

# PREA Facility Audit Report: Final

**Name of Facility:** Camp Pendleton Base Brig

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** 01/30/2017

**Date Final Report Submitted:** 04/11/2017

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Jeff Kovar	<b>Date of Signature:</b> 04/11/2017

AUDITOR INFORMATION	
<b>Auditor name:</b>	Kovar, Jeff
<b>Address:</b>	
<b>Email:</b>	jeff@preaauditing.com
<b>Telephone number:</b>	
<b>Start Date of On-Site Audit:</b>	12/15/2016
<b>End Date of On-Site Audit:</b>	12/16/2016

FACILITY INFORMATION	
<b>Facility name:</b>	Camp Pendleton Base Brig
<b>Facility physical address:</b>	Bldg 24100 Powder Magazine Rd, Camp Pendleton, California - 92055
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	Box 555051, Camp Pendleton, California - 92055
<b>The facility is:</b>	<input type="radio"/> County <input type="radio"/> Federal <input type="radio"/> Municipal <input type="radio"/> State <input checked="" type="radio"/> Military <input type="radio"/> Private for profit <input type="radio"/> Private not for profit
<b>Facility Type:</b>	<input checked="" type="radio"/> Prison <input type="radio"/> Jail

Primary Contact			
<b>Name:</b>	Timothy Conard	<b>Title:</b>	PREA Manager
<b>Email Address:</b>	timothy.conard@usmc.mil	<b>Telephone Number:</b>	760-763-5668

Warden/Superintendent			
<b>Name:</b>	Chief Warrant Officer 5 Joseph Moschetto	<b>Title:</b>	Brig Commanding Officer
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Facility PREA Compliance Manager			
<b>Name:</b>	Timothy Conrad	<b>Email Address:</b>	ttconard04@gmail.com

Facility Health Service Administrator			
<b>Name:</b>		<b>Title:</b>	
<b>Email Address:</b>		<b>Telephone Number:</b>	

Facility Characteristics		
<b>Designed facility capacity:</b>	100	
<b>Current population of facility:</b>	60	
<b>Age Range</b>	Adults: 19-28	Youthful Residents:
<b>Facility security level/inmate custody levels:</b>	Medium-Inside / Medium-Outside / Maximum	
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	0	

AGENCY INFORMATION	
<b>Name of agency:</b>	Headquarters Marine Corps Corrections
<b>Governing authority or parent agency (if applicable):</b>	United States Marine Corps
<b>Physical Address:</b>	PSL Corrections, 755 South Courthouse Rd, Suite 2000, Arlington, Virginia - 22204
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Agency Chief Executive Officer Information:			
<b>Name:</b>	Radomet R. Pagan	<b>Title:</b>	Deputy, Head Marine Corps Corrections
<b>Email Address:</b>	radomet.r.pagan@usmc.mil	<b>Telephone Number:</b>	BB - 703-350-5982

<b>Agency-Wide PREA Coordinator Information</b>			
<b>Name:</b>	Brian Papakie	<b>Email Address:</b>	brian.papakie.ctr@usmc.mil

## AUDIT FINDINGS

### **Narrative:**

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

A Prison Rape Elimination Act Audit of Camp Pendleton Brig was conducted from December 15-16, 2016. The purpose of the audit was to determine compliance with the Prison Rape Elimination Act standards which became effective August 20, 2012.

The auditor wishes to extend his appreciation to Chief Warrant Officer 5 Joseph Moschetto and his staff for the professionalism they demonstrated throughout the audit and their willingness to comply with all requests and recommendations made by the auditor.

The auditor would also like to recognize PREA Coordinator-Brian Papakie and PREA Compliance Manager-SSgt Timothy Conard for their hard work and dedication to ensure the facility is compliant with all PREA standards.

The auditor provided the facility with a Notification of Audit on October 8, 2016. The notification contained information on the upcoming audit and stated that any inmate with pertinent information should send a letter containing this information to the auditor at least 10 days prior to the onsite audit date, December 15, 2016. The auditor instructed the facility to post this notification in all housing units and throughout the facility at least six weeks prior to the onsite audit.

Approximately six weeks prior to the onsite audit, the Agency received access to the PREA Resource Center Online Audit System (OAS) and began completing the pre-audit questionnaire, and uploaded all relevant documentation. Once the pre-audit questionnaire was completed, the auditor was given access to the OAS system and began reviewing all of the information, including: the pre-audit questionnaire, policies, procedures, MOUS, and training documents.

An entrance meeting was held the morning of the onsite audit with Chief Warrant Officer 5 Joseph Moschetto, PREA Coordinator Brian Papakie, MSgt Stephen Young, and PREA Compliance Manager-SSgt Timothy Conard.

After the entrance meeting, the auditor was given a tour of all areas of the facility, including: the Command Deck (Senior Administrative Offices), administrative hallway (visitation), sally port, brig chow hall, mail room, barber shop, 1st Deck Round House, Squad Bay 1, Special Quarters 1 (Orientation, Disciplinary Segregation, and Administrative Segregation), Squad Bay 2A and 2B, Squad Bay 3, Squad Bay 1 (post-trial), internal laundry, library, classroom, chapel, medical and mental health offices, 2nd Deck (used for storage/prisoners do not have access), and Master Control.

A total of 28 staff interviews were conducted, with at least one staff member interviewed from each interview category applicable to the facility.

Staff interviews were conducted with staff from all three shifts.

A total of 15 inmate interviews were conducted with at least one inmate interviewed from each interview category applicable to the facility.

Prior to the site visit, the auditor was provided with shift assignment sheets for staff, as well as housing unit rosters for inmates. The auditor randomly selected staff and inmates to be interviewed from the information provided. All interviews were conducted one at a time in a private and confidential manner.

During the site visit, the auditor observed PREA informational posters posted in the housing units and throughout the facility.

The count on the first day of the audit was 60. The count on the final day of the audit was 65.

Throughout the pre-audit and onsite audit, open and positive communication was established between the auditor and facility staff. During this time, the auditor discussed his concerns with the Chief Warrant Officer 5, PREA Coordinator, and PREA Compliance Manager.

When the audit was completed, the auditor conducted an exit briefing on December 16, 2016. The auditor gave an overview of the audit and thanked the staff for all their hard work and commitment to the Prison Rape Elimination Act.

After the onsite audit, the auditor utilized the Auditor Compliance Tool for Adult Prisons and Jails as a guide in determining compliance with each standard, and created a Final Report documenting the facility's compliance. In order to determine compliance, the auditor used the information and documentation provided during the pre-audit, information obtained through inmate and staff interviews, as well as visual observations during the facility tour.

## AUDIT FINDINGS

### Facility Characteristics:

The auditor's description of the audited facility should include details about the type of the facility, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation.

### CAMP PENDLETON BASE BRIG MISSION

Provide a confinement capability to the operating forces and tenant commands of Camp Pendleton, to include regional installations north of MCAS Miramar (i.e., MCLB Barstow, MWTC Bridgeport, and MCAGCC 29 Palms). Confinement support provides unit commanders the capability to confine service members in a pretrial status and serve as the confinement hub for prisoners in a post trial status. Once post trial sentences are determined, the service members are then transported by Camp Pendleton Brig staff to the regional Brig at MCAS Miramar.

### BACKGROUND

Established in 1972, the Brig has an operational capacity of 68 inmates. Custody classification of prisoners/detainees covers all custody classes from minimum to maximum-security requirements. With a staff of approximately 100, including administrative, medical and food service personnel, the Brig is nearly self-supportive in its mission to the Commanding General. Operating 24 hours a day, this facility maintains itself in areas such as laundry, minor structural repair, and most importantly security. The security personnel are trained continuously in all areas of corrections, ensuring professionalism and consistency.

The Camp Pendleton Base Brig (CPBB) is located on Camp Pendleton in Southern California, it is approximately 40 miles from the San Diego International Airport. Camp Pendleton is located on the southern California coast in San Diego County, and bordered by Oceanside to the south, San Clemente to the North, and Fallbrook to the east.

The CPBB is operated by the United States Marine Corps. The CPBB serves as a level 1 confinement facility providing pre-trial and post-trial support. The CPBB conducts correctional and treatment programs to maintain good order and discipline; and to prepare prisoners/detainees for release as civilians or for return to duty with the prospect of being productive active duty members.

## AUDIT FINDINGS

### Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.

<b>Number of standards exceeded:</b>	2
<b>Number of standards met:</b>	43
<b>Number of standards not met:</b>	0

After reviewing all information provided during the pre-audit and onsite audit, staff and inmate interviews, and visual observations made by the auditor during the facility tour, the auditor has determined the following:

Number of Standards Exceeded: 2  
(115.11 and 115.33)

Number of Standards Met: 43  
(115.12, 115.13, 115.14, 115.15, 115.16, 115.17, 115.18, 115.21, 115.22, 115.31, 115.32, 115.34, 115.35, 115.41, 115.42, 115.43, 115.51, 115.52, 115.53, 115.54, 115.61, 115.62, 115.63, 115.64, 115.65, 115.66, 115.67, 115.68, 115.71, 115.72, 115.73, 115.76, 115.77, 115.78, 115.81, 115.82, 115.83, 115.86, 115.87, 115.88, 115.89, 115.401, and 115.403)

Number of Standards Not Met: 0  
(115.401)



## **Standards**

### **Auditor Overall Determination Definitions**

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

### **Auditor Discussion Instructions**

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

115.11	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Marine Corps Confinement Facilities PREA SOP states:  In accordance with the references, the facility and its subordinate detachments, if applicable, shall maintain a zero-tolerance policy approach in all cases of sexual abuse, sexual harassment or sexual misconduct in accordance with the United States DOJ, Bureau of Justice Statistics, PREA Prisons and Jail Standards. The brig shall ensure its policies, procedures, and practices protect prisoners from all acts of sexual misconduct or harm. Sexual harassment and sexual abuse demean, degrade, and violate the individual. Whether the individual is a prisoner, staff member, volunteer or contractor; sexual abuse, sexual harassment or sexual misconduct deny the individual respect and dignity and are contrary to the mission of the brig. Sexual contact between prisoners and staff, including volunteers, contractors and interns, is never consensual on the part of the prisoner and will be considered coercive on the part of the staff member/volunteer/contractor. The facility's policy governing PREA includes, at a minimum, the following areas: prevention planning, response planning, training and education, screening for risk of sexual victimization and abusiveness, reporting, official response following a report, investigations, discipline, and medical and mental health care. Policies and procedures will be reviewed annually. Facility COs are responsible for documenting their annual reviews.</p> <p>Zero Tolerance of Sexual Abuse and Sexual Harassment; PREA Coordinator  1) Sexual abuse and sexual harassment are criminal acts that are incompatible with the military's core values, high standards of professionalism, and personal discipline. The command shall take appropriate action under U.S. Code, Uniform Code of Military Justice, or administrative disciplinary action in all cases of sexual abuse or sexual harassment, and maintain a zero-tolerance policy.</p> <p>The Marine Corps Confinement Facilities PREA SOP outlines definitions of terms related to the policy, including definitions for prohibited behaviors.</p> <p>The Marine Corps Confinement Facilities PREA SOP outlines sanctions for those found to have participated in prohibited behaviors. Military members are punished in accordance with the Uniform Code of Military Justice and civilian employees are applicable to all local, state, federal, and military installation regulations.</p> <p>MCO 1752.5B includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.</p> <p>The agency employs or designates an upper-level, agency-wide PREA Coordinator. The position of the PREA Coordinator is the Deputy, PSL Corrections and reports to the Head, PSL Corrections. This was verified by review of the Marine Corps Military Confinement Facility PREA Organizational Chart. The PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.</p>

The Marine Corps Military Confinement Facility PREA Organizational Chart confirms that each brig has its own designated PREA Compliance Manager. The PREA Compliance Manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. The position of the PREA Compliance Manager is Department Chief/Section Head. The PREA Compliance Manager reports directly to the Brig Commanding Officer. This was verified by review of the organizational chart.

During the interview with the PREA Coordinator, the auditor confirmed the PREA Coordinator has ample time to manage all of his PREA related responsibilities. There are five PREA Compliance Managers within the agency. The PREA Coordinator advised he interacts with them at least once a month and goes over any policy updates with them at this time. He also addresses any questions the PREA Compliance Managers have at this time. If the PREA Coordinator identifies any issues complying with one or more PREA standards, he would work at the agency-level to resolve the issue. The PREA Coordinator advised he would assist the facilities and ensure they have all the tools and guidance they need to meet all of the requirements of the PREA standards.

During an interview with the PREA Compliance Manager, the auditor confirmed the PREA Compliance Manager has ample time to manage all of his PREA related responsibilities.

A zero tolerance stance towards sexual abuse and sexual harassment was observed through PREA posters displayed throughout the housing units and facility. Both staff and inmates were also extremely knowledgeable of the PREA standards and zero tolerance policy. In addition, the auditor was advised the agency PREA Coordinator is a Department of Justice Certified PREA Auditor. For these reasons, the auditor has determined the facility exceeds this standard.

<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency has not entered into or renewed a contract for the confinement of inmates on or after August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>During an interview with the Agency Contract Administrator, the auditor was advised that the agency has an MOU with the Navy and Army for confinement services. All four branches of the military are directed by the Department of Defense to be PREA compliant. The auditor was advised the naval facilities as well as Fort Leavenworth have been assessed and inspected and determined to be PREA compliant. The auditor was advised all contract facilities have completed and submitted their PREA compliance results and made their PREA Final Reports available to the public.</p>

115.13	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Marine Corps Confinement Facilities PREA SOP states:</p> <p>C. Supervision and Monitoring.</p> <p>The Operations Officer shall develop, document, and make their best efforts to comply on a regular basis with a security staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect prisoners against sexual abuse. The written staffing plan shall be developed sufficiently in advance for internal review and further submission to CMC PSL (Corrections) by 31 May each year. The staffing plan shall conform to direction and allocations as directed by the Brig Officer. In calculating adequate staffing levels and determining the need for video monitoring, the facility shall use the PREA staffing analysis in accordance with reference (d). The facility shall take into consideration:</p> <ul style="list-style-type: none"> <li>a) Generally accepted detention and correctional practices;</li> <li>b) Any judicial findings of inadequacy;</li> <li>c) Any findings of inadequacy from Federal investigative agencies;</li> <li>d) Any findings of inadequacy from internal or external oversight bodies;</li> <li>e) All components of the brig's physical plant (including "blind-spots" or areas where staff or prisoners may be isolated)'</li> <li>f) The composition of the prisoner population;</li> <li>g) The number and placement of supervisory staff;</li> <li>h) Institution programs occurring on a particular shift;</li> <li>i) Any applicable regulations or standards;</li> <li>j) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and</li> <li>k) Any other relevant factors.</li> </ul> <p>Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates: 47</p> <p>Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates on which the staffing plan was predicated: 100</p> <p>There have been no deviations from the staffing plan within the past 12 months.</p> <p>Camp Pendleton Brig PREA SOP states:</p> <p>C. Staffing Plan Review.</p> <p>A board will be established at least once annually for the review and assessment of the staffing plan, deployment of video monitoring system, and the CPBB's resources available to ensure adherence to the staffing plan. The board will be comprised of, at a minimum, the brig supervisor, operations chief, administration chief, and programs chief.</p> <p>1) The annual staffing plan review will analyze the causality of the six most common reasons for deviation from the staffing plan and propose corrective actions or alternatives.</p> <p>D. Unannounced Inspections. The brig supervisor will publish a roster for the conduct of random, unannounced inspections of the brig to identify and deter staff and prisoner sexual abuse and sexual harassment. Inspections will be conducted by a SNCO, and will be conducted during day and evening hours.</p>

- 1) The SNCO conducting the inspection will include, at a minimum, a walkthrough of all operational areas of the facility as well as tour of exterior fence line/perimeter. The SNCO conducting the inspection will check in with the control center at the beginning of the inspection. The control center will document the inspection in the brig log.
- 2) Persons assigned to conduct the inspections will take care to ensure that each security section is equally subject to these unannounced inspections.
- 3) Staff is prohibited from alerting other staff members that these unannounced inspections are occurring, unless such announcement is related to the legitimate operational functions of the facility.

The auditor was provided with the annual staffing plan which was dated September 21, 2016.

During the pre-audit, the auditor was provided with a sample of unannounced supervisor rounds. During the site visit, the auditor reviewed housing unit log books and discovered unannounced supervisor rounds are occurring consistently, at various times throughout the shift (staff work 24 hour shifts).

During the interview with the Chief Warrant Officer 5, the auditor confirmed the facility has a staffing plan. This staffing plan originates from the Operations officer. Adequate staffing levels to protect inmates against sexual abuse considered in this plan. The facility determines the appropriate number of staff to be assigned to specific areas in order to ensure safety and security. Video monitoring is included as a part of the staffing plan. Cameras would be placed in blind spot areas and heavy traffic areas. The staffing plan is documented in an SOP and is located in Operations. The staffing plan also considers:

- a. Generally accepted detention and correctional practices;
- b. Any judicial findings of inadequacy;
- c. Any findings of inadequacy from federal investigative agencies;
- d. Any findings of inadequacy from internal or external oversight bodies;
- e. All components of the facility's physical plant (including "blind spots" or areas where staff or inmates may be isolated);
- f. The composition of the inmate population;
- g. The number and placement of supervisory staff;
- h. Institution programs occurring on a particular shift;
- i. Any applicable state or local laws, regulations, or standards;
- j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- k. Any other relevant factors.

The Chief Warrant Officer 5 confirmed he is allotted a certain number of staff based on 100 inmates. He stated he conducts vulnerability checks and conducts drills to ensure compliance. He advised his minimum number of security staff per shift is 11. Each morning during shift change, the Brig Sergeant reviews their staffing to ensure they have adequate staff. The previous shift is required to staff on duty until properly relieved. The Chief Warrant Officer 5 confirmed the facility has never had any instances of non-compliance with the staffing plan. If necessary, staff would be called in to ensure compliance with the staffing plan.

The PREA Compliance Manager confirmed the staffing plan review considers the following:

- a. Generally accepted detention and correctional practices;
- b. Any judicial findings of inadequacy;
- c. Any findings of inadequacy from federal investigative agencies;
- d. Any findings of inadequacy from internal or external oversight bodies;
- e. All components of the facility's physical plant (including "blind spots" or areas where staff or inmates may be isolated);
- f. The composition of the inmate population;
- g. The number and placement of supervisory staff;
- h. Institution programs occurring on a particular shift;
- i. Any applicable state or local laws, regulations, or standards;
- j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- k. Any other relevant factors.

The PREA Compliance Manager confirmed the staffing plan is reviewed at Headquarters. The facility ensures the staffing plan is always followed.

The PREA Coordinator confirmed Marine Core Total Forces Man Power determines staffing levels. The PREA Coordinator advised he reviews the staffing plan annually and forwards this information to the Marine Core Total Forces Man Power and they determine appropriate staffing.

During interviews with intermediate and higher-level security staff, the auditor confirmed supervisors are constantly making rounds. Supervisors advised they make rounds every 15-45 minutes. Supervisors go anywhere the inmates have access. Supervisors confirmed these rounds are documented in the post log books. Supervisors constantly move around and staff are unaware when they will be making a round.

<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Commanding Officer Policy Memorandum 7002C (Categories of Prisoners) states:  Minors/Youthful Offenders.  Minors/youthful offenders are not authorized for confinement at the CPBB.</p> <p>Staff and inmate interviews confirm youthful offenders are not housed at the facility. Staff indicated per policy, youthful inmates would never be housed Camp Pendleton.</p> <p>During the site visit, the auditor did not observe any youthful offenders housed at the facility.</p>

115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton PREA Brig SOP states: Limits to cross-gender viewing and searches.</p> <p>a. Strip Search. Strip searches will only be conducted by staff of the same birth gender and only in circumstances outlined in the current brig SOP reference (1).</p> <p>b. Body Cavity Search. Internal examination of body orifices, when required, shall only be conducted by authorized medical personnel. Manual or instrument inspection of body cavities will only be conducted when there is reasonable belief/probably cause that the prisoner is carrying contraband, and then only with the approval of the CO.</p> <p>c. Cross Gender Searches. Cross gender frisk, strip, or body cavity searches are not authorized in the CPBB.</p> <p>1) Prisoners will not be searched for the sole purpose of identifying/verifying the gender of a prisoner. Prisoners, who identify themselves as female during intake, will be referred to a qualified medical practitioner for verification of the prisoner's gender. A prisoner will not be accepted into confinement until the true gender identity is determined by a qualified medical practitioner. If the true gender identity is determined to be female, the prisoner will not be accepted into confinement at the CPBB.</p> <p>No such searches as mentioned above in c.1. have occurred within the past 12 months.</p> <p>In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of inmates: Zero.</p> <p>Camp Pendleton PREA Brig SOP states: The CPBB is designated as a male confinement facility and does not accept female prisoners into confinement. (115.15 (b)-1through 115.15 (b)-4 are not applicable).</p> <p>Camp Pendleton PREA Brig SOP states:</p> <p>e. Female staff shall not be assigned duties which require supervision of prisoners of the opposite sex at times when nudity routinely occurs, to include posts that have Closed Circuit TV (CCTV). Prisoners in a classification where constant, direct visual observation has been directed, will be observed by staff of the same gender.</p> <p>1) Female staff members are not authorized to assume post as berthing area supervisors, however, they may enter berthing areas in the performance of their duties, e.g. area searches, maintenance etc. In cases where female staff enters a berthing area, "female on deck" will be clearly announced and the berthing area supervisor will ensure all prisoners are clothed, and the toilet and shower facilities are not in use.</p> <p>Camp Pendleton Commanding Policy Memorandum 3001C states:</p> <p>f. Opposite Sex. Service members shall not be assigned duties which require supervision of prisoners of the opposite sex at times when nudity routinely occurs.</p> <p>Staff and inmate interviews confirm female inmates are not housed at the facility. Both staff and inmates confirm that anytime a female staff member enters a housing unit, an</p>

announcement of the female staff member's presence is made prior to entry. The male staff working the housing unit would ensure the inmates are dressed prior to allowing the female to enter and/or approach the housing unit. Inmates confirmed female staff never see them in a state of undress. Staff acknowledged they have never had identified transgender or intersex inmates housed at the facility. Staff stated they have not received any training in how to search transgender or intersex inmates. This was discussed with the PREA Coordinator and PREA Compliance Manager during the site visit. Prior to the completion of the final report, the auditor was provided with and reviewed a newly developed agency policy specific to searching transgender or intersex inmates (Policy Letter 2-17). This policy has clear definitions of "transgender" and "intersex" and specifically describes how the searches are to be conducted and includes photographic examples of how such inmates are to be searched. This policy states searches of transgender and intersex inmates are to be performed in a professional and respectful manner; in the least intrusive manner possible, and consistent with security needs.

Policy Letter 2-17 states:

Operationally, searches of transgender or intersex prisoners shall be performed in either of the following methods:

- 1) Searches conducted in accordance with the Service members gender identity in DEERS or MCTFS per references (b) and (c).
- 2) Searches may be conducted by medical staff if deemed necessary. Medical staff shall be trained on conducting searches of transgender and intersex inmates and a record of training shall be retained by the training department of the brig.

Prior to the completion of the Final Report, the PREA Compliance Manager provided the auditor with signed acknowledgement sheets from 41 staff, documenting their receipt and understanding of Policy Letter 2-17. The remaining 25 staff are scheduled to receive this training February 2, 2017. Since this issue was addressed to the auditor's satisfaction prior to the completion of the Final Report, the auditor has determined the facility meets this standard.



115.16	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency has established procedures to provide disabled inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>Military Entrance Processing Station (MEPS) states:</p> <p>c. Non-English-speaking registrants. Non-English-speaking registrants who failed to attain qualifying test scores will be processed as follows:</p> <p>1) Those found by the Failure Keys to be in the True Failure Category or Undetermined Category will be rejected without further processing.</p> <p>Camp Pendleton Commanding Officer Policy Memorandum 7002c (Category of Prisoners) states:</p> <p>d. Disabled Prisoners. Prisoners with disabilities found fit for confinement by an appropriate health care provider will be accepted into confinement at the CPBB. Prisoners with disabilities, including temporary disabilities, will be housed and managed in a manner that provides for their safety and security. Program and service areas will be accessible to prisoners with disabilities and they will be allowed integration with the general population to the full extent allowed by their individual medical restrictions.</p> <p>Camp Pendleton PREA Brig SOP states;</p> <p>c. Prisoners are not authorized to act as interpreters, readers or other types of assistants. In the event of extended delay in obtaining an interpreter, the CO may authorize another prisoner to assist when continued delay could compromise the impaired prisoner's safety.</p> <p>The facility documents the limited circumstances in individual cases where inmate interpreters, readers, or other types of inmate assistants are used.</p> <p>In the past 12 months, the number of instances where inmate interpreters, readers, or other types of inmate assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations: Zero.</p> <p>The auditor was advised that any inmate with a disability would be housed at a medical treatment facility and not at Camp Pendleton.</p> <p>The auditor was advised that one of the requirements of being in the military is that the applicant is English speaking. For this reason, there would never be any inmates housed at the facility who were limited-English speaking.</p> <p>During the site visit, the auditor confirmed there were no inmates with disabilities, or limited-English speaking inmates, housed at the facility.</p> <p>During an interview with the Agency Head, the auditor confirmed all Marines are required to</p>

be English-speaking. The auditor was advised the agency has an MOU with the Navy, and any inmate with any disability would be housed at one of the naval medical facilities. These facilities are equipped to accommodate inmates with disabilities.

Interviews with a random sample of staff confirm all military personnel (and inmates at the facility) are English speaking. Staff confirmed inmate interpreters, inmate readers, or other types of inmate assistants have never been used.

115.17	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Marine Corps PREA Policy Letter 1-14 states: Hiring and Promotion Decisions.</p> <p>a) 115.17. For this standard, the term "agency" shall be substituted with "facility" throughout.</p> <p>b) PSL Corrections shall develop and issue a standardized screening tool, consistent with the provisions of this standard. Facility COs, via the PREA Compliance Manager, will ensure all staff complete the screening instruments, which will be maintained in accordance with PREA standards. Furthermore, COs shall not recommend any staff members for promotion/advancement who meet the provisions of 115.17(a)(1) through (3).</p> <p>c) 115.17(a)(1), 115.17(a)(2), and 115.17(a)(3). For civilians, facility COs shall coordinate with the installation Human Resource Office (HRO) to facilitate the hiring process; particularly, with respect to interviewing prospective employees concerning the provisions of 115.17.</p> <p>d) 115.17(e). A criminal background records check will be conducted at least annually for all current personnel who may have contact with inmates. (i.e., service members, GS employees, contractors, volunteers and corrections specialists assigned to Law Enforcement Battalions).</p> <p>1) Service members will have a record check conducted upon check-in to new facilities.</p> <p>2) Facilities will be required to submit requests for records checks to PSL Corrections. Each annual record check thereafter must be conducted no later than the date of the initial record check.</p> <p>3) The only exemptions will be for those that are assigned to special duties solely outside of corrections (e.g., recruiting duty, drill instructor duty, embassy duty, and equal opportunity advisors, etc.).</p> <p>e) 115.17 (g). Appropriate administrative or disciplinary actions shall be referred to the applicable civilian or military activity for action.</p> <p>Marine Corps Confinement Facilities PREA SOP states: Hiring and Promotion Decisions.</p> <p>1) The facility shall not employ, or promote anyone who may have contact with prisoners, and shall not enlist the services of any contractor who may have contact with prisoners, who (115.17(a)):</p> <p>a) 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);</p> <p>b) 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 to refuse; or</p> <p>c) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.</p> <p>2) Civilian personnel convicted of a felony are ineligible for employment in a confinement facility as per references (e) and (f).</p> <p>3) The facility shall consider any incidents of sexual harassment in determining whether to hire, retain, promote anyone, or to enlist the services of any contractor, who may have contact with prisoners.</p> <p>4) Before hiring new employees who may have contact with prisoners, the Brig Officer shall:</p> <p>a) Conduct a National Crime Information Center (NCIC) criminal background records check,</p>

as per reference (b); and

b) Consistent with Federal, State, and local law, make 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.

5) The Brig Officer shall process criminal background records check (NCIC) as per reference (b), before the facility enlists the services of any contractor who may have contact with prisoners.

6) The Brig Officer shall conduct criminal background records checks at least annually of current staff, contractors and volunteers who may have contact with prisoners, or have in place a system for otherwise capturing such information for current staff.

7) The Brig Officer shall ask directly all applicants and staff who may have contact with prisoners regarding previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The CO shall also impose upon staff a continuing affirmative duty to disclose any such misconduct. The Executive Officer shall review all proposed staff members assignments in advance for standards compliance. Military members deemed unqualified per the provisions of paragraph (a) above shall not be recommended for promotion/advancement.

8) Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. Appropriate administrative or disciplinary actions shall be referred to the applicable civilian or military activity for action.

9) Unless prohibited by law, the facility shall 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.

The auditor was advised there have not been any staff working at the facility who were hired within the past 12 months. The auditor was advised that all staff who work at the facility have gone through a background records check. The auditor was advised there have not been any contractors who have worked within the facility within the past 12 months.

During the site visit, the auditor requested documentation of background records checks on five staff who were randomly selected. Immediately after the site visit, the auditor was provided with documentation of Security Eligibility Letters on all five staff sampled.

During an interview with Human Resources Staff, the auditor was advised that criminal background checks are conducted on all Marine Brig personnel, civilian staff working within the facility, and visitors. The facility considers prior 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. The auditor was advised the Headquarters Office conducts annual criminal background records checks on all brig personnel. The auditor confirmed the facility asks all applicants and employees who may have contact with inmates about previous misconduct described in section (a)\* of this section in written applications for hiring or promotions, and in any interviews or written self-evaluations conducted as part of reviews of current employees. The facility imposes upon employees a continuing affirmative duty to disclose any such previous misconduct. When a former employee applies for work at another institution, upon request from that institution, the facility provides information on substantiated allegations of sexual abuse or sexual harassment involving the former employee, unless prohibited by law.

<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency/facility has not acquired a new facility or made a substantial expansion or modification to existing facilities since August 20, 2012.</p> <p>The agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012.</p> <p>During an interview with the Agency Head, the auditor was advised all new construction is vetted for approval through the agency. All modifications would be implemented in accordance with PREA standards. Video monitoring technology at each facility is reviewed annually. Video monitoring technology is updated as needed. Cameras are positioned in a manner to eliminate blind spots.</p> <p>During the interview with the Chief Warrant Officer 5, the auditor confirmed there have not been any substantial modifications or expansions to the facility since August 20, 2012. The auditor was advised the facility considers blind spots when installing or updating video monitoring technology. The primary goal is to make sure they can view any areas of concern. High traffic areas would typically be a manned by security staff.</p>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency/facility is not responsible for conducting administrative sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct).</p> <p>NCIS is the primary investigative agency. Military Criminal Investigative Division may also be utilized to investigate allegations.</p> <p>Camp Pendleton Brig PREA SOP states: The Brig Medical Officer shall offer all victims of sexual abuse access to forensic medical examinations at the Camp Pendleton Naval Hospital.</p> <p>Camp Pendleton Brig PREA SOP states: Victims requiring a Medical Officer's referral to a treatment facility located off base will be in accordance with BUMED policies. Service members under the care of, or referred by military medicine are not financially responsible for treatment.</p> <p>Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). SAFE and SANE examiners are available at the Camp Pendleton Naval Hospital.</p> <p>Forensic Protocol BUMED Instruction 6310.11A states: Navy Medicine personnel will adhere to policies and procedures established in enclosures (6) through (12) when caring for victims of sexual assault. This will include the requirement to provide Sexual Assault Forensic Examinations 24/7 at all Navy medical treatment facilities or through an established memorandum of agreement with a local civilian treatment facility.</p> <p>Evidence is collected pursuant to the DoD Sexual Assault Forensic Examination (SAFE) Report.</p> <p>The number of forensic medical exams conducted during the past 12 months: 0</p> <p>The facility attempts to make a victim advocate from a rape crisis center available to the victim, either in person or by other means. During the site visit, the auditor discovered posters with a contact number to the DoD Safe Helpline. This number goes to a victim advocate that is external to the agency. The auditor tested the hotline and found it to be operable.</p> <p>Marine Corps Order 1752.5B states: Each command shall utilize UVAs/VAs to provide comprehensive assistance and support to victims of sexual assault. All victims of sexual assault authorized to receive services shall be offered, and if accepted, receive, advocacy and support. UVAs and VAs provide non-clinical crisis intervention and ongoing support, in addition to referrals for adult sexual assault victims who are not eligible for full SAPR services. Support will include providing information on available options and resources to victims. UVAs and VAs shall coordinate directly with the Installation SARC and Command SARC regarding all sexual assault cases. UVAs are the</p>

command's sexual assault resource and shall execute the SAPR program at the lowest level. This includes conducting all SAPR related unit training requirements. In coordination with the SARC, UVAs can also be the commanders policy related resource.

The auditor was provided with a copy of a certificate showing the PREA Compliance Manager has received 40 hours of training in Sexual Assault Victim Advocacy. In the event an outside victim advocate was unavailable, the PREA Compliance Manager could serve as a victim advocate.

The auditor was provided with an agreement the U.S. Marine Corps, the Surgeon General of the Navy/Chief, the Director, and Naval Criminal Investigative Service for compliance with National Prison Rape Elimination Act Standards.

During interviews with a random sample of staff, the auditor confirmed staff knew and understood the agency's protocol for obtaining usable physical evidence if an inmate alleges sexual abuse. Staff also confirmed NCIS would be responsible for conducting any sexual abuse investigations.

During an interview with the Sexual Assault Forensic Examiner Program Manager at Camp Pendleton Naval Hospital and was advised forensic examiners are available to any Camp Pendleton Brig inmate that was in need of such services. The auditor was advised Camp Pendleton Naval Hospital has eight forensic examiners what work an on-call schedule and are available 24 hours a day, 7 days a week.

During the interview with the PREA Compliance Manager, the auditor confirmed the Unit Victim Advocate (UVA) is available to provide support to victims of sexual abuse. This could be DoD or civilian personnel. All victim advocates are certified through Department of Defense Sexual Assault Advocate Certification Program.

<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states: All allegations of sexual abuse or sexual harassment reported will be investigated by NCIS.</p> <p>Camp Pendleton Base Brig's Policy is to ensure all allegations of sexual abuse or sexual harassment will be referred to an appropriate Military Criminal Investigation Organization (MCIO). Allegations that are not criminal may be internally investigated and routed through the chain of command for adverse administrative action, non-judicial punishment, or administrative separation.</p> <p>In the past 12 months, the number of allegations of sexual abuse and sexual harassment that were received: 1</p>

In the past 12 months, the number of allegations resulting in an administrative investigation: 1

In the past 12 months, the number of allegations referred for criminal investigation: 0

Referring to allegations received during the past 12 months, all administrative and/or criminal investigations were completed.

Directive-type Memorandum (DTM) 14-002, "The Establishment of Special Victim Capability (SVC) Within the Military Criminal Investigative Organizations" states:

In accordance with the authority in DOD Directive (DoDD) 5106.01 (Reference (a)) and section 573 of Public Law 112-239 (Reference (b)), directs the military criminal investigative organizations (MCIOs) to establish investigative portion of an SVC by providing a distinct, recognizable group of appropriately trained investigators to investigate allegations of all designated SVC covered offenses.

The agency has a policy that requires that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior.

It is DoD policy that:

The Secretaries of the Military Departments through their respective MCIO directors will establish a timely, effective, worldwide SVC consisting of specialized, trained investigators who will work collaboratively with the assigned SVC personnel conducting investigations of all covered offenses that occur within their jurisdiction as established by existing Military Service and MCIO guidance, subject to limitations concerning use of restricted reports.

Designated SVC personnel will closely interact with assigned specially trained judge advocates, DoD Sexual Assault Response Coordinators, Sexual Assault Prevention and Response (SAPR) Victim Advocates, Family Advocacy Program (FAP) managers, and domestic abuse victim advocates (DAVA) during all stages of the investigative and military justice process.

The agency's policy regarding the referral of allegations of sexual abuse or sexual harassment for criminal investigation is published on the agency website (<http://www.hqmc.marines.mil/ppo/units/Security-Division-PS/Law-Enforcement-Corrections-PSL/Prison-Rape-Elimination-Act-PREA/>)

The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation.

During an interview with the Agency Head, the auditor was advised all sexual abuse or sexual harassment criminal investigations are completed by NCIS, which is an external agency. The Marine Corps. has an MOU with NCIS, and the MOU contains language stating NCIS agrees to follow PREA standards. NCIS ensures their agents receive proper training. Sexual abuse or sexual harassment administrations are completed by facility staff who are trained to conduct such investigations.





115.31	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="248 248 523 282"><b>Auditor Discussion</b></p> <p data-bbox="248 327 1481 1128">The agency trains all employees who may have contact with inmates on the agency's zero-tolerance policy for sexual abuse and sexual harassment. The agency trains 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. The agency trains all employees who may have contact with inmates on the right of inmates to be free from sexual abuse and sexual harassment. The agency trains 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. The agency trains all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement. The agency trains all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims. The agency trains all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse. The agency trains all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates. The agency trains 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. The agency trains 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.</p> <p data-bbox="248 1182 1485 1301">The auditor was provided with a PREA PowerPoint Presentation and acknowledgement sheets used for staff training. The auditor confirmed the PowerPoint training consisted of all the information listed above. In addition, staff have also received PREA First Responder Cards.</p> <p data-bbox="248 1355 1050 1388">Training is tailored to the gender of the inmates at the facility.</p> <p data-bbox="248 1442 890 1476">Staff members are given PREA training annually.</p> <p data-bbox="248 1529 1465 1603">The auditor was provided with staff signature sheets documenting receipt and understanding of PREA training.</p> <p data-bbox="248 1657 1406 1691">Interviews with a random sample of staff confirm all staff receive training in the following:</p> <ol data-bbox="248 1744 1481 2157" style="list-style-type: none"> <li>a. Agency's zero-tolerance policy for sexual abuse and sexual harassment.</li> <li>b. How to fulfill our responsibilities regarding sexual abuse and sexual harassment prevention, detection, reporting, and response, per agency policies and procedures.</li> <li>c. Inmates' right to be free from sexual abuse and sexual harassment.</li> <li>d. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.</li> <li>e. The dynamics of sexual abuse and sexual harassment in confinement.</li> <li>f. The common reactions of sexual abuse and sexual harassment victims.</li> <li>g. How to detect and respond to signs of threatened and actual sexual abuse.</li> <li>h. How to avoid inappropriate relationships with inmates.</li> </ol>

- i. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender non-conforming inmates.
- j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Staff advised they received classroom training for PREA, as well as online training through the National Institute of Corrections.

<b>115.32</b>	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>All volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response.</p> <p>Commanding Officer Policy Memorandum 3001.1c states: All personnel assigned or attached to the Marine Corps Base Brig, Camp Pendleton will be trained on this policy.</p> <p>Sexual activity, while aboard CPBB is strictly prohibited. At no time will personnel engage in any form of sexual contact, misconduct, assault, and/or harassment with any prisoner, staff, contractor, or volunteer. There is no such thing as "consensual" sexual activity between staff and prisoners.</p> <p>The number of volunteers and contractors, who may have contact with inmates, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response: 10</p> <p>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.</p> <p>All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>The auditor was provided with signature sheet from contractors/volunteers, documenting their receipt and understanding of their PREA training.</p> <p>During the site visit, there were no contractors or volunteers available to be interviewed.</p>

115.33	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment.</p> <p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. During the intake process, prisoners shall receive information explained orally and in writing the facility's zero-tolerance policy regarding sexual misconduct and how to report incidents or suspicions of sexual misconduct.</li> <li>b. Within 7 days of intake, prisoners will be provided comprehensive education informing them of their rights to be free from sexual misconduct and to be free from retaliation for reporting such incidents, and regarding facility policies and procedures for responding to such incidents during indoctrination. Training will be provided by a qualified instructor per paragraph 11 above, and may be in person or through video.</li> </ul> <p>All new intakes are required to sign the "Prisoner Intake Brief" which includes the PREA education outlined below:</p> <p>Prison Rape Elimination Act (PREA). Congress passed the Prison Rape Elimination Act (PREA) on September 4, 2003. The brig has a zero tolerance policy concerning sexual misconduct or abuse of prisoners. You have the right to be free from intimidation or pressure from staff, prisoners or any other person to perform and engage in sexual behavior regardless of your current situation or sexual orientation.</p> <ul style="list-style-type: none"> <li>a. Sexual misconduct is defined as any behavior or act of a sexual nature directed towards a prisoner by a prisoner or detainee, staff member, volunteer, visitor, contractor, agency representative or other person while within the brig. This includes acts or attempts to commit acts including, but not limited to: <ul style="list-style-type: none"> <li>(1) Sexual battery, sexual assault, sexual abuse, activities to provide for the sexual gratification of another, sexual harassment, sexual conduct, obscenity or an unreasonable invasion of privacy; and</li> <li>(2) Also includes conversations or correspondence that suggests a romantic sexual relation between a prisoner and any person referenced above.</li> </ul> </li> <li>b. Prevention/intervention of sexual misconduct can be accomplished by being aware of your surroundings. Hang out in crowds whenever possible. Avoid isolating yourself in high risk areas. Do not accept gifts or favors; most come with strings attached. Do not accept offers of protection; that is what the staff is here for. Be alert. Be direct and firm when saying no to unwanted activity. If you fear for your safety, report it to staff. If you witness an incident of sexual misconduct you are required to report it to brig staff immediately. If you become aware of a prior incident of sexual misconduct, report it per the reporting guidance.</li> <li>c. Self-protection against sexual misconduct is an inherent right. Self-protection begins with</li> </ul>

your observance and execution of the prevention measures. You are authorized to lawfully defend yourself against acts of sexual abuse/assault.

d. Reporting of sexual misconduct may be done verbally, in writing, or telephonically to the DOD SAFE Helpline/SAPR Helpline via the prisoner phone system. No specific form is required to report in writing and instructions for telephonic reports are posted with the prisoner phones. The report should be made to the Brig Supervisor or Commanding Officer however, you may make the report to any staff member you wish. You will be protected from the assailant and the incident will be referred for investigation. You may need a medical exam. Do not clean up; it is important to be examined prior to washing, changing clothes or using the restroom. All reports concerning the identity of the victims of sexual assault and the facts of the report are limited only to those who have a need to know to make decisions concerning your welfare and for investigative purposes.

e. NCIS will conduct the investigation. NCIS may defer to the brig investigator. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement and if criminal charges are brought against the assailant, you may be asked to testify.

f. Emergency treatment will be provided by medical staff and/or 911 response and immediately referred to Camp Pendleton Naval Hospital. You will be referred to a Victim Advocate. In the event you need more assistance coping, the Chaplain or a Clinical Services mental health provider can provide counseling and assistance.

New intakes are also provided with the Brig Prisoner Rules and Regulations which contains information on prevention, reporting, investigation, and treatment and counseling.

The number of inmates admitted during past 12 months who were given this information at intake: 254 (this is 100% of all intakes)

The number of those inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake: 254 (this is 100% of all intakes)

Military Entrance Processing Station (MEPS) states:

Applicants for enlistment must comprehend English well enough to complete the processing requirements.

The Prisoner Intake Brief is written documentation containing information on the facility's rules, including, education on PREA. This information would be used to educate inmates who are deaf.

Inmates who are visually impaired, or who have limited reading skills, would have the information orally read to them by staff.

The programs chief in conjunction with brig medical will coordinate with local base agencies

and the Camp Pendleton Naval Hospital for procurement of appropriate resources to assist prisoners who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to prisoners who have limited reading skills.

The agency maintains documentation of inmate participation in PREA education sessions. The auditor was provided with a sample of signed acknowledgement forms documenting inmate PREA education.

The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats. During the site visit, the auditor observed PREA posters posted in all housing units and throughout the facility.

Intake staff advised they provide all new intakes with the Rules and Regulations and staff verbally go over this information with them. In addition, the inmates are provided with a Prisoner Intake Brief. The education the inmates are provided with contains information on how to report as well as the zero tolerance policy. This information is typically provided to the inmates the same day they arrive at the facility. Inmates are required to sign an acknowledgement documenting their receipt and understanding of the PREA education. The auditor was advised that PREA information has been provided at intake for approximately four years. The auditor was advised inmates can only be housed at the facility for up to 365 days, once they are sentenced. Based on this information, the auditor has determined that all inmates currently housed at the facility have received PREA education.

Interviews with a random sample of inmates indicate all inmates receive the Rules and Regulations during intake orientation training. Inmates acknowledged PREA education is included in this training. Inmates advised they are also given a PREA brochure and the agency's policies on sexual abuse and sexual harassment are verbally discussed with the inmates. Inmates confirmed they received PREA education within 24 hours of intake. Inmates advised in order to get moved out of the orientation housing unit, they must pass a test that is based on the Rules and Regulations, ensuring they understand the agency's policies. For this reason, the auditor has determined the facility exceeds this standard.

<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.</p> <p>The Memorandum of Agreement between Deputy Chief of U.S. Marine Corps and the Director, Naval Criminal Investigative Service for Compliance with National Prison Rape Elimination Act Standards states:</p> <p>The following reference (d) PREA standards associate with applicable medical and mental health, and investigative agencies for which DON MCFs will require support. As noted below, DON MCFs shall provide applicable medical/mental health, and investigative agencies with access to applicable training materials or web-site for supporting staff employed within DON MCFs.</p> <p>The auditor was provided with the National Institute of Corrections Course Description for Specialized Training: Investigating Sexual Abuse in Confinement Settings. In addition, the auditor was provided with a certificate showing the PREA Compliance Manager has completed this training.</p> <p>The number of investigators currently employed who have completed the required training: 4</p> <p>Criminal Investigations are conducted by NCIS, which is an external agency. The agency has an MOU in place with NCIS stating NCIS agrees to follow PREA standards.</p>

115.35	<p><b>Specialized training: Medical and mental health care</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>The agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities.</p> <p>The Memorandum of Agreement between the U.S. Marine Corps and the Surgeon General of the Navy/Chief, Bureau of Medicine and Surgery states:  The following reference (d) PREA standards associate with applicable medical and mental health, and investigative agencies for which DON MCFs will require support. As noted below, DON MCFs shall provide applicable medical/mental health, and investigative agencies with access to applicable training materials or web-site for supporting staff employed within DON MCFs.</p> <p>The auditor was provided with certificates from several medical staff members who have completed three hours of training in PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting from the National Institute of Corrections.</p> <p>The number of all medical and mental health care practitioners who work regularly at this facility who received the training required by agency policy: 16 (this is 100% of all medical and mental health staff)</p> <p>Agency medical staff at this facility do not conduct forensic medical exams.</p> <p>Medical and mental health staff confirmed all forensic examinations would be conducted at Camp Pendleton Naval Hospital. Medical and mental health staff confirmed they have been trained in: 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.</p>
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115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:  All prisoners are screened by the DBS at intake and the C &amp; A Board shall review the screening form upon admission to the facility for risk of sexual victimization or sexual abusiveness towards other prisoners. Risk assessments will be conducted using the objective screening instrument (Screening for Risk of Victimization and Abusiveness Form).</p> <p>The number of inmates entering the facility (either through intake of transfer) within the past 12 months whose length of stay in the facility was for 72 hours or more and who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility: 254</p> <p>A review of the instrument confirms it is an objective screening instrument consisting of 35, mostly yes/no, questions. An inmate who answers yes to questions 2, 5, or 14 (questions dealing with prior sexual abuse), or who answers yes to three (3) or more questions pertaining to risk of victimization, are identified as being "at risk of victimization." An inmate who answers yes to question 21 (dealing with prior sexual abusive history), or three (3) or more questions pertaining to risk of abusiveness, are identified as being "at risk of abusiveness."</p> <p>All questions required to be asked under 115.41 are listed on the screening instrument, with the exception of the question pertaining to inmates detained solely for civil immigration purposes. This question would be not applicable to the facility, due to the fact that no inmates would ever be detained for this reason.</p> <p>Camp Pendleton Brig PREA SOP states:  Within 14 days of arrival at the brig, counselors and mental health personnel will reassess the prisoner's risk of victimization or abusiveness based upon any additional, relevant information received since the intake screening. Reassessment will be provided to the Brig Supervisor and CO for final decision.</p> <p>The policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening.</p> <p>The number of inmates entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake: 113 (this is 100% of all inmates housed 30 days or more)</p> <p>Camp Pendleton Brig PREA SOP states:  A prisoner's risk level will be reassessed by medical and mental health personnel when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information, or conviction that bears on the prisoner's risk of sexual victimization or</p>

abusiveness. In these occurrences the Programs Chief will be notified and the reassessment will be documented on a Standard Form (SF) 600 and in the counselor's weekly entry.

Camp Pendleton Brig PREA SOP states:

Prisoners shall not be disciplined for refusing to answer or not disclosing complete information related to questions regarding:

- 1) Whether or not the prisoner has mental, physical, or developmental disability.
- 2) Whether or not the prisoner is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming.
- 3) Whether or not the prisoner has previously experienced sexual victimization.
- 4) The prisoner's own perception of vulnerability.

During interviews with staff responsible for risk screening, the auditor was advised all new intakes are screened within 72 hours of entry into the facility. Typically, inmates are screened within the first hour of intake. The auditor was provided with a copy of the risk screening instrument and confirmed all questions required to be asked under 115.41 are being asked. The instrument consists of yes/no questions. The total number of affirmative responses are added up to determine risk of victimization and risk of abusiveness. The auditor was advised that all inmates are reassessed again by the counselors within 14 days of intake. Staff reassess an inmate's risk level as needed due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. The auditor confirmed inmates are never disciplined for refusing to answer any questions related to the risk screening.

Interviews with a random sample of inmates confirm inmates are screened immediately upon intake by intake staff and are screened a second time within 14 days of intake by a counselor.

During the interview with the PREA Coordinator, PREA Compliance Manager, and staff responsible for risk screening the auditor confirmed only the Duty Brig Supervisor, SARC, medical, mental health, screening staff, and PREA Compliance Manager have access to the risk screening.

115.42	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states: The DBS and Classification &amp; Assignment (C &amp; A) Board uses information from the risk screening required by 115.41, to determine housing, work, education, and program assignments, with the goal of keeping separate those prisoners at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p>Camp Pendleton Brig PREA SOP states: The CO shall make individualized determinations about how to ensure the safety of each prisoner by relying on the C &amp; A Board process, recommendations from the Programs section and recommendations from medical and mental health personnel.</p> <p>Camp Pendleton Brig PREA SOP states: CMC PSL (Corrections) is responsible to designate the place of confinement for transgender or intersex prisoners. Upon assignment, the C &amp; A Board considers, on a case-by-case basis, housing and programming assignments to ensure the transgender or intersex prisoner's health and safety, and whether the placement would present management or security problems.</p> <p>Camp Pendleton Brig PREA SOP states: Placement and programming assignments for each transgender or intersex Prisoner shall be reassessed at least twice each year to review any threats to safety experienced by the prisoner.</p> <p>Camp Pendleton Brig PREA SOP states: A transgender or intersex prisoner's own views with respect to his or her own safety shall be given serious consideration.</p> <p>Camp Pendleton Brig PREA SOP states: Transgender and intersex prisoners shall be given the opportunity to shower separately from other prisoners.</p> <p>Camp Pendleton Brig PREA SOP states: The agency shall not place lesbian, gay, bisexual, transgender, or intersex prisoner in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such prisoners.</p> <p>During the interview with the PREA Compliance Manager, the auditor was advised that any inmate who identified as at risk for victimization would be housed separately from any inmate who identified as at risk for abusiveness. These inmates would be housed in separate housing units. The auditor was advised that any inmate identified as an at risk victim would be placed in a rack near the front of the housing unit, close to the housing unit officer. The PREA Compliance Manager advised they have not had any identified transgender or intersex</p>

inmates housed at the facility in the recent future; however, if one was housed at the facility, staff would screen the inmate to determine housing. The auditor was advised the agency would consider whether the placement would ensure the inmate's health and safety, as well as whether the placement would present management or security problems. A transgender/intersex inmates' views with respect to his or her own safety would be given serious consideration in placement and programming assignments. Transgender/intersex inmates would not be segregated and would be housed with general population. The auditor was advised transgender/intersex inmates would be reviewed twice per year. The PREA Compliance Manager further advised that transgender and intersex inmates would be afforded the opportunity to shower separately from the other inmates.

During interviews with staff responsible for risk screening, the auditor confirmed any inmate identified as being at risk for victimization would not be housed with an inmate who identified as being at risk for abusiveness. Screening staff confirmed placement and programming assignments for transgender or intersex inmates would be reassessed twice per year. Screening staff confirmed a transgender or intersex inmates' own views of his or her own safety are given serious consideration in placement and programming assignments. Such inmates would be afforded the opportunity to shower separately from the other inmates.

During an interview with the PREA Coordinator, the auditor confirmed the agency does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of their sexual orientation, genital status, or gender identity. These inmates would be housed in general population.

115.43	<b>Protective Custody</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Camp Pendleton Brig PREA SOP states:</p> <p>a. Prisoners at high risk for sexual victimization will not be placed in involuntary restrictive housing unless an assessment of all available alternatives has been made by the C &amp; A Board, and a determination has been made that there is no available alternative means of separation from likely abusers. If an immediate assessment cannot be made, the prisoner may be held in restrictive housing for no more than 24 hours while the assessment is being conducted.</p> <p>b. Prisoners placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:</p> <ol style="list-style-type: none"> <li>1) The opportunities that have been limited;</li> <li>2) The duration of the limitation; and</li> <li>3) The reasons for such limitations.</li> </ol> <p>c. The facility shall assign such prisoners to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.</p> <p>d. If an involuntary restrictive housing assignment is made, the following will be documented in the prisoners record or electronic database information system (e.g., Naval Justice Information System (NJIS), Corrections Management Information System (CORMIS)):</p> <ol style="list-style-type: none"> <li>1) The basis of concern for the Prisoner's safety.</li> <li>2) The reason why no alternative means of separation available.</li> </ol> <p>e. The C &amp; A Board shall review the status of each prisoner assigned to Protective Custody every seven days in accordance with reference (I) to determine whether there is a continuing need for separation from the general population.</p> <p>The number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0</p> <p>During an interview with the Chief Warrant Officer 5, the auditor confirmed the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers. The auditor was advised the facility has never had to place an inmate in involuntary segregated housing for this reason; however, if this did occur, the inmate would only be housed in involuntary segregated housing until an alternative means of separate from likely abusers could be arranged. In this scenario, the auditor was advised the facility could have the inmate transferred to another facility within a few days.</p> <p>Staff interviews confirmed there have never been an inmate housed in involuntary segregated housing who was at high risk for sexual victimization or who has alleged sexual abuse.</p>

115.51	<b>Inmate reporting</b>
	<p data-bbox="252 170 896 203"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="252 248 523 282"><b>Auditor Discussion</b></p> <p data-bbox="252 327 1469 533">Prison Rape Elimination Act Letter 4-15 outlines procedures for reporting. This policy states inmates may report anonymously through the SAFE Helpline 24/7. The policy states this hotline is anonymous and confidential. This policy further states Brig staff shall accept reports made verbally, in writing, anonymously, reports from third parties, and allegations forwarded by reporting personnel to the brig Commanding Officer (CO) or designee per reference (a).</p> <p data-bbox="252 584 1445 701">Commanding Officer Policy Memorandum 8006c outlines the process for prisoner requests. These requests are written on a DD Form 510 and placed centrally located and clearly marked.</p> <p data-bbox="252 752 925 786">Brig Order P1640.2H Rules and Regulations states:</p> <p data-bbox="252 797 1477 1128">d. Reporting- of sexual misconduct may be done verbally or in writing. No specific form is required. The report should be made to the Brig Supervisor or CO however, you may make the report to any staff member you wish. You will be protected from the assailant and the incident will be referred for investigation. You may need a medical exam. Do not clean up; it is important to be examined prior to washing, changing clothes, or using the restroom. All reports concerning the identity of the victim of sexual battery and the facts of the report are limited only to those who with a need to know make decisions concerning your welfare and for investigative purposes.</p> <p data-bbox="252 1180 778 1214">Camp Pendleton Brig PREA SOP states:</p> <p data-bbox="252 1225 1465 1386">Staff will accept reports made verbally, in writing, anonymously, or from third parties. Reports will be immediately documented and forwarded to the DBS or other if DBS is the alleged perpetrator, the staff member will report to a different supervisor in their chain of command (e.g., Operations Chief, Brig Supervisor, etc.).</p> <p data-bbox="252 1438 778 1471">Camp Pendleton Brig PREA SOP states:</p> <p data-bbox="252 1482 1481 1599">Staff may privately report sexual abuse and sexual harassment of prisoners via the installation SARC, SAPR UVA, Inspector General (IG) Hotline and the DoD Safe Helpline. (Staff receive training on this annually).</p> <p data-bbox="252 1650 1426 1856">Staff acknowledged being able to privately report to the Duty Brig Supervisor. Staff stated inmates could privately report to the Duty Brig Supervisor, via 510 request, or by using the PREA hotline. Staff confirmed they would accept reports made verbally, in writing, anonymously, or through third parties. Staff stated they would document verbal reports immediately.</p> <p data-bbox="252 1908 1477 2024">Inmates confirmed they could report to the Duty Brig Supervisor, via a 510 request, verbally to any staff, or through the PREA hotline (which is external from the agency). Inmates also acknowledged they could make an anonymous or a third-party report.</p> <p data-bbox="252 2076 1481 2157">The PREA Compliance Manager advised the agency provides inmates with access to the Safe Helpline which goes to a National Sexual Abuse Hotline (RAINN). If an allegation was received</p>

through the hotline, the information would be forwarded to the base SARC. They would contact the Chief Officer and the Uniform Victim Advocate (UVA). Services would be provided to the inmate and the matter would be investigated.

<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	The agency does not have an administrative procedure for dealing with inmate grievances regarding sexual abuse. For this reason, the facility is exempt from this standard.

115.53	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. Prisoners will have access to outside victim advocates for emotional support services related to sexual abuse by calling the Sexual Assault Line. Mailing addresses and telephone numbers, including the toll-free DoD Safe Helpline, or other local, state, or national victim advocacy or rape crisis organizations will be made available. Reasonable communication between prisoners and these organizations and agencies is permitted in accordance with privileged communications (e.g. privilege correspondence, designated unrecorded phone number, etc.)</li> <li>b. Prisoners will be informed 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 as per reference (f).</li> <li>c. The PREA Compliance Manager in coordination with the Brig Supervisor will maintain relationships or attempt to enter into Memorandums of Understanding or other agreements with community service providers that are able to provide prisoners with confidential emotional support services related to sexual abuse. The PREA Compliance Manager will maintain copies of agreements or documentation showing attempts to enter into such agreements.</li> </ul> <p>During the site visit, the auditor was advised all members of the military are provided with access to resource and support services, including the Uniform Victim Advocate (UVA). The auditor was advised that these services are provided regardless of any formal MOU. During the audit, the auditor contacted the UVA and confirmed that victim advocate services are available to all military personnel.</p> <p>During interviews with a random sample of inmates, the confirmed inmates are provided with mailing addresses and phone numbers to the Uniform Victim Advocate (UVA). Inmates were aware that the UVA is available to them and will assist them with victim support services and will also assist them in making a report of sexual abuse. Inmates stated they could speak with the UVA anytime they requested it and stated their conversation would remain private and confidential. Inmates advised the only information the UVA would be required to report is if the an inmate discloses to them that someone's life was in danger.</p> <p>During the time of the site visit, there were not any inmates housed at the facility who have reported sexual abuse.</p>



<b>115.54</b>	<b>Third-party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency or facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. Inmates have access to contact information for the base Inspector General hotline and the DoD Safe Helpline. Also, family members may contact either of these agencies as well as the base Sexual Assault Response Coordinator.</p> <p>During the site visit, the auditor observed information on how to make third-party reports of inmate sexual abuse or sexual harassment, posted on posters throughout the facility. The auditor also observed this information on the agency's website.</p>

115.61	<b>Staff and agency reporting duties</b>
	<p data-bbox="252 170 896 203"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="252 248 523 282"><b>Auditor Discussion</b></p> <p data-bbox="252 327 778 360">Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li data-bbox="252 371 1484 573">a. Staff will immediately report to the DBS for immediate action on knowledge, suspicion, or information regarding an incident of sexual abuse, sexual harassment, or sexual misconduct that occurs in any facility. Any retaliation against prisoners or staff who report such an incident. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</li> <li data-bbox="252 584 1469 707">b. Staff shall not reveal any information related to a sexual abuse report to anyone other than on a need to know basis in order to make treatment, investigation, and other security and management decisions (e.g., DBS or officials, medical, SAPR, CO, Brig Supervisor, etc.).</li> <li data-bbox="252 719 1477 875">c. Unless otherwise precluded by Federal, State, or local law, facility medical health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform prisoners of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.</li> <li data-bbox="252 887 1484 999">d. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the brig will report the allegation under applicable mandatory reporting laws.</li> <li data-bbox="252 1010 1449 1178">e. Restricted Reporting as defined in the DoD and Marine Corps SAPR Program are not an available reporting option under PREA and the brig staff shall report all allegations of sexual abuse, sexual harassment, and sexual misconduct, including third-party and anonymous reports to NCIS in accordance with references (f) and (h).</li> </ul> <p data-bbox="252 1223 1469 1424">During interviews with random staff, staff were aware that the agency requires all staff to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p data-bbox="252 1480 1457 1727">During interviews with medical and mental health staff, the auditor confirmed medical and mental health staff disclose the limitations of confidentiality and their duty to report. Medical and mental health staff also confirmed they are required to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to a designated supervisor or official immediately upon learning of it. The auditor confirmed there have not been any such incidents reported.</p> <p data-bbox="252 1783 1441 1895">During an interview with the Chief Warrant Officer 5, the auditor confirmed all allegations of sexual abuse and sexual harassment (including those from third-party and anonymous sources) reported directly to designated facility investigators.</p> <p data-bbox="252 1951 1461 2029">The auditor was advised by both the Chief Warrant Officer 5 and the PREA Coordinator, that there are never any inmates under the age of 18 housed at the facility.</p>

115.62	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:  When it is discovered a prisoner is subject to a substantial risk of imminent sexual abuse, the DBS shall be notified and take immediate action (e.g., separate victim from alleged abuser, placement on protective custody, etc.) to protect the prisoner and notify the CO. Such actions shall be documented in the Brig Log and identified as a significant event (e.g., highlighted, color coded, searchable, etc.), annotated in the DBS report, documented on a DD Form 2713 Prisoner Observation Report, and filed in the prisoner record and/or applicable MIS.</p> <p>In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse: 0</p> <p>During an interview with the Agency Head, Chief Warrant Officer 5, as well as a random sample of staff, the auditor was advised if staff discovered an inmate was at risk of imminent sexual abuse, they would immediately separate the alleged victim from the alleged abusers and ensure the allegations were investigated. If the alleged victim requested protective custody, the facility would accommodate their request.</p>

115.63	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the CO or acting CO will notify the head of the facility/agency where the alleged abuse occurred (e.g., phone call, email correspondence, SITREP, etc.).</li> <li>b. Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation.</li> <li>c. The PREA Compliance Manager will maintain documentation that the Commanding Officer has provided such notification. Incident reports, brig logs, emails, etc., serve as sufficient documentation for the purposes of this standard.</li> </ul> <p>In the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility: 0</p> <p>In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities: 0</p> <p>During an interview with the Agency Head, the auditor was advised that if another agency or a facility within another agency refers allegations of sexual abuse or sexual harassment that occurred within one of the Marine facilities, the designated point of contact would be the commanding officer of the facility.</p> <p>During an interview with the Chief Warrant Officer 5, the auditor confirmed when Camp Pendleton Brig receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred at Camp Pendleton Brig, the facility would launch an investigation. The auditor was advised there have not been any examples of this within the past 12 months.</p>

115.64	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <p>a. All brig staff are designated as first responders. Upon learning of an allegation that a prisoner was sexually abused, the first security staff member to respond to the report will be required to:</p> <ol style="list-style-type: none"> <li>1) Separate the alleged victim and abuser;</li> <li>2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;</li> <li>3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and alleged abuser not take any actions that could destroy physical evidence. This includes as appropriate: washing the body, brushing teeth, changing clothes, urinating, defecating, drinking, or eating.</li> </ol> <p>b. If the first staff responder is not a security staff member, the responder will be required to request that the alleged victim not take any actions that could destroy physical evidence, follow the steps listed above, and then notify any security staff member.</p> <p>First responder duties are outlined on the PREA First Responder Cards as well as the PREA Incident Response Procedures.</p> <p>In the past 12 months, the number of allegations that an inmate was sexually abused: 1 (The auditor confirmed the alleged victim and staff member involved were immediately separated pending the outcome of the investigation).</p> <p>In the past 12 months, the number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 0</p> <p>Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder: 0</p> <p>During interviews with a random staff, the auditor confirmed staff were well aware of their first responder duties. Staff advised that upon receiving a report, they would separate the alleged victim from the alleged abuser, secure the scene, contact the Duty Brig Supervisor and medical, ensure both inmates do not do anything that could destroy evidence (eat, drink, wash, brush teeth, use the restroom, etc.), and document the incident.</p>

115.65	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <p>a. All brig staff are designated as first responders. Upon learning of an allegation that a prisoner was sexually abused, the first security staff member to respond to the report will be required to:</p> <ol style="list-style-type: none"> <li>1) Separate the alleged victim and abuser;</li> <li>2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;</li> <li>3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and alleged abuser not take any actions that could destroy physical evidence. This includes as appropriate: washing the body, brushing teeth, changing clothes, urinating, defecating, drinking, or eating.</li> </ol> <p>b. If the first staff responder is not a security staff member, the responder will be required to request that the alleged victim not take any actions that could destroy physical evidence, follow the steps listed above, and then notify any security staff.</p> <p>The Coordinated Response Plan is outlined in the PREA Incident Response Procedures.</p> <p>During an interview with the Chief Warrant Officer 5, the auditor confirmed the facility has a plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse. This information is outlined in the PREA Incident Response Procedures.</p>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Marine Corps Confinement Facilities Prison Rape Elimination Act (PREA) SOP states:</p> <p>1) The facility shall not enter into or renew any collective bargaining agreement or other agreement that limits the facility's ability to remove alleged staff sexual abusers from contact with any prisoners pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p>2) Nothing shall restrict the facility from entering into or renewal of agreements that govern:</p> <p>a) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of 115.72, 115.76, and 115.66 (b)(1).</p> <p>b) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.</p> <p>During an interview with the Agency Head, the auditor was advised the Marine Corps has not entered into or renewed any collective bargaining agreements since August 20, 2012.</p>

115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton PREA Brig SOP states:</p> <ul style="list-style-type: none"> <li>a. All prisoners and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations are protected from retaliation by other prisoners or staff. Retaliation monitoring is a responsibility of the PREA Compliance Manager, Brig Supervisor, Security Operations Chief, or the DBS. However, it is everyone's responsibility to remain vigilant for signs of retaliation.</li> <li>b. The facility shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged staff or prisoner abusers from contact with victims, and emotional support services for prisoners or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</li> <li>c. Monitoring for retaliation will continue for at least 90 days following a report of sexual abuse for prisoners or staff who reported the sexual abuse and of prisoners who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by prisoners or staff. The PREA Compliance Manager will notify the CO of such retaliation for prompt resolution. Items the PREA Compliance Manager should monitor are prisoner disciplinary reports, housing or program changes, negative performance reviews, or reassignments of staff. The PREA Compliance Manager will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.</li> <li>d. The PREA Compliance Manager in conjunction with Security Operations Chief will monitor prisoners to include performing periodic status checks and review of paperwork (e.g., housing assignments, work, education, and program assignments, excessive disciplinary reports, etc.) to ensure retaliation does not occur.</li> <li>e. If any other individual who cooperates with an investigation expresses fear of retaliation, appropriate actions will be taken to protect that individual against retaliation. These measures will be documented and maintained by the PREA Compliance Manager.</li> <li>f. Monitoring will terminate if the investigating entity determines that the allegation is unfounded.</li> </ul> <p>The agency has designated the PREA Compliance Manger as being responsible for monitoring for possible retaliation.</p> <p>The length of time that the agency/facility monitors the conduct or treatment: 90 days</p> <p>The number of times an incident of retaliation occurred in the past 12 months: 0</p> <p>During an interview with the Agency Head, the auditor was advised the Brig Commanding Officer would monitor the whoever reported the abuse. The accused inmate or staff would be reassigned so they would not have any contact with the individual that reported the abuse. If an individual expresses a fear of retaliation, a uniform victim advocate would provide support to the victim. Retaliation monitoring would be provided by the PREA Compliance Manager. Staff would be instructed to report any suspected retaliation that they witness.</p> <p>During an interview with the Chief Warrant Officer 5, the auditor was advised the facility would</p>



take precautions to protect inmates and staff from retaliation. If an inmate were involved, they could be moved to a different housing unit or transferred to another facility. If a staff member were involved, the staff member would be assigned to a post that would prevent contact with the inmate. Anytime retaliation is suspected, the matter would be investigated. If a staff member were found guilty of retaliating, he/she would lose their job description depending on the level of violation and could possibly be court martialed. If an inmate were found guilty of retaliating, he would be disciplined.

During an interview with the staff member charged with monitoring retaliation, the auditor confirmed this staff member reviews the incident, as well as post assignments and housing assignments to ensure the reportee is not being retaliated against. The auditor was advised the retaliation monitor also has access to disciplinary records and monitors them as well. The retaliation monitor advised he would initiate contact with the reportee on a weekly basis to ensure they are not being retaliated against. The retaliation monitor stated he would monitor both inmates and staff who report abuse for as long as they are housed (or work) at the facility.

115.68	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states: Any use of restrictive housing to protect a prisoner who is alleged to have suffered sexual abuse shall be subject to the requirements of 115.43. All post-allegation protective measures shall be recorded within the prisoner's record and CORMIS (Corrections Management Information System).</p> <p>The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment: 0</p> <p>If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p>During an interview with the Chief Warrant Officer 5, the auditor confirmed the agency has a policy in place that prohibits placing inmates at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers. The auditor was advised the facility has never had to place an inmate in involuntary segregated housing for this reason. If there were a need to house an inmate in involuntary segregated housing for this reason, they would only be housed here until an alternative means of separation from likely abusers could be arranged. The Chief Warrant Officer 5 advised he could arrange for the inmate to be transferred within a few days.</p>

115.71	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Directive Type Memorandum 13-002 states: All allegations of unrestricted sexual assault, regardless of severity or merit, will be immediately reported to the appropriate Military Criminal Investigation Organization (MCIO) for investigation.</p> <p>The agency has an MOU with NCIS which is an external agency responsible for conducting criminal investigations at the Marine Brigs.</p> <p>The MOU with NCIS states: Applicable PREA Standards Requiring Inter-Agency support to DON MCFs. The following reference (d) PREA standards associate with applicable medical and mental health, and investigative agencies for which DON MCFs will require support. As noted below, DON MCFs shall provide applicable medical/mental health, and investigative agencies with access to applicable training materials or web-site for supporting staff employed within DON MCFs. All parties agree to develop and implement necessary policies and procedures to satisfy the applicable requirements of PREA with strict enforcement measures and universally high standards.</p> <p>The auditor was provided with and reviewed a copy of the one allegation the facility had received within the past 12 months. The auditor reviewed the investigation and determined the investigation was prompt, thorough, and objective. The investigator interviewed the reportee, as well as the alleged victims and witnesses, interviewed the suspected perpetrator, and documented their statements. The allegation was investigated administratively by the PREA Compliance Manager who has received specialized training in conducting sexual abuse investigations in confinement settings.</p> <p>During an interview with the Chief Warrant Officer 5, PREA Coordinator, and PREA Compliance Manager, the auditor was advised the NCIS would keep the facility informed on the progress of the investigation. They would provide updates regularly. Either the Master Sergeant, PREA Compliance Manager, or the Chief Officer would be the point of contact for the facility.</p>

115.72	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states: Evidentiary standards for administrative investigations. The facility shall not impose an evidentiary standard higher than a preponderance of evidence in determining whether allegations of sexual abuse, sexual harassment or sexual misconduct are substantiated.</p> <p>A review of the investigation from the one allegation that was received indicates a preponderance of evidence was used in determining whether or not the allegation was substantiated.</p> <p>The agency has an MOU with NCIS which is an external agency responsible for conducting criminal investigations at the Marine Brigs.</p> <p>The MOU with NCIS states: Applicable PREA Standards Requiring Inter-Agency support to DON MCFs. The following reference (d) PREA standards associate with applicable medical and mental health, and investigative agencies for which DON MCFs will require support. As noted below, DON MCFs shall provide applicable medical/mental health, and investigative agencies with access to applicable training materials or web-site for supporting staff employed within DON MCFs. All parties agree to develop and implement necessary policies and procedures to satisfy the applicable requirements of PREA with strict enforcement measures and universally high standards.</p>

115.73	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states: Reporting to Prisoners.</p> <p>a. Following an investigation into a prisoner’s allegation that they suffered sexual abuse in the brig, the prisoner will be informed in writing as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The PREA Compliance Manager will draft and forward to the CO the Notification of Investigative Status Form Enclosure (4) for signature (§115.73(a)).</p> <p>b. If the brig did not conduct the investigation, the PREA Compliance Manager will request the relevant information from the investigative agency (e.g., NCIS, CID, IG, etc.) in order to inform the prisoner of the determination (§115.73(b)).</p> <p>c. Following a prisoner’s allegation that a staff member has committed sexual abuse against a prisoner, the prisoner will subsequently be informed in writing, unless the facility has determined that the allegation is unfounded, whenever (§115.73(c)):</p> <p>(1) The staff member is no longer posted within the prisoner’s housing unit or any area where the alleged staff member and prisoner would be co-located. Subsequent staff posting or prisoner housing/work/program assignments will not result in co-location, depending on the nature of the allegation;</p> <p>(2) The staff member is no longer employed at the brig;</p> <p>(3) The staff member has been formally charged; or</p> <p>(4) The staff member has been convicted on a charge related to sexual abuse within the brig.</p> <p>d. Following a prisoner’s allegation that they have been sexually abused by another prisoner, the alleged victim will be notified in writing whenever</p> <p>(1) The alleged abuser has been charged; or</p> <p>(2) The alleged abuser has been convicted on a charge related to sexual abuse within the Brig</p> <p>e. All such notifications or attempted notifications will be documented on the Notification of Investigative Status Form Enclosure (4) and a DD Form 2704 Victim/Witness Notification for all cases resulting in a sentence to confinement in accordance with reference (m) (§115.73(e)).</p> <p>f. The brig’s obligation to report under this standard terminates if the prisoner is released from custody</p> <p>If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the inmate of the outcome of the investigation.</p> <p>During the audit, the auditor was advised there was only one allegation received. This allegation was determined to be unfounded. The inmate was informed of the results of the investigation.</p> <p>During the interview with the Chief Warrant Officer 5, the auditor confirmed notifications are provided by NCIS. This notification would be documented in the inmate's progress report by the counselor and in his record book.</p> <p>The agency has an MOU with NCIS which is an external agency responsible for conducting criminal investigations at the Marine Brigs.</p>

The MOU with NCIS states:

Applicable PREA Standards Requiring Inter-Agency support to DON MCFs. The following reference (d) PREA standards associate with applicable medical and mental health, and investigative agencies for which DON MCFs will require support. As noted below, DON MCFs shall provide applicable medical/mental health, and investigative agencies with access to applicable training materials or web-site for supporting staff employed within DON MCFs. All parties agree to develop and implement necessary policies and procedures to satisfy the applicable requirements of PREA with strict enforcement measures and universally high standards.

115.76	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <p>a. Staff shall be subject to disciplinary action up to and including termination for violating sexual abuse or sexual harassment policies. The term "termination" for civilians means removal from further employment at the facility, after due process. For military, termination means possible separation from military service, after due process. For contractors and volunteers, termination means cessation of any further relationship with the facility. In any case where an allegation of sexual abuse or sexual harassment is substantiated, but does not result in termination, discipline shall include removal of the staff member from working in any Marine Corps confinement facility.</p> <p>b. Termination shall be presumptive disciplinary action for staff who have engaged in sexual abuse.</p> <p>c. Disciplinary actions for violations of policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed; the staff member's disciplinary history; and the sanctions imposed for comparable offenses by other staff with similar histories.</p> <p>d. All terminations for violations of the brig's sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, will be reported to law enforcement agencies, or endorsement bodies (e.g., education board and institutions, credentialing organization, or religious endorsing agencies, etc.). The Brig CO or designee will make these notifications.</p> <p>Commanding Officer Policy Memorandum 3001.1c states: All military personnel and civilian employees aboard this installation are subject to the Uniform Code of Military Justice (UCMJ) and/or applicable civilian regulations.</p> <p>In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies: 0</p> <p>In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse): 0</p>

115.77	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. Any volunteer, contractor, or intern who engages in sexual abuse shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing or endorsement bodies (e.g., education board or institutions, credentialing organizations, or religious endorsing agencies, etc.)</li> <li>b. Any volunteer, contractor, or intern who engages in sexual abuse shall be prohibited from contact with prisoners.</li> <li>c. For cases involving violations of sexual abuse or sexual harassment policies by a volunteer, contractor or intern, appropriate remedial measures shall be taken including prohibition of further contact with prisoners. The PREA Compliance Manager shall maintain copies of all remedial measures documentation for file, archive and audit purposes.</li> </ul> <p>Commanding Officer Policy Memorandum 3001.1c states: All military personnel and civilian employees aboard this installation are subject to the Uniform Code of Military Justice (UCMJ) and/or applicable civilian regulations.</p> <p>In the past 12 months, there have not been any contractors or volunteers reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates. (There have not been any allegations received alleging abuse by contractors or volunteers)</p> <p>The facility takes appropriate remedial measures and considers whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>During the interview with the Chief Warrant Officer 5, the auditor confirmed if a volunteer or contractor violated the agency's sexual abuse or sexual harassment policies, their access would be terminated and they would be turned over to the military police department. Charges would be filed if the act was criminal. The auditor was advised that contractors and/or volunteers would be banned from the facility even for minor violations. The auditor was advised there have not been any contractors or volunteers who have violated the agency's sexual abuse or sexual harassment policies within the past 12 months.</p>



115.78	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. Prisoners will be subject to disciplinary actions pursuant to formal disciplinary process following an administrative finding that the prisoner engaged in prisoner-on-prisoner sexual abuse or following a criminal finding of guilt for prisoner-on-prisoner sexual abuse.</li> <li>b. Actions shall be commensurate with the nature and circumstances of the abuse committed, the prisoner's disciplinary history, and the actions imposed for comparable offenses by other prisoners with similar histories.</li> <li>c. If a prisoner has mental disabilities or a mental illness which may have contributed to his or her behavior as documented by medical or mental health practitioners, the disciplinary board shall take these factors into consideration when determining what type of action, if any, will be imposed. This information shall be documented on the DD Form 2714, Disciplinary Report, by the Discipline and Adjustment (D &amp; A) Board Chair.</li> <li>d. Therapy, counseling or other interventions designated to address and correct underlying reasons or motivations for the abuse (e.g., sex offender education or treatment, violent offender education and treatment, individual counseling, etc.), shall be offered, if available. The facility shall consider whether the offending prisoner should be required to participate in therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse as a condition of access to programming or other benefits.</li> <li>e. Disciplinary action will be imposed on a prisoner for sexual contact with staff. All sexual activity is prohibited in Marine Corps confinement facilities.</li> <li>f. For the purpose of disciplinary action, a report of sexual misconduct made in good faith, based upon a reasonable belief that the alleged conduct occurred, shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</li> <li>g. All sexual activity between prisoners is prohibited and prisoners will face disciplinary action for such misconduct. Such activity does not constitute sexual abuse if determined that the activity is not coerced.</li> </ul> <p>During the pre-audit, the auditor discovered the agency policy for 115.78(e) was not reflective of the PREA standards. The auditor discussed this with the PREA Coordinator and recommended the agency revise this policy. Prior to the completion of the Final Report, the auditor was provided with the revised agency policy, which states "all sexual activity remains prohibited within Marine Corps confinement facilities. A prisoner may only receive disciplinary action for the violation of the Cat IV offense-Sexual Misconduct when the violation or contact was found to be non-consensual by the staff member. If appropriate, pre/post-trial prisoners may be referred to their parent command for punishment under the UCMJ, article 15, or trial by courts-martial per the Manual for Courts-Martial United States (2016 edition)."</p> <p>In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility: 0</p> <p>In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual</p>

abuse that have occurred at the facility: 0

The facility does not offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse.

During an interview with the Chief Warrant Officer 5, the auditor was advised inmates would face the following disciplinary sanctions: disciplinary segregation, loss of privileges, extra duty, and loss of good time. If the act was non-consensual, the inmate would face criminal charges. The auditor confirmed sanctions would be proportionate to the nature and circumstances of the abuses committed, the inmates' disciplinary histories, and the sanctions imposed for similar offenses by other inmates with similar histories. The auditor confirmed an inmate's mental disability or mental illness would also be considered when determining sanctions.

During interviews with medical and mental health staff, the auditor was advised the facility does not offer therapy, counseling, or other intervention to address and correct the underlying reasons or motivations for sexual abuse; however, this is not required under 115.78.

115.81	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p data-bbox="252 170 895 203"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="252 248 523 282"><b>Auditor Discussion</b></p> <p data-bbox="252 327 778 360">Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li data-bbox="252 371 1469 618">a. If the screening pursuant to 115.41 indicates that a prisoner has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, medical and mental health staff shall ensure that the prisoner is offered a follow-up meeting with a medical or mental health practitioner within fourteen (14) days of the intake screening. Medical and Mental Health staff shall maintain secondary documentation (e.g., clinical, medical notes, log, etc.) documenting compliance with the aforementioned standard.</li> <li data-bbox="252 629 1469 786">b. If the screening pursuant to 115.41 indicates that a prisoner has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the prisoner is offered a follow-up meeting with a mental health practitioner within fourteen (14) days of the intake screening.</li> <li data-bbox="252 797 1469 1043">c. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary (e.g., CO, XO, TD, Prisoner Management Director, Unit Manager, PREA Compliance Manager), to assign treatment plans, security and management decisions to include housing, cell/bed assignment, work, education, and program assignments, or as otherwise required by Federal, State, or local law.</li> <li data-bbox="252 1055 1469 1178">d. Medical and mental health practitioners shall obtain informed consent from prisoners before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the prisoner is under the age of 18.</li> </ul> <p data-bbox="252 1223 1469 1391">There has only been one inmate within the past 12 months, that disclosed prior sexual victimization during the screening process. This inmate was released from custody on the eighth day of his incarceration, before the mental health referral was made. No other inmates have disclosed prior sexual abuse during the screening process.</p> <p data-bbox="252 1435 1469 1648">Within the past 12 months, no inmate has been determined to have previously perpetrated sexual abuse; however, all prison inmates who have previously perpetrated sexual abuse, as indicated during the screening pursuant to 115.41, would be offered a follow-up meeting with a mental health practitioner. The follow-up meeting would be offered within 14 days of the intake screening.</p> <p data-bbox="252 1693 1469 1816">During interviews with staff responsible for risk screening, the auditor confirmed risk screening staff offers inmates who disclose victimization, and those who perpetrate sexual abuse, a follow-up evaluation with mental health staff. The referral is made within 14 days.</p> <p data-bbox="252 1861 1469 2029">During interviews with medical and mental health staff, the auditor confirmed medical and mental health staff obtain informed consent before reporting about prior sexual victimization that did not occur in an institutional setting. The auditor also confirmed the facility does not house inmates under the age of 18.</p>

115.82	<b>Access to emergency medical and mental health services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. Prisoner victims of sexual abuse shall 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 judgement.</li> <li>b. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to 115.62, immediately notify the Duty Brig Supervisor who shall immediately notify Emergency Medical Services for evaluation and transport. The DBS will then notify the SAPR, NCIS, Brig Supervisor, and the Commanding Officer.</li> <li>c. Prisoner victims of sexual abuse shall be offered information about and access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</li> <li>d. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser(s) or cooperates with any investigation arising out of the incident.</li> </ul> <p>Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis. Camp Pendleton Naval Hospital maintains documentation of patient treatment.</p> <p>During interviews with medical and mental health staff, the auditor confirmed inmate victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services. These services are offered immediately. The auditor confirmed the nature and scope of these services are determined according the the medical and mental health staff's professional judgement. The auditor also confirmed victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis.</p>

<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton Brig PREA SOP states:</p> <ul style="list-style-type: none"> <li>a. The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all prisoners who have been victimized by sexual abuse.</li> <li>b. The evaluation and treatment of such victims shall 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.</li> <li>c. Victims shall be provided medical and mental health services consistent with the community level of care.</li> <li>d. 115.83 (d)/(e) not applicable to CPBB.</li> <li>e. Prisoner victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.</li> <li>f. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser(s) or cooperates with any investigation arising out of the incident pursuant to 115.82 (d).</li> <li>h. The Medical or Mental Health Officer will attempt to conduct a mental health evaluation of all known prisoner-on-prisoner abusers as soon as possible, but not to exceed 60 days, within learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.</li> </ul> <p>Interviews with medical and mental health staff confirm inmate victims of sexual abuse would receive regular follow-up evaluations with medical and mental health staff. Mental health staff advised they would treat any mental illness related to the abuse and provide psychopharmacology. If a higher level of care is needed, the inmate would be referred out for these services.</p>

<b>115.86</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Prison Rape Elimination Act Policy Letter 1-14 states:</p> <p>a) The CO shall establish a review team to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation. At minimum, the team will consist of the Brig Officer/Supervisor, MCIO representative, and medical or mental health practitioner.</p> <p>b) At a minimum, the report shall include items contained within 115.86 (d)(1)-(5).</p> <p>In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents: 0</p> <p>The facility ordinarily conducts a sexual abuse incident review within 30 days of the conclusion of the criminal or administrative sexual abuse investigation.</p> <p>During an interview with the Chief Warrant Officer 5, the auditor confirmed the facility has a sexual abuse incident review team which includes upper-level management officials, and allows for input from first line supervisors, investigators, and medical and mental health practitioners. The facility uses the information from the incident review to determine whether or not policies or procedures need to be revised.</p> <p>During an interview with the PREA Compliance Manager, the auditor confirmed the facility would conduct a sexual abuse incident review and prepare a report of its findings from reviews, including any determinations per Standard 115.86 (d) -1 though (d) -5 and any recommendations for improvement. The auditor confirmed these reports would be forwarded to the PREA Compliance Manager for review. The auditor was advised the facility has only had one allegation within the past 12 months, and this allegation was unfounded. The PREA Compliance Manager advised that the information from the report would be used to determine whether or not policies or procedures need to be revised.</p> <p>During interviews with both the Chief Warrant Officer 5 and a member from the incident review team, the auditor confirmed the incident review team:</p> <p>a. Considers 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; and/or other group dynamics at the facility.</p> <p>b. Examines the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.</p> <p>c. Assesses the adequacy of staffing levels in that area during different shifts.</p> <p>d. Assesses whether monitoring technology should be deployed or augmented to supplement supervision by staff.</p>

<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Prison Rape Elimination Act Policy Letter 1-14 states:</p> <p>a) Facilities shall use the most current version of SSV-4 (Survey of Sexual Violence) and SSV-IA (Incident Form) for definitions, annual (calendar year) data collection, and reporting requirements.</p> <p>b) PSL Corrections shall aggregate data by 1 June annually.</p> <p>c) Substitute "agency" with "facility." Such data shall be reviewed during operational readiness inspections.</p> <p>d) Facilities shall submit data to PSL Corrections for the previous calendar year, no later than 31 May of each year.</p> <p>The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</p> <p>The agency provided the Department of Justice (DOJ) with data from the previous calendar year.</p> <p>During the pre-audit, the auditor was provided with SSV Forms from 2014 and 2015 that were completed by the PREA Coordinator.</p>

<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Prison Rape Elimination Act Policy Letter 1-14 states:</p> <p>PSL Corrections shall collaborate with confinement facilities in the development of the annual report. The report shall consist of; data review for identifying problem areas and taking corrective action. Furthermore, prepare an annual report of findings and corrective action for each facility and the agency as a whole.</p> <p>The auditor was provided with the PSL Data Review and Corrective Actions from both 2013-2014 and 2014-2015.</p> <p>The annual report includes a comparison of the current year's data and corrective actions with those from prior years.</p> <p>The annual report provides an assessment of the agency's progress in addressing sexual abuse.</p> <p>The agency makes its annual report readily available to the public at least annually through its</p>

website. (<http://www.hqmc.marines.mil/ppo/Units/Security-Division-PS/Law-Enforcement-Corrections-PSL/Corrections-PSL/Prison-Rape-Elimination-Act-PREA/>)

The annual reports are approved by the agency head.

Marine Corps Confinement Facilities PREA SOP states:

The facility shall defer to CMC PSL (Corrections) regarding redaction of specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted.

During an interview with the Agency Head, the auditor was advised the agency uses incident-based sexual abuse data to assess and improve sexual abuse prevention, detection, and response policies, practices, and training. The agency constantly reviews this information in an effort to identify any areas they can improve upon and take corrective action on an ongoing basis, as needed. The Agency Head confirmed he approves the annual reports pursuant to 115.88.

During an interview with the PREA Coordinator, the auditor confirmed the agency reviews data collected and aggregated pursuant to 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response, policies, and training. Each facility retains its own data for two years. After two years, the data is archived in National Archives where it will be stored permanently. The agency takes corrective action on an ongoing basis based on this data. The PREA Coordinator confirmed the agency prepares an annual report of findings from its data review and any corrections for each facility, as well as the agency as a whole. All personal identifiers are redacted, and the agency indicates the nature of the material redacted.

During an interview with the PREA Compliance Manager, the auditor confirmed the agency reviews data collected and aggregated pursuant to 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training. The auditor was advised the data collected would be used to determine whether or not policies and procedures needed to be revised.



<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Marine Corps Confinement Facilities PREA SOP states: The PREA Compliance Manager shall ensure that data collected pursuant to 115.87 is securely retained.</p> <p>Marine Corps Confinement Facilities PREA SOP states: Marine Corps correctional facilities are not authorized to contract with agencies or other entities. (115.87 (e) is non-applicable).</p> <p>Marine Corps Confinement Facilities PREA SOP states: All aggregated sexual abuse data shall be forwarded to CMC PSL (Corrections) for consolidation in order to make it readily available to the public annually through its website or through other means.</p> <p>Marine Corps Confinement Facilities PREA SOP states: Before submitting aggregated sexual abuse data to PSL (Corrections), the facility shall remove all personal identifiers.</p> <p>CMC PSL (Corrections) shall maintain sexual abuse data (to include, incident reports, investigative reports, offender information, case disposition, and evaluation finding) collected pursuant to 115.87 for at least 10 years after the date of the initial collection unless legally required otherwise.</p> <p>The auditor confirmed the PREA Annual Reports contain sexual abuse statistics from 2004 to present.</p> <p>During an interview with the PREA Coordinator, the auditor confirmed each facility retains its own data for two years. After two years, the data is archived in National Archived where it is stored permanently.</p>

<b>115.401</b>	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The auditor was advised that the Marine Corps did not have any of their facilities audited during the Audit Cycle One. The auditor was advised the agency currently has five facilities; however, one of these facilities was in the processe of being closed. The agency intends on having the remaining four facilities audited during Audit Cycle 2. Camp Pendleton was audited in 2016, Camp Leguene is scheduled to be audited in August 2017, and Camp Okinawa and Camp Iwakuni are scheduled to be audited in calendar year 2018. They auditor was provided with an Inspection and Audit Alignment of Marine Corps Facilities schedule confirming the information listed above.</p> <p>During the site visit, the auditor was given access to, and observed, all areas of the Camp Pendleton Brig.</p> <p>During the pre-audit, the auditor was provided with a completed pre-audit questionnaire, and all relevant documentation related to the audit. During the site visit, the auditor requested additional documentation and was provided with this information promptly.</p> <p>During the site visit, the auditor was provided with a access to a conference room. All staff and inmate interviews were conducted one-on-one with the auditor, in a private and confidential manner.</p> <p>Approximately six weeks prior to the audit, the auditor provided the facility with a Notification of Audit that the auditor required the facility to post in all housing units and throughout the facility. The Notification of Audit contained the auditor's mailing address. During the site visit, the auditor observed the notification in some areas of the facility. During the inmate interviews, many inmates confirmed that they observed the audit notification posted throughout the facility.</p>

<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Camp Pendleton brig was the first PREA audit conducted of a Marine Brig.</p> <p>Camp Pendleton Brig's Audit report will be posted at the below link under the POLICY and INFORMATION drop-down tab:  <a href="http://www.hqmc.marines.mil/ppo/Units/Security-Division-PS/Law-Enforce-ment-Corrections-PSL/Corrections-PSL/Prison-Rape-Elimination-Act-PREA/">http://www.hqmc.marines.mil/ppo/Units/Security-Division-PS/Law-Enforce-ment-Corrections-PSL/Corrections-PSL/Prison-Rape-Elimination-Act-PREA/</a></p>

## Appendix: Provision Findings

115.11 (a)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes

115.11 (b)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes

115.11 (c)	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes

115.12 (a)	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

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

115.13 (a)	<b>Supervision and monitoring</b>	
	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
	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
	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
	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
	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
	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
	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
	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
	Does the agency ensure that each facility's staffing plan takes into	yes

	consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring?	
	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
	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
	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
	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

<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na

<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.)	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.)	na

115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates?	yes

115.15 (d)	<b>Limits to cross-gender viewing and searches</b>	
	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
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes

115.15 (e)	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes

115.15 (f)	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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



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

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

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

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

115.17 (b)	<b>Hiring and promotion decisions</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

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

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

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

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

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

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

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

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

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

115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	na
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice’s Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

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

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

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

115.21 (f)	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating 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

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

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

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

115.22 (c)	<b>Policies to ensure referrals of allegations for investigations</b>	
	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



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

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

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

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

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

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

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

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

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

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

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

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

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

115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators 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

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

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

115.35 (a)	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment?	yes

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

<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere?	yes

<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31?	yes
	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

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

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

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

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



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

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

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a: Referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Request?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?	yes
	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

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

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

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

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

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

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

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

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

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

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

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations?	yes

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes

115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes

115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes

115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security?	yes

115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes

115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes

115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	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.)	na

115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	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.)	na

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	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.)	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.)	na



115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	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.)	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.)	na

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	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.)	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.)	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.)	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.)	na
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na

115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	na

115.53 (a)	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies?	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes

115.53 (b)	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes

115.53 (c)	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes

115.54 (a)	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes

115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes

115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes

<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes

<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes

<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes

<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes

115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes

<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes

<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	no

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

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

<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

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

115.81 (c)	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

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

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

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



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

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

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

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

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

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

<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)	na

<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.)	na

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

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

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

<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes

<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes

115.86 (e)	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.87 (a)	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes

115.87 (b)	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes

<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes

<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na

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

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

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

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

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

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

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

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

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

<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the 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

<b>115.401 (b)</b>	<b>Frequency and scope of audits</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

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

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

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

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

<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports 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.)	na