigators: Sexual Abuse and Harassment

A. Shall complete appropriate employee training defined in section .3406(a).

B. Shall receive training on conducting sexual abuse and harassment investigations in a confinement setting. Such training shall include:

(i) Techniques for interviewing sexual abuse victims;

(ii) Proper use of Miranda and Garrity Warnings;

(iii) Sexual abuse evidence collection in a confinement setting; and

(iv) Criteria and evidence required to substantiate a case for administrative action or prosecution referral.”

(c) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 28, section (viii), states, “Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data including video and/or audio recordings; shall interview alleged victims, suspected perpetrators, and witnesses.”

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29, section (x), states, "Review prior complaints and reports of sexual abuse involving the suspected perpetrator, included in the incident package and considered when determining credibility of the allegations."

(d) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29, section (x), states, "When the quality of evidence appears to support criminal prosecution, the Department of Public Safety sexual abuse and harassment investigators shall only be permitted to continue interviews after consulting with local law enforcement agency as to whether interviews may be an obstacle for subsequent criminal prosecution."

(e) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29-30, section (xii), states, "When the quality of evidence appears to support criminal prosecution, the Department of Public Safety sexual abuse and harassment investigators shall only be permitted to continue interviews after consulting with local law enforcement agency as to whether interviews may be an obstacle for subsequent criminal prosecution examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiv), states, "Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

(f) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiii), states, "Shall include an effort to determine whether staff actions or failures to act contributed to the abuse."

(g) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiv), states, "Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

	<p>(h) The Eastern Correctional Institution PAQ states there has been zero allegation of conduct that appears to be criminal that was referred for prosecution, since the last audit date. The PAQ states, “3 Substantiated cases since last PREA audit but they were not prosecuted. Staff resigned while under investigation.”</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (C)(i), states, “Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.”</p> <p>(i) The Eastern Correctional Institution PAQ states the agency retains all written reports pertaining to administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (J)(1), states, “Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.”</p> <p>(j) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29, section (xvi), states, “The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.”</p> <p>(l) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29, section (xvii), states, “When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

	<ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Unit Manager / Investigator <p>The interview with the Investigator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 3, section (t)(4) "The agency shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated, §115.72 of the national standards."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Onsite Review Action Plan: NCDAC Memorandum, RE: Staff Re-Assignment Notification, dated 8.9.2023

Interviews:

1. Associate Warden / PREA Compliance Manager

The interview with the PREA Compliance Manager demonstrated notification requirements to victims were to be given verbally and documented on the Offender Notification Form throughout the stages of the investigation.

Site Observation:

Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template demonstrated four of five sexual abuse investigations reviewed did not provide documentation demonstrating offenders who reported sexual abuse were notified.

During the onsite review the facility provided a NCDAC memorandum, from the Associate Warden, to the PREA Auditor, RE: Staff Re-Assignment Notification, stating, “During my current audit it was determined that forms notifying alleged victims of staff re-assignment was not completed for all reviewed cases. I will ensure all forms are reviewed and attached to the investigation package prior to present the package to the assigned investigator from this point forward. “

(a) The Eastern Correctional Institution PAQ states the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was 16. Of the alleged sexual abuse investigations that were completed in the past 12 months, the number of inmates who were notified, verbally or in writing, of the results of the investigations was 16.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (J)(i), states, “Following an investigation into an offender’s allegation that he or she suffered sexual abuse in a facility, the PSP shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Notification shall be documented on Form OPA-I30 Support Services.”

(b) The Eastern Correctional Institution PAQ states If an outside entity conducts such investigations, the agency requests the relevant information from the investigative

entity in order to inform the Inmate as to the outcome of the investigation. The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24-25, section (J)(ii), states, "If the Department of Public Safety did not conduct the investigation, the PSP shall request, through the chain of command, the relevant information from the investigative agency in order to inform the offender."

(c) The Eastern Correctional Institution PAQ states following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency/facility subsequently informs the Inmate (unless the agency has determined that the allegation is unfounded) whenever:

- The staff member is no longer posted within the Inmate's unit;
- The staff member is no longer employed at the facility;
- The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 25, section (J)(iii), states, "Following an offender's allegation that a staff member has committed sexual abuse against the offender, the PSP shall subsequently inform the offender (unless the allegation is unfounded) whenever:

- The staff member is no longer posted within the offender's unit;
- The staff member is no longer employed at the facility;
- The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Notification shall be documented on Form OPA-I30A PREA Support Person Services."

(d) The Eastern Correctional Institution PAQ states following an inmate's allegation

	<p>that he or she has been sexually abused by another Inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. Policy compliance can be found in provision (c) of this standard.</p> <p>(e) The Eastern Correctional Institution PAQ states the agency has a policy that all notifications to inmates described under this standard are documented. In the past 12 months, there has been zero notifications to an inmate, pursuant to this standard.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26, section (J)(v), states, "All such notifications or attempted notifications shall be documented."</p> <p>(e) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 25, section (J)(vi), states, "Obligation to report shall terminate if the offender is released from NC Department of Public Safety custody."</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III <p>The interview with the Warden III demonstrated staff would be separated from the</p>

victim, referred to the agency Employee Relation System, reported to local law enforcement and reported to any applicable licensing entities through the Office of Staff Investigations.

Site Observation:

In the last 12 months, the facility had zero staff who were disciplined for violation of an agency sexual abuse or sexual harassment policy.

(a) The Eastern Correctional Institution PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (h)(2)(A), states, "Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies."

(b) The Eastern Correctional Institution PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies. The PAQ states, "No substantiated cases that were referred for prosecution or resulted in termination of staff."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (h)(2)(B), states, "Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse."

(c) The Eastern Correctional Institution PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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. 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 (other than actually engaging in sexual abuse) is zero.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and

	<p>Sexual Harassment Policy, page 32, section (h)(2)(C), states, “Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.”</p> <p>(d) The Eastern Correctional Institution PAQ states 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, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (h)(2)(D), states, “All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.77	Corrective action for contractors and volunteers
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III <p>The interview with the Warden III demonstrated any volunteer or contractor would be removed from the facility, reported to local law enforcement and any applicable</p>

licensing entities.

Site Observation:

During the last audit cycle, the facility had zero volunteers or contractors subject to disciplinary action due to violating sexual abuse or sexual harassment policies.

(a) The Eastern Correctional Institution PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with Inmates. In the past 12 months, there have been zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in sexual abuse of inmates. The PAQ states, "We have not had any substantiated cases of sexual abuse by staff, contractors, or volunteers in the past 12 months resulting in the need to contact Law Enforcement."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (3)(A), states, "Any contractor or volunteer who engages in sexual abuse shall be immediately prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

(b) The Eastern Correctional Institution PAQ states the facility takes appropriate remedial measures and considers whether to prohibit further contact with Inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (3) (B-C), states,

B. "Appropriate remedial measures shall be considered whether to prohibit further contact with offenders in the case of any other violation of sexual abuse or sexual harassment policies.

C. If an allegation of sexual abuse is which a volunteer or contracting agent is the alleged abuser is substantiated the volunteer or contracting agent shall be terminated from the relationship with NCDPS."

Through such reviews, the facility meets the standard requirements.

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDAC Policy and Procedure Chapter B .0200 Offender Disciplinary Procedures, dated 1.19.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden III <p>The interview with the Warden III demonstrated offenders would be held in restrictive housing until the investigation was complete, receive disciplinary action and reclassified for long term restrictive housing.</p> <p>(a) The Eastern Correctional Institution PAQ states inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. In the past 12 months there have been six administrative findings of inmate-on-inmate sexual abuse. In the past 12 months there have zero criminal findings of guilt for inmate-on-inmate sexual abuse.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (4)(A), states, "Shall be subject to disciplinary sanctions pursuant to formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse."</p> <p>(b) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (4)(B), states, "Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories."</p>

(c) NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (4)(C), states, "The disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed."

(d) The Eastern Correctional Institution PAQ states the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. The facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4) (D), states, "A mental health evaluation shall be conducted after a substantiated incident and the offender shall be offered treatment when deemed appropriate by mental health practitioners. If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending offender to participate in such interventions as a condition of access to programming or other benefits."

(e) The Eastern Correctional Institution PAQ states the agency disciplines inmates for sexual contact with staff only upon finding that the staff member did not consent to such contact.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4)(F), states, "The agency may not discipline an offender victim for sexual contact with staff unless a finding that the staff member did not consent to such contact."

(f) The Eastern Correctional Institution PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and

	<p>Sexual Harassment Policy, page 33, section (4)(E), states, “For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.”</p> <p>(g) The Eastern Correctional Institution PAQ states the agency prohibits all sexual activity between inmates. If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.</p> <p>NCDAC Policy and Procedure Chapter B .0200 Offender Disciplinary Procedures, page 1, states, “Disciplinary offenses are divided into three (3) classes, Class A through Class C. Class A offenses are the most serious and Class C offenses are the least serious (5-ACI-3C-01). Page 2-4 provides the following offense violations.</p> <ul style="list-style-type: none"> · (A05) states, “Commit an assault on another offender with intent to commit any sexual act; · (A11) Commit an assault on a staff member with intent to commit any sexual act; · (A17) Commit an assault on any person, other than an employee or offender, with intent to commit any sexual act; · (A25) Commit, solicit or incite others to commit any sexual act or indecently expose oneself, or touch the sexual or other intimate parts of oneself or another person for the purpose of sexual gratification; (Formerly B06)” <p>Through such reviews, the facility meets the standard requirements.</p>
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115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Program Supervisor
2. Nurse Supervisor
3. Contract Staff Psychologist

Interviews with medical and mental health staff demonstrated disclosure reports are referred to them through custody staff and those offenders are seen by medical immediately and mental health within 48 hours of referrals.

Site Observation:

During the onsite review the Correctional Program Supervisor was able to produce a report from the agency dashboard demonstrating offender disclosure were referred to and seen by medical and or mental health staff within 14 days of such disclosures.

(a, c) The Eastern Correctional Institution PAQ states all Inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner. Follow up meetings are offered within 14 days of the intake screening. In the past 12 months zero offenders disclosed prior victimization during the intake screening. Medical and mental health staff maintain secondary materials, documenting compliance with the above required services. The PAQ states, "Comments are entered in HERO (online medical file for each offender) for the offender being screened by medical and mental health staff. Attached re the forms to document notes/make referrals."

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13, section (2)(A), states, "If the screening for risk of victimization and abusiveness indicates that a prison offender has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening."

(b) The Eastern Correctional Institution PAQ states all Inmates who have previously perpetrated sexual abuse, as indicated during the screening pursuant to § 115.41, are offered a follow-up meeting with a mental health practitioner. All Inmates are allowed a follow-up meeting offered within 14 days of the intake screening. In the past 12 months, zero offenders who perpetrated sexual abuse were offered a follow up meeting with a mental health practitioner.

	<p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (2)(B), states, “If the screening for risk of victimization and abusiveness indicates that a prison offender has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.”</p> <p>(d) The Eastern Correctional Institution PAQ states, Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (2)(C), states, “Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.”</p> <p>(e) The Eastern Correctional Institution PAQ states, Medical and mental health practitioners do not obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting unless the inmate is under the age of 18.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (2)(D), states, “Medical and mental health practitioners shall obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the offender is under the age of 18.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Eastern Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, dated 2.2014

Interviews:

1. Nurse Supervisor
2. Contract Staff Psychologist

Interviews with medical and mental health staff demonstrated each are aware of access to emergency medical and mental health services which are initiated upon receipt of an allegation of a sexual abuse allegation. Each staff stated they would provide immediate medical and mental health services, based on their scope of service recommendations.

Site Observation:

The facility has not experienced a sexual abuse incident requiring emergency medical and or mental health services in the past 12 months.

(a) The Eastern Correctional Institution PAQ states Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (4) (a-b), state, “

A. “If an alleged act of sexual abuse has occurred and there may be forensic medical evidence, the offender may need medical assistance, or other circumstances

dictate, arrangements shall be promptly made to have the alleged offender-victim examined by medical services.

B. Medical Services will follow medical protocol, which includes provisions for examination, documentation and transport to the local emergency department when appropriate, where the following will occur: collection of forensic evidence, testing for sexually transmitted diseases, counseling, and prophylactic treatment. Medical Services will ensure that the offender receives medical follow-up and is offered a referral for mental health services.”

(b) The Eastern Correctional Institution PAQ states inmate If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section (7)(a)(iv), states, “If an alleged act of sexual abuse or sexual harassment is reported or discovered, an immediate preliminary review shall be conducted to determine if the incident meets the standards of PREA.”

(c) The Eastern Correctional Institution PAQ states inmate victims of sexual abuse while incarcerated are 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. Policy compliance can be found in provision (a) of this standard.

(d) The Eastern Correctional Institution PAQ states treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, page 5, section VI., states, “All care for abuse will be provided at no cost.”

Through such reviews, the facility meets the standard requirements.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, dated 2.2014 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Nurse Supervisor 2. Contract Staff Psychologist <p>Interviews with medical and mental health staff demonstrated a continuum of medical and mental health treatment would begin immediately upon receipt of sexual abuse allegations. Both medical and mental health staff stated protocols provide for evaluations to be completed upon ran offenders return from emergency services.</p> <p>Site Observation:</p> <p>The facility has not experienced a need for emergency services and or a forensic exam in the past 12 months.</p> <p>(a-b) The Eastern Correctional Institution PAQ states the facility offers 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.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4)(D), states, “A mental health evaluation shall be conducted after a substantiated incident and the offender shall be offered treatment when deemed appropriate by mental health practitioners. If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending offender to participate in such interventions as a</p>

condition of access to programming or other benefits.”

NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 1, section B. 2, states, “The nurse’s exam will be documented in the medical record using the DC-387D “Use of Force / Trauma Assessment Form;” and DC-387 “Chronological Record of Health Care Inpatient / Outpatient Notes” if additional space is needed.”

(c) Per NCDPS Health Services Policy & Procedure Manual Policy CP-18, the facility provides victims with medical and mental health services consistent with the community level of care.

(d) This provision is not applicable as the Eastern Correctional Institution does not house females.

(e) This provision is not applicable as the Eastern Correctional Institution does not house females.

(f) The Eastern Correctional Institution PAQ states inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

NCDPS Health Services Policy & Procedure Manual Policy CP-18, page 2, section H. 2, states, “For sexual abuse reported within 72 hours, consideration of post-exposure prophylaxis (PEP) for HIV, chlamydia, gonorrhea trichomonas and bacterial vaginosis, will be based on current CDC guidelines.”

(g) The Eastern Correctional Institution PAQ states treatment services are 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.

NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, page 5, section VI., states, “All care for abuse will be provided at no cost.”

	<p>(h) The Eastern Correctional Institution PAQ states they attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.</p> <p>NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 4, section 5. F., states, "Once an investigation has been completed and an inmate has been determined to be an inmate-on-inmate abuser, within 60 days, a mental health clinician will attempt to conduct an evaluation and offer treatment when deemed appropriate.</p> <p>Through such reviews of the medical and mental health personnel ensuring victims of sexual abuse are immediately evaluated upon return of a forensic exam, the facility meets the standard requirements.</p>
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115.86	Sexual abuse incident reviews
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Post Audit: NCDAC Memorandum, RE: Post Incident Reviews, dated 9.8.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Warden / PREA Compliance Manager / Investigator 2. Warden <p>The team on-site were aware of the requirements to document and safeguard investigations of sexual abuse. Both the Warden and the Sergeant stated the team reviews causes, reasons, how each could further prevent and improve current protocols, blind spots, ensure staff were placed properly, dynamics of the area to include group dynamics, camera and policy review.</p>

Site Observation:

Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template demonstrated of the five investigations reviewed, three reviews were completed past the 30-day required timeline and one review had not been completed.

Action Plan:

Appropriate facility staff to write a memorandum explaining the circumstances regarding post incident reviews not being completed within the 30-day requirement.

Post audit the facility provided a NCDAC memorandum, RE: Post Incident Review, to the PREA Auditor, from the Assistant Warden / PREA Compliance Manager, stating, “During our recent Audit, it was discovered that a few cases involving Post Incident Reviews were not done properly. The reason for this, was that for a 5 month span I was both the Acting Warden and Compliance Manager and there was confusion on my part about completing this process.”

(a) The Eastern Correctional Institution PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been 12 investigations of alleged sexual abuse completed within in 30 days.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26, section (B)(i), states, “A PIR shall be completed for all substantiated and unsubstantiated allegations of sexual abuse and documented on Form OPA-I10 Post Incident Review (PIR).”

(b) The Eastern Correctional Institution PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. 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 were 10.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26, section (B)(iv), states, “The PIR shall be

completed by the facility within 30 days of the conclusion of the sexual abuse investigation.”

(c) The Eastern Correctional Institution PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26, section B. (ii), states, “The PIR is completed with input from upper-level management officials, investigators, and medical or mental health practitioners.”

(d) The Eastern Correctional Institution PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) -(d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA Compliance Manager.

NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26-27, section (B)(iii), states, “The review team shall consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status or perceived status; or gang affiliation; or motivated or otherwise caused by other group dynamics in the facility; examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during the different shifts; and assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and prepare a report of its findings pursuant to standards, and any recommendations for improvement. Submit such reports to the Warden and PREA compliance manager.”

(e) The Eastern Correctional Institution PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so. Policy compliance can be found in provision (d) of this standard.

Through such reviews, the facility meets the standard requirements.

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDAC Prison Rape Elimination Act (PREA) of 2003 Sexual Abuse Annual Report 2021 <ol style="list-style-type: none"> 1. PREA Director / Head of Agency <p>The interview with the PREA Director demonstrated the agency reviews all incident reports of sexual harassment and sexual abuse, staff and inmates involved in allegations, compile year end reports, and investigations referred for criminal prosecution and look for common trends. The agency focuses on areas to address in the past year and identifies areas needing corrective action.</p> <p>(a) The Eastern Correctional Institution PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (j) (1-3), state,</p> <ol style="list-style-type: none"> (1) "All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater (5-ACI-3D-16). (2) Accurate, uniform data for every allegation of sexual abuse shall be documented in OPUS by all facilities. (3) Ensure that data is securely retained." <p>(b) The Eastern Correctional Institution PAQ states the agency aggregates the</p>

incident-based sexual abuse data at least annually.

The facility provided the NCDAC Prison Rape Elimination Act (PREA) of 2003 Sexual Abuse Annual Report 2021. The report demonstrates the following information is documented in the annual report.

- Overview: North Carolina Department of Public Safety
- Division of Adult Correction (DAC)
- Adult Correction
- Juvenile Justice
- Departmental Accomplishments
- Definitions Related to Sexual Abuse and Sexual Harassment
- Sexual Abuse
- Sexual Harassment
- Comparative Data
- 2021: The Department's Year in Review
- 2021 Adult Correction Facilities: Substantiated Sexual Abuse Cases with Corrective Actions
- 2021 Juvenile Justice Facilities: Substantiated Sexual Abuse Cases with Corrective Actions
- 2020: The Department's Year in Review
- 2020 Juvenile Justice Facilities: Substantiated Sexual Abuse Cases with Corrective Actions
- 2020 Adult Correction Facilities: Substantiated Sexual Abuse Cases with Corrective Actions
- Comparison Charts for Years 2020-2021
- Victim Data Overview
- Audit Findings
- Conclusion
- Agency Information

	<p>(c) The Eastern Correctional Institution PAQ states the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.</p> <p>(d) The Eastern Correctional Institution PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Policy compliance can be found in provision (a) of this standard.</p> <p>(e) The Eastern Correctional Institution PAQ states the agency does not obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates as the agency does not have private contracts.</p> <p>(f) The Eastern Correctional Institution PAQ states the Department of Justice has requested agency data for the previous calendar year.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Eastern Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Prison Rape Elimination Act (PREA) of 2003 Sexual Abuse Annual Report 2021 <p>(a) The Eastern Correctional Institution PAQ states the agency reviews 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, and training, including:</p>

	<ul style="list-style-type: none"> Identifying problem areas; Taking corrective action on an ongoing basis; and Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole. <p>As is described in § 115.87, the agency provided an Annual Report meeting the requirements defined in provision (a) of this standard.</p> <p>(b) The Eastern Correctional Institution PAQ states the annual report includes a comparison of the current year's data and corrective actions to those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.</p> <p>(c) The Eastern Correctional Institution PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. Policy compliance can be found in provision (a) of this standard.</p> <p>Annual reports from 2015 through 2021 are available at https://www.ncdps.gov/dps-services/prison-rape-elimination-act</p> <p>(d) The Eastern Correctional Institution PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. The agency indicates the nature of material redacted.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

	<p>1. Eastern Correctional Institution PAQ</p> <p>2. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022</p> <p>(a) The Eastern Correctional Institution PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (j)(1), states, "All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater."</p> <p>(b) The Eastern Correctional Institution PAQ states agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p>NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (j) Record Retention and Data Collection, (2)(D), states, "The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its offenders."</p> <p>(c-d) The Eastern Correctional Institution PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. The agency maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	<p>(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p>(b) This is the fourth audit cycle for Eastern Correctional Institution and the first year of the fourth audit cycle.</p> <p>(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p>(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>(m) The Auditor was permitted to conduct private interviews with residents.</p> <p>(n) Residents permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(b) The agency has posted the current 2020 PREA audit report, on their website.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

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

	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.)	
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 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	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	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	na

	facility does not have female inmates.)	
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual 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	yes

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	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	yes

	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?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	

	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	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?	no
	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?	no
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?	no
	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?	no
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	yes

	Garrrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	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.)	no
	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.)	no
	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.)	no
	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	no

	suspicious 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.)	
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.)	no
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?	no
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective	yes

	screening instrument?	
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)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
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	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
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	yes

	present management or security problems?	
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	yes

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

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

	anonymous upon request?	
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	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	yes

	this standard.)	
	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?	no
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	na

	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.)	
	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	yes

	abuse or sexual harassment or retaliation?	
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	yes

	response to an incident of sexual abuse?	
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	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?	
	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	yes

	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).)	
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes

	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually	yes

	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?	
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	yes

	evidence sufficient to substantiate the allegation?	
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	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
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.)	yes
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	yes

	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?	
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	Audit contents and findings	

(f)	
	<div data-bbox="322 188 1273 555"> <p>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.)</p> </div> <div data-bbox="1305 188 1353 219">yes</div>