

Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim Final

Date of Report 07/02/19

Auditor Information

Name: Patrick J. Zirpoli	Email: pzirpoli@ptd.net
Company Name: Patrick J. Zirpoli LLC.	
Mailing Address: 149 Spruce Swamp Road	City, State, Zip: Milanville, PA 18443
Telephone: 570-729-4131	Date of Facility Visit: 06/06/19-06/07/19

Agency Information

Name of Agency: County of Lancaster, PA	Governing Authority or Parent Agency (If Applicable):
Physical Address: 150 N. Queen Street	City, State, Zip: Lancaster, PA 17603
Mailing Address: Same as above	City, State, Zip:
Telephone: 717-299-8000	Is Agency accredited by any organization? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The Agency is:	<input type="checkbox"/> Military <input type="checkbox"/> Private for Profit <input type="checkbox"/> Private not for Profit <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> County <input type="checkbox"/> State <input type="checkbox"/> Federal
Agency mission: The mission of the Lancaster County Prison is to provide for the humane and secure care, custody, and control of those individuals who are charged with criminal offenses, while also providing for the protection and safety of the community through the detention of such individuals.	
Agency Website with PREA Information: https://www.co.lancaster.pa.us	

Agency Chief Executive Officer

Name: Lawrence George	Title: Chief Clerk
Email: GeorgeL@co.lancaster.pa.us	Telephone: 717-299-8303

Agency-Wide PREA Coordinator

Name: Christina Hausner	Title: Solicitor
Email: Chausner@co.lancaster.pa.us	Telephone: 717-299-3208

Facility Information

Name of Facility: Lancaster County Prison			
Physical Address: 625 East King Street Lancaster, PA 17602			
Mailing Address (if different than above): Same as above			
Telephone Number: 717-299-7800			
The Facility Is:		<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Private not for profit
Facility Type:		<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison
Facility Mission: The mission of the Lancaster County Prison is to provide for the humane and secure care, custody, and control of those individuals who are charged with criminal offenses, while also providing for the protection and safety of the community through the detention of such individuals.			
Facility Website with PREA Information: https://www.co.lancaster.pa.us			
Warden/Superintendent			
Name: Cheryl Steberger		Title: Warden	
Email: CSteberger@co.lancaster.pa.us		Telephone: 717-299-7803	
Facility PREA Compliance Manager			
Name: Alexandria Miller		Title: PREA Compliance Manager	
Email: ABMiller@co.lancaster.pa.us		Telephone: 717-723-4450	
Facility Health Service Administrator			
Name: Erica Carvajal		Title: Prime Care Medical HSA	
Email: ECarvajal@primecaremedical.com		Telephone: 717-295-2078	
Facility Characteristics			
Designated Facility Capacity: 1081		Current Population of Facility: 798	
Number of inmates admitted to facility during the past 12 months			6719
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:			1322
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:			4200
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:			0

Are youthful inmates housed separately from the adult population?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
Number of youthful inmates housed at this facility during the past 12 months:	5		
Average length of stay or time under supervision:	117 days		
Facility security level/inmate custody levels:	Min, Med, Max		
Number of staff currently employed by the facility who may have contact with inmates:	282		
Number of staff hired by the facility during the past 12 months who may have contact with inmates:	95		
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:	NA		
Physical Plant			
Number of Buildings: 1	Number of Single Cell Housing Units: 2		
Number of Multiple Occupancy Cell Housing Units:	11		
Number of Open Bay/Dorm Housing Units:	1		
Number of Segregation Cells (Administrative and Disciplinary):	Varies		
<p>Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):</p> <p>The facility has 258 cameras placed throughout the facility. These cameras include PTZ cameras and fixed cameras. The cameras provide adequate coverage of inmate housing areas, and inmate accessed areas. The cameras are viewed in the two control rooms. The cameras are monitored by the security staff who work in these areas. During the onsite audit, the monitors were examined, the views of the cameras do not show any areas that would cause an issue of cross-gender viewing.</p>			
Medical			
Type of Medical Facility:	24-hour medical care		
Forensic sexual assault medical exams are conducted at:	Lancaster General Hospital		
Other			
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:	296 Volunteers		
Number of investigators the agency currently employs to investigate allegations of sexual abuse:	1		

Audit Findings

Audit Narrative

Pre-Onsite Audit Phase

Audit Planning and Logistics:

I had the opportunity to discuss the audit process and expectations of both parties with the Facility PREA Compliance Manager Alexandria Miller. We coordinated the dates for the onsite audits at the facility. During these conversations, we outlined an overall audit schedule and notified the facility of the estimated time of arrival on site.

Posting Notice of the Audit:

I forwarded the audit posting to the Facility PREA Compliance Manager on April 16, 2019. The posting included the dates of the audit, the purpose of the audit, my contact information, and a statement regarding the confidentiality of any communication received. The postings were placed throughout the facility, including all housing units, visiting areas, recreational areas, and all common areas. I verified the placement of the audit notices during the onsite portion of the audit during the facility tour and during the inmate and staff interviews. I did not receive any letters from staff nor inmates.

Review of Agency and Facility Policies, Procedures, and Supporting Documentation:

The Facility PREA Compliance Manager provided me with a flash drive containing all facility Policies and Procedures, as well as documentation that all Facility Policies and Procedures were practiced on a daily basis. They also provided me a completed PRE-Audit Questionnaire. The Policies, Procedures, and Documents reviewed during this phase of the audit are listed under Onsite Audit, with all documentation reviewed during the course of the audit.

Outreach to Community Advocacy Organizations:

I contacted YWCA of Lancaster County, who provides victim advocacy. They knew of no issues at the facility.

Onsite Audit Phase

Site Review:

The onsite audit began on June 6, 2019, at 8:00 a.m. at which time I led a short in-briefing. In attendance were the following staff:

- Warden Cheryl Steberger
- Deputy Warden of Security Robert Wolfe
- Deputy Warden of Inmate Services Joe Shiffer
- Director of Administration Tammy Moyer
- Inmate Services Supervisor Toni Warfel
- Executive Assistant Ashley Garcia
- PREA Compliance Manager Alexandria Miller

Introductions were made, and the audit schedule was discussed. I provided an overview of the audit process and how compliance could be accomplished, and how I utilize the PREA Audit Report for Adult Prisons and Jails as a guide to ensure that all aspects of each standard are met. This assurance is made by triangulation of the policies and documentation reviewed, the Auditors personal observations during the onsite audit, and through the information received during the interviews. This triangulation is accomplished by ensuring that the policies and documentation, are compliant with the PREA Standards, and the personal observations and interviews confirm the procedures outlined in the policy are in daily practice at the facility. I explained that the policies and procedures reviewed are in compliance with the standards, and I will evaluate if they are put into daily practice at the facility.

Immediately following the meeting, a facility tour was conducted. During the tour, I had the opportunity to view all areas of the facility; no areas were not toured. I interacted with both staff and inmates, as well as observed the interaction between the staff and inmates. I was able to verify the location of cameras throughout the facility, as well as the camera monitor locations. While on the housing units, I observed the related PREA information, Audit Posting, and applicable policies and procedures posted in the common areas, which are accessible to all inmates. These postings were further observed in common areas throughout the facility. While conducting the tour, I reviewed log books on the housing units.

The inmate interviews began immediately following the facility tour. Interviews were conducted in various private locations throughout the facility. The areas provided privacy for the interviews. The inmates were randomly selected from inmates in the housing unit. During this process, I interviewed inmates in the following categories:

Interview Type	Number
Random Inmate Interviews	21
Youthful Inmates	3
Inmates with a Physical Disability	1
Inmates who are Blind, Deaf, or Hard of Hearing	0
Inmates who are Limited English Proficient	0
Inmates with a Cognitive Disability	2
Inmates who Identify as Lesbian, Gay or Bisexual	2
Inmates who identify as Transgender or Intersex	0
Inmates in Segregated Housing for High Risk of Sexual Victimization	0
Inmates who Reported Sexual Abuse	2
Inmates who Reported Sexual Victimization During Risk Screening	2
Total Inmate Interviews	33

During the interview process, several targeted categories of inmates were not being housed at the facility. I conducted the interviews with all inmates, in the same manner, a preamble to the interview was related to the inmate explaining the purpose of the interview, and how they were selected and explaining to them that they did not have to speak with me if they choose not to. No inmates refused to speak with me. All inmates were asked questions related to the Random Inmate Interviews, and if they were in a targeted category, I asked those additional questions. During the interviews, I utilized a copy of the initial PREA information received by inmates, Inmate Handbook, and Screening form to visually stimulate the inmate's recollection of their initial intake process.

Upon completion of the inmate interviews, the staff interviews were conducted throughout multiple locations in the facility, these interviews were all conducted in private. These interviews were conducted on both days of the audit. The facility was currently working two shifts; interviews were conducted on both shifts. During the process, I interviewed staff in the following categories:

Interview Type	Number
Random Staff Interviews	6
Intermediate or Higher-Level Staff Conducting Unannounced Rounds and Intake Staff	2
Line Staff who Supervise Youthful Inmates	1
Education and Program Staff who Work with Youthful Inmates	1
Medical and Mental Health Staff	3
Administrative Staff	1
Volunteers and Contractors	1
Investigative Staff	1
Staff who Perform Screening	2
Staff who Supervise Inmates in Segregated Housing	1
Staff on the Sexual Abuse Incident Review Team	1
First Responders	1
Warden	1
PREA Compliance Manager and Designated to Monitor for Retaliation	1
Total Staff Interviews	23

I conducted the interviews with all staff in the same manner, a preamble to the interview was related to the staff member explaining the purpose of the interview, and how they were selected and explaining to them that they did not have to speak with me if they choose not to. No staff refused to speak with me. All staff, except for administration, were asked questions related to the Random Staff Interviews, and if they were in a targeted category. They were then asked questions pertaining to that area. During the interviews, I utilized a copy of any documentation related to a specifically targeted interview. These items were used to visually stimulate the staff's recollection on the daily practices at the facility.

The following is a list of documentation reviewed during the Pre-Audit, Onsite Audit and Post Audit Phases, with the applicable standard to each.

Documentation Reviewed Pre-Audit, Onsite Audit and Post Audit Phases	Applicable Standard
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Organizational Chart - Facility	Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Memorandum of understanding with Chester County	Standard 115.12: Contracting with other entities for the confinement of inmates
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 2017 through 2019 Staffing Plans Unit Logs (showing unannounced rounds) – all shifts Logs reviewed during facility tour	Standard 115.13: Supervision and Monitoring
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Memorandum of understanding with Chester County Daily populations report	Standard 115.14: Youthful inmates
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison Transgender Inmates Policy E-12 Dated: November 14, 2018 PREA Training PowerPoint PREA Training Acknowledgment forms	Standard 115.15: Limits to cross-gender viewing and searches
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Language Line Instructions PREA Training	Standard 115.16: Inmates with Disabilities and Inmates who are Limited English Proficient
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Employment application NCIC Records log for staff, contractors Personal Files with completed PREA Questions	Standard 115.17: Hiring and Promotion Decisions
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.18: Upgrades to facilities and technologies

Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Memorandum of Understanding – YWCA of Lancaster County Lancaster County Prison, Evidence Handling Policy F-10 Dated: January 16, 2018	Standard 115.21: Evidence Protocol and Forensic Medical Examination
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison, Investigations Policy A-27 Dated: January 16, 2015	Standard 115.22: Policies to Ensure Referral of Allegations for Investigations
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison, Training and Staff Development Policy C-1 Dated: February 20, 2015 PREA Training PowerPoint 2018 PREA Training Rosters Training Records and Acknowledgement Forms for Staff, Volunteers and Contractors New Hire Training Schedule	Standard 115.31: Employee Training
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Completed Acknowledgement Forms Volunteer and Contractor Training Materials	Standard 115.32: Volunteer and Contractor Training
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Zero Tolerance Acknowledgment Signed Inmate Handbook, relevant pages, (English and Spanish) Posters on Units	Standard 115.33: Inmate Education
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Specialized PREA Investigation Training PowerPoint Letter to PREA Auditors regarding specialized training Training Records for Investigators	Standard 115.34: Specialized training: Investigations
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Medical/Dental/Mental Health PREA Training Training Rosters	Standard 115.35: Specialized training: Medical and mental health care
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Completed screening forms	Standard 115.41: Screening for risk of victimization and abusiveness
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison Transgender Inmates Policy E-12 Dated: November 14, 2018	Standard 115.42: Use of screening information

Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.43: Protective Custody
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Appendix G-LCP Brochure English & Spanish Appendix M & k Poster English & Spanish LCP Policy Manual 2019 Signed MOU for reporting line with Pennsylvania Department of Corrections.	Standard 115.51: Inmate reporting
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.52: Exhaustion of administrative remedies
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 MOU with YWCA of Lancaster County	Standard 115.53: Inmate access to outside confidential support services
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.54: Third-party reporting
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Completed investigation reports	Standard 115.61: Staff and agency reporting duties
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.62: Agency protection duties
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Investigative reports where reporting made and documented	Standard 115.63: Reporting to other confinement facilities
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 First Responder Note Card Investigative reports	Standard 115.64: Staff first responder duties
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Investigative Reports	Standard 115.65: Coordinated response
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Contract between Lancaster County and the AFL-CIO District Council 89 Contract expires on December 31, 2022	Standard 115.66: Preservation of ability to protect inmates from contact with abusers
Lancaster County Prison Transgender Inmates Policy E-12 Dated: November 14, 2018 Completed Retaliation Monitoring Forms Investigative Files	Standard 115.67: Agency protection against retaliation
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.68: Post-allegation protective custody
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison, Investigations Policy A-27 Dated: January 16, 2015 Investigative Reports Letter to PREA Auditors regarding specialized training Training Records for Investigators	Standard 115.71: Criminal and administrative agency investigations

Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Investigation reports	Standard 115.72: Evidentiary standard for administrative investigations
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Completed notification of investigation outcome signed	Standard 115.73: Reporting to inmates
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.76: Disciplinary sanctions for staff
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.77: Corrective action for contractors and volunteers
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Lancaster County Prison, Inmate Discipline Policy A-21 Dated: January 1, 2018	Standard 115.78: Disciplinary sanctions for inmates
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Informed Consent Form Primecare Release Form Primecare Sexual Abuse Policy Medical Screening Form	Standard 115.81: Medical and mental health screenings; history of sexual abuse
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Primecare Sexual Abuse Policy	Standard 115.82: Access to emergency medical and mental health services
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Primecare Sexual Abuse Policy	Standard 115.83: Ongoing medical and mental health care for sexual abuse victims and abusers
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 PREA Incident Reviews Incident Review Notes	Standard 115.86: Sexual abuse incident reviews
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Data Reports	Standard 115.87: Data collection
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Data Reports	Standard 115.88: Data review for corrective action
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 Data Reports	Standard 115.89: Data storage, publication, and destruction
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.401: Frequency and scope of audits
Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016	Standard 115.403: Audit contents and findings

At the conclusion of the Onsite Audit, an exit conference was held with the administration. At this time, I provided an overview of the audit findings during the onsite audit portion.

During the onsite audit portion, I found the staff to be extremely respectful and very knowledgeable in not only sexual safety but the overall safety of the facility. The interviewed inmates confirmed this and felt that the facility is safe overall.

During the staff interviews, I found that the staff took ownership not only of the immediate areas they worked in but the facility overall. This staff attitude helps in creating a respectful culture at the facility.

Post Audit:

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of all of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of each standard were met. This assurance was made by triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After taking all of these factors into account, I found that the facility has met all of the standards and are in compliance with the Prison Rape Elimination Act National Standards for Prisons and Jails.

Facility Characteristics

The Lancaster County Prison is the Countywide facility for Lancaster County Pennsylvania. The facility is located on East King Street in Lancaster City. The facility was originally built in 1851 and renovated in 1972.

Access to the facility:

Access to the facility is controlled by Correctional Officer Staff. All entrants to the facility must successfully pass through a metal detector; they are further subject to search if deemed appropriate.

Housing Units:

The facility is located within a single 4 story building and consists of 14 housing units. The housing units consist of 11 multi-occupancy cell housing units, 2 single cell housing units, and 1 dormitory-style housing unit. The majority of the multi-occupancy housing units are constructed in the same manner; they are two-tiered with a large common area in the center. An outdoor recreation yard is connected to these units. The toilets in these units are located in the cells, offset from the window in the door, which restricts viewing while toileting. The showers are located in an area away from the cells and have dual shower curtains to prevent cross-gender viewing while showering.

The female single cell housing unit has toilets in the cells, although the doors are an open grate construction. The staff assigned to the housing unit are female, although the male staff can work in the control room, which is completely out of view of the cells. The showers are in the dayroom area but they are concealed behind curtains that completely block the view of the inmates showering.

The male single cell housing unit has the toilets in the cells, which are out of view. The showers have curtains and block the view of cross-gender staff. The open dormitory housing unit has curtains for both the toilets.

All of the housing units have phones that are accessible to inmates. They also have PREA posters in English and Spanish, that provide the reporting number through the Pennsylvania Department of Corrections, and the YWCA of Lancaster County, which provides victim advocacy.

All housing units have several cameras; all camera views were viewed; no views show any cross-gender viewing issues.

The commitment area of the facility has various cells that are utilized to house inmates while undergoing the intake process. These cells are constructed in a manner that provides privacy to inmates while toileting. The inmates are in this area for a short period of time before being transferred to a housing unit.

All inmate bathrooms throughout the facility have curtains or operational/non-locking doors which provide the inmate's privacy while toileting.

Staff offices are located throughout the facility in various locations.

Summary of Audit Findings

Number of Standards Exceeded: 7

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
Standard 115.33: Inmate education
Standard 115.34: Specialized training: Investigations
Standard 115.41: Screening for risk of victimization and abusiveness
Standard 115.42: Use of screening information
Standard 115.51: Inmate reporting
Standard 115.71: Criminal and administrative agency investigations

Number of Standards Met: 38

Standard 115.12: Contracting with other entities for the confinement of inmates
Standard 115.13: Supervision and monitoring
Standard 115.14: Youthful inmates
Standard 115.15: Limits to cross-gender viewing and searches
Standard 115.16: Inmates with disabilities and inmates who are limited English proficient
Standard 115.17: Hiring and promotion decisions
Standard 115.18: Upgrades to facilities and technologies
Standard 115.21: Evidence protocol and forensic medical examinations
Standard 115.22: Policies to ensure referrals of allegations for investigations
Standard 115.31: Employee training
Standard 115.32: Volunteer and contractor training
Standard 115.35: Specialized training: Medical and mental health care
Standard 115.43: Protective Custody
Standard 115.52: Exhaustion of administrative remedies
Standard 115.53: Inmate access to outside confidential support services
Standard 115.54: Third-party reporting
Standard 115.61: Staff and agency reporting duties
Standard 115.62: Agency protection duties
Standard 115.63: Reporting to other confinement facilities
Standard 115.64: Staff first responder duties
Standard 115.65: Coordinated response
Standard 115.66: Preservation of ability to protect inmates from contact with abusers
Standard 115.67: Agency protection against retaliation
Standard 115.68: Post-allegation protective custody
Standard 115.72: Evidentiary standard for administrative investigations
Standard 115.73: Reporting to inmates
Standard 115.76: Disciplinary sanctions for staff
Standard 115.77: Corrective action for contractors and volunteers
Standard 115.78: Disciplinary sanctions for inmates
Standard 115.81: Medical and mental health screenings; history of sexual abuse
Standard 115.82: Access to emergency medical and mental health services
Standard 115.83: Ongoing medical and mental health care for sexual abuse victims and abusers
Standard 115.86: Sexual abuse incident reviews
Standard 115.87: Data collection
Standard 115.88: Data review for corrective action

Standard 115.89: Data storage, publication, and destruction
Standard 115.401: Frequency and scope of audits
Standard 115.403: Audit contents and findings

Number of Standards Not Met: 0

Summary of Corrective Action

PREVENTION PLANNING

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

115.11 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? Yes No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? Yes No

115.11 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? Yes No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? Yes No
- 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 No

115.11 (c)

- 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 No NA
- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The Lancaster County Prison, Prison Rape Elimination Act Policy E-3 Dated: July 5, 2016 dictates the agency's mandated zero tolerance toward all forms of sexual abuse and sexual harassment and outlines the agency's approach to preventing, detecting, and responding to such conduct. This policy furthermore defines all sexual abuse and sexual harassment.

I reviewed the policy in its entirety, as well as questioned staff members on its content and applicable sections to their specific duties within the facility. The staff understood the policy and its practical application to the daily operation of the facility.

Lancaster County has appointed a PREA Coordinator who is above the PREA Compliance Managers, one at the Prison and one at the Youth Development Center. The Prison PREA Compliance Manager oversees all operational aspects of the PREA Standards at the Prison, and the efforts to comply with the PREA Standards. During her interview, she related that she has sufficient time and authority to develop, implement, and oversee efforts to comply with the PREA standards. I found the PREA Compliance Manager to be well versed in the PREA Standards and their daily application to the operations at the Prison. The Lancaster County PREA Coordinator is in the Administration at the county level. During the onsite audit, I found that the PREA Compliance Manager works directly with the Warden and Deputy Wardens regarding any issue with the PREA Standards.

During the interviews at the facility, I was informed that the PREA Compliance Manager is always accessible to answer questions and provide advice on PREA related issues. I was also advised that she will spot check the facility to ensure that they are consistent in the application of the policies that apply to PREA.

Prior to the onsite audit, all documentation was reviewed, during the onsite portion, I observed the policies in daily practice, and this was further confirmed during my interviews with both staff and inmates.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility has substantially exceeded the requirements of this standard, and all provisions. This decision was based on the facility's overall commitment to sexual safety.

Standard 115.12: Contracting with other entities for the confinement of inmates

115.12 (a)

- 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 No NA

115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility does not hold any contracts with other entities for the housing of inmates. The facility does hold a Memorandum of Understanding with Chester County Prison for the housing of juveniles if needed. Chester County Prison is compliant with the PREA Standards a final reprot was issued for the facility by DOJ Certified PREA Auditor Kurt Pfisterer on December 7, 2018.

After a careful review of all documentation, and the information received during both the agency level and the facility level interviews, I found that the agency is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.13: Supervision and monitoring

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? Yes No NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and

determining the need for video monitoring? Yes No

- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? Yes No

115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
 Yes No NA

115.13 (c)

- 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 No
- 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 No
- 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 No

115.13 (d)

- 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 No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has developed a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities have taken into consideration all areas enumerated under this standard. Compliance was determined by reviewing the aforementioned policy and 2019 staffing plan and development process. I further questioned the staff on the policy and the ability to fully staff the facility at all times. I was informed that the facility would fill posts with overtime if needed to be at the full complement.

The staffing plan was completed and reviewed by the Warden and PREA Compliance Manager on May 16, 2019.

During the interviews with the administration at the facility, I confirmed a daily review of the staffing at the facility. The administration meets on a regular basis; this includes the Warden and Deputy Wardens. During this meeting, the overall facility operations are discussed to include staffing.

The staffing plan has not been deviated from within the last 12 months. I confirmed during staff interviews that any posts would be filled with overtime if needed.

The administration meets on a regular basis to review incidents that have occurred at the facility, as well as discussing normal facility operation. During these meetings, they discuss any adjustments that may need to be made to the staffing plan, deployment of video monitoring and other technologies, and any resources available. This was confirmed during the staff interviews.

The facility has 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. These unannounced rounds take place during all shifts at the facility. The facility has a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring. I further confirmed the rounds are occurring during the staff and inmate interviews as well as reviewing the logs generated by the housing unit officers

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.14: Youthful inmates

115.14 (a)

- 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].) Yes No NA

115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No 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].) Yes No NA

115.14 (c)

- 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].) Yes No 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].) Yes No 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].) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

At the time of the onsite audit, the facility was housing three juvenile offenders, who were charged as adults. The juveniles were housed in a housing unit by themselves and under the direct supervision of a

Correctional Officer. The facility policies further state that when the juveniles are off the housing unit, and within sight and sound of adult inmates, they are under direct supervision. The juveniles are offered recreation on a daily basis; this occurs in the recreation yard connected to the unit.

I interviewed the three juvenile inmates. They all confirmed that they are housed separate from the adult inmates, are allowed recreation time every day, and are not in contact with adult inmates unless they are under direct supervision. I confirmed through the inmate and educational staff that the juveniles attend school and are in a room with adults. They are under direct supervision at all times. Lancaster School District is providing juvenile education.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.15: Limits to cross-gender viewing and searches

115.15 (a)

- 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 No

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20, 2017.) Yes No 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 here for facilities with less than 50 inmates before August 20, 2017.) Yes No NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates?
 Yes No

115.15 (d)

- Does the facility implement a policy and practice 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 No

- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? Yes No

115.15 (e)

- 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 No
- 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 No

115.15 (f)

- 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 No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility does not conduct cross-gender strip searches or cross-gender visual body cavity searches unless in exigent circumstances or when performed by a medical practitioner. I confirmed this procedure during staff and inmate interviews, as well as a review of the policy. I also confirmed that the facility had not conducted a search under these circumstances.

The facility only assigns the same gender staff to same-gender housing units, with the exception of the control room on one of the female housing units. This control room is out of view of the cell area. This practice greatly reduces the risk of unintentional cross-gender viewing.

The above policies outline procedures and practices that enable inmates to shower, perform bodily functions, and change clothing without a 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. The policies further dictate that staff of the opposite gender announce their presence when entering an inmate housing unit. These practices were confirmed during the staff and inmate interviews as well as during the facility tour when I observed the announcements taking place. The toilets in the celled housing units are offset from the window in the door, which restricts viewing while toileting. The showers are located in an area away from the cells and have dual shower curtains to prevent cross-gender viewing while showering. The female single cell housing unit has toilets in the cells, although the doors are an open grate construction. The staff assigned to the housing unit are female, although the male staff can work in the control room, which is completely out of view of the cells. The showers are in the dayroom area, but they are concealed behind curtains that completely block the view of the inmates showering. The male single cell housing unit has the toilets in the cells, which are out of view. The showers have curtains and block the view of cross-gender staff. The open dormitory housing unit has curtains for both the toilets and showers.

The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. I further confirmed the practices during the staff and medical interviews.

The facility has trained security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. This was confirmed by reviewing the provided training materials. I further verified this training during staff interviews.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.16: Inmates with disabilities and inmates who are limited English proficient

115.16 (a)

- 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 No
- 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 No
- 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 No

- 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 No
- 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 No
- 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 No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? Yes No
- 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 No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? Yes No
- 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 No
- 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 No

115.16 (b)

- 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 No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No

115.16 (c)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility has taken appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. These steps include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. The facility outlines the response to inmates in these categories in the policy. The facility utilizes the services of Propio Language Services for interpretation. I further confirmed during interviews with intake staff, counselors that if an inmate was blind, they would read the information to them, cognitive/intellectual disabled inmates would have the information explained to them, and deaf inmates would be given the information to read, and confirmation would be in writing.

The facility has taken steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient. The facility has bilingual staff, and utilize the services of the Propio Language Services for foreign language interpretation. This was confirmed through staff interviews and policy review.

The facility does not rely on inmate interpreters, inmate readers, or other types of inmate assistants. The interviewed facility investigator is aware of the approved interpreters and confirmed during their interview that they utilize these services.

During the inmate interviews, I interviewed inmates with Cognitive Disabilities. All of these inmates related that the staff further explained the sexual abuse and sexual harassment policies, and ensured that the inmates understood the reporting avenues.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.17: Hiring and promotion decisions

115.17 (a)

- 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 No
- 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 No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No
- 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 No
- 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 No
- 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 question immediately above? Yes No

115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? Yes No

115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check? Yes No

- 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 No

115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? Yes No

115.17 (e)

- 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 No

115.17 (f)

- 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 No
- 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 No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? Yes No

115.17 (h)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility has policies and procedures in place that identify anyone who had been convicted of sexual abuse in a confinement setting, engaged in or attempted to engage in sexual activity in the community or has been civilly or administratively adjudicated for the same. The facility has developed a hiring practice where they utilize the PREA Employee Disclosure Statement to ask about all prior activities that involve sexual abuse; this form covers all behaviors enumerated in the standard. These questions are asked of all potential employees, contractors, and volunteers. I confirmed the practice during interviews and review of 25 personal files.

During the documentation review and review of personnel files, I found that this process is also being utilized in the promotion system throughout the agency. This was further confirmed through agency level interviews and interviews of promoted personnel.

The agency has also implemented a background investigation process for all new employees, contractors, and volunteers. The background investigations are being conducted as per policy. During the review of personnel files, I ensured that the background checks were being completed.

The facility conducts a Criminal Clearance and Child Abuse Clearance every two years; this information is documented in the NCIC log and personal files.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.18: Upgrades to facilities and technologies

115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has made no substantial expansion to this facility nor is any planned. During the interviews, I confirmed that if any expansion or acquisition of facilities takes place, the overall security and safety is taken into consideration, including the sexual safety of the inmates.

The facility installed cameras during the previous PREA audit, which the auditor requested in the Corrective Action Plan. The facility is planning a complete camera upgrade in the future, the PREA Compliance Manager and Administration related that sexual safety and overall safety would be taken into consideration when considering camera placement.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

115.21 (a)

- 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 No NA

115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA

115.21 (c)

- 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 No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? Yes No
- 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 No
- Has the agency documented its efforts to provide SAFEs or SANEs? Yes No

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No

- 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? Yes No
- Has the agency documented its efforts to secure services from rape crisis centers? Yes No

115.21 (e)

- 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 No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity 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 No NA

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

- 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 attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.] Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency is responsible for the administrative and criminal investigations of all sexual abuse and sexual harassment incidents, any criminal investigation of a staff member is conducted by the Lancaster City Police Department. These investigations are initially responded to utilizing a team approach, where the administration, medical, and mental health will initially be notified. The facility investigator will respond to conduct the investigation. The investigator is a sworn law enforcement officer and is highly trained in evidence collection and identification. I reviewed the training materials utilized and interviewed the investigator. I found that he follows the evidence protocols outlined in the policy, and is well versed in evidence identification and collection.

The facility would utilize a SANE from Lancaster General Hospital and victim advocacy from the YWCA of Lancaster County. Northwest Domestic Crisis Service.

The protocols outlined in the policies are developmentally appropriate for youth and exceed nationally accepted standards.

The aforementioned victim advocates are available to the victim during the forensic medical examination process, the investigatory interviews, and they provide emotional support, crisis intervention, information, and referrals.

It should be noted that the facility has not had any allegations of Sexual Abuse nor Sexual Harassment, where these services were utilized within the last 12 months.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.22: Policies to ensure referrals of allegations for investigations

115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? Yes No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? Yes No

115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? Yes No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? Yes No
- Does the agency document all such referrals? Yes No

115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication 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 No NA

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. This was confirmed through a review of policies which outline the procedures for investigating sexual abuse and sexual harassment. I further verified all allegations are investigated during investigator interview, staff interviews, and review of the agency investigative reports.

The agency investigates all allegations initially and will refer all criminal investigations of staff members to the Lancaster City Police Department. I verified that the investigative procedure is published on the facility's website.

The facility has policies in place that govern the investigative process. This was confirmed during policy review and investigator interviews.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

TRAINING AND EDUCATION

Standard 115.31: Employee training

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- 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 No
- 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 No
- 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 No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? Yes No
- 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 No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? Yes No
- 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 No
- 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 No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? Yes No
- 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 No

115.31 (c)

- Have all current employees who may have contact with inmates received such training?
 Yes No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures? Yes 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? Yes No

115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility provides training to all employees on the areas enumerated in this standard. I reviewed the training curriculum and materials; I found that they address all areas. I further confirmed the training during the staff interviews and the review of training records. The employees receive initial training and annual updates. It was confirmed during staff interviews that they also receive updates during roll calls.

All employees receive training on both genders and youthful inmates. This was confirmed during a review of training materials and during staff interviews.

The employees are verifying the receipt of the training through a signature; this was verified during the review of the sample signature logs.

All staff at the facility are provided with a laminated card that outlines the required response to a PREA incident. Several of the interviewed staff showed me their cards during the interview process.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.32: Volunteer and contractor training

115.32 (a)

- 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 No

115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)? Yes No

115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency has trained all volunteers and contractors who have contact with inmates on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. This was confirmed during the volunteer and contractor interviews at the facility. The facility has trained 296 volunteers and contractors to date.

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. At a minimum, they are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

The agency maintains all documentation confirming that volunteers and contractors understand the training they have received. This documentation is maintained; this was confirmed during the review of the volunteer and contractor acknowledgment forms.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.33: Inmate education

115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment? Yes No
- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment? Yes No

115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment? Yes No
- 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 No
- 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 No

115.33 (c)

- Have all inmates received such education? Yes No
- 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 No

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? Yes No

- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? Yes No

115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions? Yes No

115.33 (f)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

During the intake process, inmates receive information explaining the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The intake officer completes the PREA Inmate Orientation Form and forwards to the PREA Counselor. This was confirmed during the inmate and staff interviews; this information is also located in the inmate handbook. I further confirmed this by reviewing the completed forms.

The inmates receive an in-depth education where they are shown a video on PREA and sign part 2 of the PREA Inmate Orientation Form. I confirmed with the counselors and the PREA Compliance Manager that if the inmate did not understand something, they would explain it to them in a way they understood. All inmates interviewed related that they received the education and understood the facility zero tolerance policy and how to report an allegation

The facility provides inmate education in formats accessible to all inmates; this includes inmates who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility provides materials to inmates in Spanish; they also have designated staff who can provide an interpretation of other languages. The PREA Counselor or Treatment Counselors would provide education to other individuals if needed.

The facility has all key information on the zero-tolerance policy and reporting avenues provided through signage placed throughout the facility. I viewed this signage during the facility tour. I further confirmed that the signage has been in place during the inmate and staff interviews.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.34: Specialized training: Investigations

115.34 (a)

- 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 have received 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 No NA

115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- 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 No NA
- 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 No NA

115.34 (c)

- 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 No NA

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency is responsible for both the administrative and criminal investigations of all sexual abuse except staff criminal investigations. The facility investigations are conducted by the facility investigator and the PREA Compliance Manager. The facility investigator is a sworn law enforcement officer and is highly trained in conducting criminal investigations. The training they have received includes the use of Miranda and Garrity warnings, techniques for interviewing sexual abuse victims, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. This was confirmed during the investigator interviews, investigation review, and policy review.

The staff criminal investigations would be conducted by the Lancaster City Police Department.

The facility has trained several Sergeants as administrative investigators. They, along with the Facility Investigator and PREA Compliance Manager, attended a training course provided by me through the Pennsylvania Prison Wardens Association. This training was originally created to train the Pennsylvania Department of Corrections Investigators.

The agency documents all training attended by the investigators. This was confirmed during the interviews with the investigators, as well as a review of the training records.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.35: Specialized training: Medical and mental health care

115.35 (a)

- 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? Yes 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? Yes 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? Yes 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 suspicions of sexual abuse and sexual harassment? Yes No

115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.) Yes No NA

115.35 (c)

- 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? Yes No

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? Yes No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

All full and part-time medical and mental health care practitioners have been trained on the following:

- How to detect and assess signs of sexual abuse and sexual harassment;
- How to preserve physical evidence of sexual abuse;
- How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

This was confirmed by reviewing the training materials utilized by Prime Care, the contracted medical provider. I further interviewed medical and mental health staff; they confirmed receiving the training.

The medical staff at the facility do not conduct sexual assault examinations.

The medical and mental health care practitioners also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the facility. This was confirmed during the review of training rosters at the facility. I also confirmed this training with the medical and mental health staff during interviews.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

115.41 (a)

- 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 No
- 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 No

115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
 Yes No

115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
 Yes No

115.41 (d)

- 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 No
- 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 No
- 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 No
- 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 No
- 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 No

- 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 No
- 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 No
- 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 No
- 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 No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes? Yes No

115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? Yes No

115.41 (f)

- 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 No

115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Request? Yes No

- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness? Yes No

115.41 (h)

- 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 No

115.41 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

All inmates are initially assessed during the intake process, which is completed upon arrival at the facility. The inmates are asked questions during the initial intake process about overall safety. The inmates are then screened by medical personnel who ask specific PREA related questions which cover all topics enumerated in the standard. The medical staff have the ability to immediately task for a follow up with mental health or will notify the security staff of any concerns. The inmates then meet with a treatment counselor within 72 hrs. and again are screened utilizing the PREA Risk Assessment Tool, if any issues arise, they contact the PREA Compliance Manager.

The initial screening for risk of being sexually abusive considers any known prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse. This was confirmed during a review of the screening tool and interviews with both staff and inmates.

The facility is reassessing all inmates within 30 days of arrival, this reassessment is being conducted by the Treatment Counselors, and they are taking into considerations all information available to them at the time of reassessment. During the Treatment Counselor interviews, they confirmed that they meet with each inmate every 30 days to reassess them. This was further confirmed during the inmate interviews.

The facility would reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that may change the inmate's risk of sexual victimization or abusiveness. This was confirmed during the Treatment Counselor interviews.

Inmates are informed during the screening process that they will not be disciplined for refusing to answer, or for not disclosing complete information. This was confirmed during the review of the screening tools and during the staff and inmate interviews.

The agency implements control on the dissemination of screening information at the facility level. The information from the screening tools is only available to treatment staff, medical, and administration.

The inmates are constantly being reassessed by their assigned counselors. All counselors interviewed related that they spend time daily on their assigned blocks to interact with the inmates. This interaction provides them the opportunity to personally see the inmates, and make themselves available to them.

After a careful review of all documentation, and the information received during facility interviews, I found that the agency substantially exceeds the requirements of this standard and all provisions.

Standard 115.42: Use of screening information

115.42 (a)

- 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 No
- 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 No
- 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 No
- 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 No
- 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 No

115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate? Yes No

115.42 (c)

- 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 No
- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems? Yes No

115.42 (d)

- 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 No

115.42 (e)

- 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 No

115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates? Yes No

115.42 (g)

- 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? Yes No
- 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? Yes No
- 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? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility utilizes the information from the screening and reassessment 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. This was confirmed during a review of the policy, and I confirmed these procedures during staff and inmate interviews.

The agency makes all of these determinations on an individualized basis; this ensures the safety of each inmate. This was confirmed during policy review, and staff and inmate interviews.

I confirmed during policy review and interviews that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency considers on a case-by-case basis whether a placement would ensure the inmate's health and safety and whether the placement would present management or security problems. I also confirmed that the inmate's own views would be taken into consideration during these decisions. Through policy and interviews, I confirmed that a transgender inmate would be given the opportunity to shower separately from other inmates.

I confirmed during interviews with the Treatment Counselors that placement and programming assignments for each transgender or intersex inmate would be reassessed at least twice each year. This is also addressed in the policy.

The facility does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status. This was confirmed during staff interviews, as well as inmate interviews, several inmates at the facility interviewed identified as gay.

After a careful review of all documentation, and the information received during facility interviews, I found that the agency substantially exceeds the requirements of this standard and all provisions.

Standard 115.43: Protective Custody

115.43 (a)

- 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 No
- 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 No

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? Yes No
- 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 No
- 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 No
- 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 No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? Yes No

115.43 (c)

- 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 No
- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

- 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 No
- 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 No

115.43 (e)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made. This policy addresses all provisions in the standard; the language in the policy meets all aspects of the standard.

This facility has had no incident where they have segregated an inmate due to being at high risk of sexual victimization.

After a careful review of all documentation, and the information received during the facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

REPORTING

Standard 115.51: Inmate reporting

115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment? Yes No
- 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 No
- 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 No

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- 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? Yes No

115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? Yes No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment? Yes No

115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility provides the inmates the information on reporting in the inmate handbook and pamphlet provided at intake and through signage throughout the facility. The inmates can report directly to any staff, through the PREA reporting line to the PADO, or to the YWCA. The instructions for the usage of these reporting avenues is extremely comprehensive, and the step by step usage of the reporting avenues is provided in all written materials both posted and given to the inmates. During the interviews with both staff and inmates, I confirmed that they were aware of the reporting avenues and that they can remain anonymous.

The facility website further instructs third parties on how to report. This was confirmed by viewing the agencies website.

The staff interviews related that they understood the policy that states that staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

The facility provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff can report outside of the chain of command, or directly to the Warden.

I found during the inmate interviews that the inmates who were interviewed felt that if something was happening, they would feel comfortable telling a staff member at the facility. This confidence in utilizing

this reporting avenue shows the overall culture at the facility. Although this statement may not be true for all inmates, the agency has provided so many different reporting avenues that an inmate should feel comfortable with one of them.

After a careful review of all documentation, and the information received during facility interviews, I found that the agency substantially exceeds the requirements of this standard and all provisions.

Standard 115.52: Exhaustion of administrative remedies

115.52 (a)

- 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 No NA

115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (d)

- 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 No NA
- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.) Yes No NA
- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (e)

- 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 No NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) Yes No NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (f)

- 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 No NA
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.) Yes No NA

- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)
 Yes No NA
- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (g)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The audited facility does not have a grievance policy that covers sexual abuse and sexual harassment. The PREA Compliance Manager stated that if a grievance was filed, it would immediately be taken out of the grievance process and reported to the facility investigator.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.53: Inmate access to outside confidential support services

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? Yes No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? Yes No

115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? Yes No

115.53 (c)

- 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 No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

Access to outside confidential support services is outlined in the facility policies and procedures. The inmate would have the ability to utilize the services provided through the YWCA of Lancaster County. The services that the inmates would receive are the same as the level received in the community.

Through interviews, I further established that follow up mental health care would be provided by the facility for an inmate who was involved in an incident.

All of the information required under this standard and all provisions is provided to the inmates; this was verified through review of the documentation and interviews.

I interviewed several female inmates who reported incidents, they informed me that they were given the information for the YWCA, and also confirmed that the information is posted on the housing units.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.54: Third-party reporting

115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? Yes No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has established third-party reporting methods in policy; these methods allow inmates to report for other inmates and outside individuals to report. The facility website outlines the third-party reporting avenues; this was confirmed through a review of the facility website at www.co.lancaster.pa.us/153/Prison. The phone number provided is the PADOCC reporting line.

The facility has third-party reporting avenues posted in areas in the facility where they can be viewed by visitors.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

115.61 (a)

- 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 No
- 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 No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? Yes No

115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? Yes No

115.61 (c)

- 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 No
- 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 No

115.61 (d)

- 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 No

115.61 (e)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility policy directs that any staff, volunteer, and contractors shall immediately report to their supervisors or higher authority:

1. Any knowledge, suspicion, or other information regarding an incident of sexual abuse, assault or harassment that occurred in a facility/unit or other location, whether or not it is part of the agency;
2. Retaliation against inmates or staff who reported such incidents; and
3. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

The staff interviewed understood their responsibilities under this policy. During interviews with staff who reported an allegation, I verified that they followed the policy. The policy further states that a situation report will be completed immediately.

The policy further states that staff is prohibited from revealing any information related to sexual abuse to anyone other than the extent necessary. All staff interviewed understood this requirement.

The agency would report to the Department of Human Services ChildLine for any individual under the age of 18.

During the interviews of medical and mental health staff, I confirmed their duty to report, they understood their obligations to report an incident to security staff.

All allegations are being reported to security and administration for immediate action. This was confirmed during staff interviews and review of the investigations from the audited facility.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.62: Agency protection duties

115.62 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility policy dictates that when staff learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate. The staff interviewed understood their responsibility, and all responded that they would immediately take appropriate steps to protect the inmate.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.63: Reporting to other confinement facilities

115.63 (a)

- 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 No

115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? Yes No

115.63 (c)

- Does the agency document that it has provided such notification? Yes No

115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

Through policy, the facility has established procedures and practices that meet all of the requirements of the standard and provision. These include notification by the facility head to the head of the facility where the allegation allegedly took place within 72 hours, as well as documentation in a Situation Report all of the information received and notification. The policy further states that if an allegation is received in such a manner, the facility needs to notify the PREA Compliance Manager. I confirmed these policies and practices through documentation review of forwarded investigations as well as through staff interviews.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.64: Staff first responder duties

115.64 (a)

- 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 No
- 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 No
- 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 No
- 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 No

115.64 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency policies outline the initial response by staff. These policies include all of the provisions of the standard. The staff interviewed understood their responsibilities if they were the first responder to an allegation.

The contractors interviewed related that if they were the first responder, they would request that the victim not take any actions that could destroy physical evidence, and then notify security staff.

I verified compliance during the interview process, as well as policy and investigation review.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.65: Coordinated response

115.65 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has adopted the Lancaster County Prison, Prison Rape Elimination Act Policy E-3 as the overall institutional plan to respond to sexual abuse incidents. This plan dictates the actions and coordination between first responders, supervisors, administration, medical, mental health, and the investigators. I confirmed the institutional plan through a review of the plan, as well as during staff interviews. During the investigation review, I verified that the process followed the outlined plan in the policy.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.66: Preservation of ability to protect inmates from contact with abusers

115.66 (a)

- 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 limits the agency's ability to remove alleged staff sexual

abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? Yes No

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The officers at the facility are represented by the AFL-CIO District Council 89; a contract is in effect until December 31, 2022. I reviewed the contract and confirmed that the facility has the ability to remove officers from inmate contact during an investigation. This was further confirmed during interviews with Union Officers.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.67: Agency protection against retaliation

115.67 (a)

- 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 No
- Has the agency designated which staff members or departments are charged with monitoring retaliation? Yes No

115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? Yes No

115.67 (c)

- 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 residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No
- 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 No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? Yes No
- 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 No
- 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 No
- 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 No
- 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 No
- 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 No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? Yes No

115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks?
 Yes No

115.67 (e)

- 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 No

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency has established a policy that meets the provisions of this standard. The agency has identified the facility designated monitors to monitor the inmate or staff member for alleged retaliation. The Lancaster County Prison PREA Sexual Abuse Retaliation Monitoring Form is utilized to document the monitoring.

Policy Policy states the following:

PREA Retaliation Monitoring Procedure

Inmate monitoring will be conducted by the PREA Counselor. Any inmate that reports a PREA Incident or is involved with a PREA investigation as a witness will be monitored to ensure that they are not being retaliated against by any inmates or staff members in any manner verbal or written. The PREA Counselor will monitor inmate disciplinary records, housing, or program changes. The inmate will be interviewed twice a week for the first 4 weeks and then again, one time per week for the next 8 weeks. After the initial 90 days, the monitoring will be terminated unless it is deemed necessary for a continuation of 30 days. Lancaster County Prison will terminate the monitoring if a determination is made that the allegation is unfounded. Retaliation monitoring forms will be kept to verify the contact along with any outcome the interview may reveal. Reports will be maintained in the inmate behavioral file. Any findings of retaliation will be reported immediately to the Warden, Deputy Warden of Operations and Deputy Warden of Inmate Services, Major of Operations, Corrections Investigator, PREA Coordinator, and the PREA Compliance Manager.

Staff monitoring will be conducted by the Shift Commander. Any staff member that reports a PREA Incident or is involved in a PREA investigation as a witness will be monitored to ensure they are not retaliated against by any other staff member in any manner, written or verbal. The Shift Commander will monitor negative performance reviews or reassignments of staff. The officer will be interviewed twice a week for the

first 4 weeks and then again, one time per week for the next 8 weeks. If at any time the allegation is determined to be unfounded, the obligation to monitor will terminate. Reports will be written to verify the contact along with any outcome the interview may reveal. Staff reports will be maintained in the staff members file. Any findings of retaliation will be reported immediately to the Warden, Deputy Warden of Operations and Deputy Warden of Inmate Services, Major of Operations, Corrections Investigator, PREA Coordinator, and the PREA Compliance Manager.

The agency has established through past incidents that they utilize housing transfers, as well as facility transfers of perpetrators to protect the victim in an incident. This was confirmed during a review of investigations at other facilities and through staff interviews.

I reviewed the completed PREA Sexual Abuse Retaliation Monitoring Forms that show the monitoring of the inmates. All staff interviewed understood their obligation under the policy.

After a careful review of all documentation, and the information received during both the agency level and the facility level interviews, I found that the agency is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.68: Post-allegation protective custody

115.68 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has established a policy that states any inmate who is alleged to have suffered sexual abuse are subject to the requirements of standard 115.43. This was confirmed through a review of the policy. The audited facility did not have any inmates who suffered sexual abuse who were put into segregated housing.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA
- 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 No NA

115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34? Yes No

115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? Yes No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
 Yes No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? Yes No

115.71 (d)

- 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 No

115.71 (e)

- 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 No
- 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 No

115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? Yes No
- 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 No

115.71 (g)

- 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 No

115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? Yes No

115.71 (i)

- 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 No

115.71 (j)

- 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 No

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

During the policy review, I established that the facility has policies in place that address all provisions of this standard. More importantly, during the review of facility investigations, and staff interviews I found they understand the provisions of the standard and are applying them throughout the investigations.

The Administrative Investigators have received training on how to conduct the investigations at the facility level. They work closely with the Lancaster City Police Department during any criminal investigations of staff. The Lancaster City Police and Facility Investigator are highly trained sworn law enforcement officers who will conduct both in-depth administrative investigations as well as criminal investigations. After reviewing the investigations, I was impressed with the consistency of the overall investigation process.

During the review of the investigation reports at this facility, I found that all substantiated allegations that violated criminal law were sent for a prosecutorial decision.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.72: Evidentiary standard for administrative investigations

115.72 (a)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has policies that states there shall not be any standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. During the investigation review and investigator interview, I verified that they are applying the preponderance of evidence to make a determination.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.73: Reporting to inmates

115.73 (a)

- 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 No

115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) Yes No NA

115.73 (c)

- 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 posted within the inmate's unit? Yes No
- 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 No
- 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 No
- 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 No

115.73 (d)

- 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 No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?
 Yes No

115.73 (e)

- Does the agency document all such notifications or attempted notifications? Yes No

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has policies in place that address all provisions of this standard. The facility utilizes the Notification of Investigation Outcome form to notify the inmate of the status of the investigation. I confirmed this through policy review, staff interviews, inmate interviews, and review of notification forms.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? Yes No

115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? Yes No

115.76 (c)

- 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 No

115.76 (d)

- 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 No
- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has a policy in place that addresses staff discipline for a violation of any provision of their Prison Rape Elimination Act policy, as well as any other policy that governs staff conduct. I confirmed the utilization of the discipline through review of the facility investigations and staff interviews.

The audited facility has not disciplined staff within the last 12 months for a violation of these policies.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.77: Corrective action for contractors and volunteers

115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? Yes No

115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has a policy in place that addresses corrective action for volunteers and contractors who violate any provision of their Prison Rape Elimination Act policy, as well as any other policy that governs conduct. I confirmed the utilization of the discipline through review of the facility investigations and staff interviews.

The audited facility has not disciplined any volunteers and contractors within the last 12 months for a violation of these policies.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.78: Disciplinary sanctions for inmates

115.78 (a)

- 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 No

115.78 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories? Yes No

115.78 (c)

- 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 No

115.78 (d)

- 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 No

115.78 (e)

- 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 No

115.78 (f)

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? Yes No

115.78 (g)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has a policy in place that addresses discipline for inmates who violate any provision of their Prison Rape Elimination Act policy, as well as any other policy that governs inmate conduct. I confirmed the utilization of the discipline through review of the facility investigations and staff interviews.

The audited facility has not disciplined any inmates within the last 12 months for a violation of these policies.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

MEDICAL AND MENTAL CARE

Standard 115.81: Medical and mental health screenings; history of sexual abuse

115.81 (a)

- 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? Yes No

115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.) Yes No NA

115.81 (c)

- 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? Yes No

115.81 (d)

- 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 No

115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency has policies in place that address the provisions of this standard. As previously stated under standard 115.41, the medical department does a screening of the inmates and asks questions relative to sexual victimization as well as sexual abusiveness. If it is found that any inmate has experienced either they will be scheduled for an evaluation with a mental health practitioner within 14 days. I confirmed these evaluations with the medical and mental health personnel as well as during the inmate interviews.

All medical records are kept secure and are only available to medical and mental health personnel.

I confirmed compliance with the standard through the review of inmate medical files, staff interviews, and inmate interviews.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.82: Access to emergency medical and mental health services

115.82 (a)

- 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 No

115.82 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? Yes No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? Yes No

115.82 (c)

- 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 No

115.82 (d)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The medical personnel ensures that victims of sexual assault receive prompt and appropriate medical intervention. Nature and scope are determined by medical and mental health practitioners according to their professional judgment.

The facility has 24-hour medical coverage, and they will respond to an incident. This was confirmed during staff interviews.

The policy further states that prophylactic treatment and testing is offered to the patient, as well as follow up care for sexually transmitted or other communicable diseases. An evaluation by a mental health provider is completed for crisis intervention counseling, and long term follow up plans.

The above services are offered at no financial cost to the inmate. These policies and procedures were confirmed with the medical and mental health staff during interviews.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

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

115.83 (a)

- 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 No

115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? Yes No

115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? Yes No

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.) Yes No NA

115.83 (e)

- 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.) Yes No NA

115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? Yes No

115.83 (g)

- 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 No

115.83 (h)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The medical personnel ensures that victims of sexual assault receive prompt and appropriate medical follow up treatment. Nature and scope are determined by medical and mental health practitioners according to their professional judgment.

The facility has 24-hour medical coverage medical staff will respond to a PREA incident. This was confirmed during staff interviews and investigation review.

The policy further states that prophylactic treatment and testing is offered to the patient, as well as follow up care for sexually transmitted or other communicable diseases. An evaluation by a mental health provider is completed for crisis intervention counseling and long term, follow up plans.

The above services are offered at no financial cost to the inmate. These policies and procedures were confirmed with the medical and mental health staff during interviews.

The facility further offers mental health treatment to all inmate on inmate abusers.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

115.86 (a)

- 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 No

115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? Yes No

115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? Yes No

115.86 (d)

- 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 No
- 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 No
- 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 No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? Yes No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? Yes No
- 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 No

115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency has a policy in place that outlines the facilities review of incidents. The policy addresses all provisions of the standard. The facility outlines all questions of concern when reviewing an incident.

I confirmed the incident review process during staff interviews; all interviewed staff understood the process for reviewing incidents and the documentation requirements. I reviewed several incident reviews and found they took all provisions of this standard into consideration.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.87: Data collection

115.87 (a)

- 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 No

115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually?
 Yes No

115.87 (c)

- 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 No

115.87 (d)

- 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 No

115.87 (e)

- 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 No NA

115.87 (f)

- 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 No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has established policies that address all provision of this standard. The facility PREA Compliance Manager collects all sexual abuse data.

Compliance was confirmed through review of completed data collection instruments, and staff interviews.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.88: Data review for corrective action

115.88 (a)

- 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 No
- 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 No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? Yes No

115.88 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse Yes No

115.88 (c)

- 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 No

115.88 (d)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has policies in place that address all provisions of the standard. The PREA Compliance Manager reviews all collected data and creates a yearly report comparing data from the previous years.

During staff interviews, I confirmed that if a trend was identified while reviewing the data, a corrective action plan would be developed for that facility and immediately be put into place.

After a careful review of all documentation, and the information received during facility I interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.89: Data storage, publication, and destruction

115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?
 Yes No

115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means? Yes No

115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? Yes No

115.89 (d)

- 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 No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The agency has a policy in place that addresses the provisions of this standard. I found that the agency digitally securely retains all data collected; this data is available to the public through the website.

The annual reports from 2017 are published on the website. All personal identifiers have been removed from the reports.

The agency has a policy in place that maintains all sexual abuse data for at least 10 years from the date received.

Staff interviews and review of the annual reports further confirmed this procedure.

After a careful review of all documentation, and the information received during facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

115.401 (a)

- During the three-year period starting on August 20, 2013, and during each three-year period thereafter, 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? (N/A before August 20, 2016.)
 Yes No NA

115.401 (b)

- During each one-year period starting on August 20, 2013, 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? Yes No

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility?
 Yes No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? Yes No

115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?
 Yes No

115.401 (n)

- 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 No

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

Meets Standard (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility was audited during the auditing cycle from August 20, 2013, and August 20, 2016.

During the audit process, I was able to receive copies of all relevant documentation, conduct private interviews with staff and inmates, tour the complete facility, and receive confidential correspondence from both inmates and staff.

After a careful review of all documentation, and the information received during facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. 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 that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

Exceeds Standard (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE

The facility has published the final audit report on their website, this was confirmed by navigating to the page on the website and reviewing the audit report.

After a careful review of all documentation, and the information received during facility interviews, I found that the facility is substantially compliant with the requirements of this standard, and all provisions.

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Auditor Instructions:

Patrick J. Zirpoli

07/02/19

Auditor Signature

Date