

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



**[Following information to be populated automatically from pre-audit questionnaire]**

<b>Name of facility:</b> Washington Corrections Center for Women			
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<b>Date of facility visit:</b> July 14, 2014			
<b>Facility Information</b>			
<b>Facility mailing address:</b> (if different from above)			
<b>Telephone number:</b> 253-858-4200			
<b>The facility is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
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<b>Governing authority or parent agency:</b> (if applicable)			
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# AUDIT FINDINGS

## **NARRATIVE:**

The PREA Audit of the Washington Corrections Center for Women was conducted on July 14, 2014 through July 16, 2014. Notice of the audit was posted in the facility six weeks prior to the audit providing auditor contact information. One week prior to the audit, the auditor received the Pre-Audit Questionnaire with attached documentation provided on a flash drive. Because the questionnaire was received by the auditor just prior to the audit, no interviews were conducted prior to the onsite visit being conducted. Prior to the audit the auditor reviewed the provided documentation and reviewed the agency website to evaluate compliance with PREA standards.

Following the entrance meeting with the facility management team the auditor conducted a tour of the facility which included but was not limited to Intake, all housing units to include segregated housing areas, medical, food services, industry areas, and programming and education areas. PREA signs and informational posters for services related to PREA were prominently posted throughout the facility.

As part of the facility audit, the auditor interviewed key agency and facility staff to include Deputy Secretary Pacholke; Superintendent Parnell; Beth Schubach, PREA Coordinator; Felice Davis, PREA Compliance Manager; Gary Banning, Contract Administrator; Captain Headley, Facility Security Supervisor; Ms. Dutt, Human Resources; and Inspector Gilbert, Facility Chief Investigator.

Additionally, all required staff and inmate interviews were conducted which included 12 random staff and 15 random inmates that had been selected randomly from rosters provided by the facility. Additionally, specialized interviews were conducted for inmates identified as disabled, limited English proficient, LGBTI, or who had reported sexual abuse. Also other specialized staff interviews conducted included 3 First Responders, 1 Medical, 1 Mental Health, and 3 staff assigned to supervise inmates in segregated housing as well as 1 volunteer and 1 contractor. Total interviews conducted were 29 staff, 27 inmates and 2 volunteer/contractors.

The auditor found that overwhelmingly staff and inmates were aware of PREA. Just prior to the audit, the facility had conducted town hall meetings with all inmates to discuss PREA and answer any questions the inmates may have. Staff had been issued study guides that were observed throughout the facility.

The auditor reviewed staff, contractor and volunteer training records to ensure that all required training had been completed. The auditor also reviewed investigative reports and staff personnel files related to completed investigations and disciplinary actions taken regarding PREA related allegations.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

Construction of the new women's institution was completed in early 1971 and 92 women were transferred to the Purdy Treatment Center, as it was known at that time. Originally designed to house 162 offenders, the facility avoided almost all prison-like appearances with dormitory-type housing and lack of fencing. During the late 1970s and early 1980s, the facility required significant modifications due to security concerns as a result of an increased offender population and offender profile changes.

In 1992, a minimum security facility consisting of seven structures was constructed, adding 272 minimum security bed spaces, along with education, administration, and kitchen/dining room facilities.

During 1994 and 1996, a 102-bed, close custody unit and a 256-bed medium security unit were constructed, respectively.

In 2000, the Special Needs Unit (SNU) structure was constructed to house incoming offenders in the reception living areas, as well as segregation and acute mental health care living units. In addition, a kennel building was constructed to house the dog training program.

Since its inception, the Washington Corrections Center for Women (WCCW) has served as both women's Reception Diagnostic Center and Corrections Center housing Maximum, Close, Medium and Minimum custody offenders. The average daily population is 867 arranging in ages from 18 to 93. The average length of stay is around 25 months.

WCCW is Washington's only major correctional facility for adult women. They like the rest of the prisons in Washington State have a fundamental responsibility to protect the public by separating offenders from the community. They also enhance public safety by providing offenders with programs that are proven to reduce the likelihood of committing new crimes after release from confinement. Such programs include education, job-skills training, chemical-dependency and mental-health treatment.

## **LIVING UNITS:**

### **Reception Unit (63 Beds)**

Female offenders committed to the Department of Corrections for a sentence of 12 months and one day, or longer, for a felony offense are initially housed in the Reception Unit. During this time, information is gathered to determine the offender's custody level and programming needs.

### **Close Custody Unit (135 beds)**

Close custody offenders require a higher level of supervision due to the nature of their offense, length of their sentence or because of infraction behaviors that resulted in a custody level demotion. CCU has a level system called the 'Earned Incentive Program' or EIP. The EIP is based on the offenders programming, compliance with the Custody Facility Plan, and behavior. There are criteria the offender must meet and maintain for promotion in level.

### **Medium Security Unit (256 beds)**

The Medium Security unit houses long-term offenders and offenders transitioning to lower levels of custody. The unit is comprised of Medium custody offenders and Long-Term Minimum custody offenders (offenders classified as minimum with more the 4 year remaining to serve to their Earned Release Date). It also houses offenders that are classified as Minimum custody but has either a Felony of Immigration detainer and are restricted from being housed at a minimum facility.

### **Treatment and Evaluation Center (49 beds)**

The Treatment and Evaluation Center (TEC) provides short-term crisis intervention, acute mental health care and long term residential care for seriously mentally ill offenders unable to function in general population. The unit provides individual and group therapy promoting offender self-care with the focus on stabilization and transitioning offenders to a less restrictive environment.

### **Segregation/Intensive Management Unit (40 beds)**

This unit is designed to provide safe and secure housing for offenders who may be under investigation, facing disciplinary action, serving disciplinary sanctions, and/or under protective custody. Offenders generally remain in their cell 23 hours each day.

### **J Unit (95 beds) - Residential Parenting Program (RPP)**

In 1999, the Washington Corrections Center for Women created a unique prison nursery program combining a residential parenting program with Early Head Start. This program, known as the Residential Parenting Program, allows pregnant, minimum security offenders with sentences of less than 30 months the opportunity to keep their babies with them after giving birth. There can be up to twenty mother-baby pairs at a time.

The mothers and babies/toddlers live together in J unit and receive support and education in alliance with skilled early childhood educators. An unexpected side-effect is the humanizing of the prison atmosphere for other inmates and for the staff.

The Residential Parenting Program provides eligible incarcerated mothers with the opportunity to bond with their infants and gain the necessary parenting and childhood development skills through education and external support systems for a successful transition into the community. This program involves the mothers improving parenting skills, identifying and/or establishing community resources upon their transition from incarceration, thus attempting to disrupt the cycle of intergenerational criminality.

The Residential Parenting Program was implemented through a partnership with Puget Sound Education Service District - Early Head Start (PSESD-EHS). Early Head Start provides infant/toddler care and child development services on-site at the facility while mothers take part in required institution programming such as work, education, and training.

The program includes extended family involvement and community partnerships to facilitate the development and maintenance of family and community support services. Strategic Partnerships with key community support providers and stakeholders have been established to provide a broad spectrum of services, education, and innovation approaches to working with high-risk parents, children, and families.

### **K Unit (156 beds)**

K Unit houses general population, minimum custody offenders.

### **L Unit (168 beds)**

L Unit houses general population offenders and a very limited number of Community Corrections violators.

Placement in classes is automatic, based upon the scores from the CASAS test taken during the institutional orientation process, and the data provided on the Education Program Information sheet. GED testing is provided on site for those students who need and are ready to complete the GED.

## **EDUCATION/VOCATIONAL AND OFFENDER CHANGE PROGRAMS**

### **Business Technology Program**

This one year certificate program prepares students to format correspondence and reports; write routine letters, emails and memos; make and receive telephone calls in a professional manner and support business information operations by using computer equipment to enter, process, and retrieve data for a wide variety of administrative purposes. Students will complete classes in grammar, business math, Microsoft Office Suite, leadership and human development, business math, business English and customer service.

### **Braille Program**

The Braille program at WCCW was established in 1996 by the Ogden Resource Center in Vancouver, WA, and joined into a partnership with Correctional Industries in 2010. Offenders are employed to transcribe a wide variety of materials for the blind community, including school textbooks (kindergarten through college), tactile representations of maps and other visual illustrations, and music. Transcribers become efficient in reading, writing, and translating Braille and then perfect their skills through elevating levels of certification. This program consists of the highest qualified transcribers in the state, competing for contracted jobs nationwide.

### **Chemical Dependency Treatment**

The state certified chemical Dependency treatment services at WCCW are designed to provide services for DOSA and court ordered offenders who have had drugs and alcohol impact every area of their lives. The curriculum includes Relapse Prevention, Drug and alcohol education as well as family education and many more.

### **Computer Basics**

This course is designed to provide a basic computer skill-set and understanding of computer functions. These computing skills may serve useful in personal computing and as tools for entry-level occupational computer use. Students will learn digital computer concepts, computer hardware, peripheral devices, Windows operating system, word processing, electronic spreadsheets, and e-mail applications. These courses include: Computer Concepts/Terminology, Windows Operating System, MS Word, MS Excel, and MS Outlook.

### **Interactive Media and Interactive Media Design**

The interactive Media and interactive Media Design certificates are designed for students who want to pursue a career in the visual communications industry. The two certificates are designed to be progressive and will provide a series of courses for the student to obtain a working knowledge of passive, active and inter active digital media through integration of any combination of graphics, text, animation, audio, and video. The coursework will focus on two components of communication: tools used to create visual communications platforms, and philosophy of design in visual media.

### **Technical Design Program**

This one year certificate program prepares students for employment as a Space Plan designer and/or Copy Drafter. Classes include basic computers, AutoCAD software, blue print reading, fundamental board drafting, graphic design, customer service and business math. Upon completion of the program a

student will have marketable skills that will lead to potential work with Correctional Industries while still incarcerated or upon release work as an entry-level designer/draftsman for engineering and design firms.

### **Ornamental Horticulture Program/I-BEST**

This is a one-year vocational education certificate course providing students with opportunities to acquire the skills and knowledge necessary for entry into horticulture careers. Classes include Horticulture Science, Plant Pest Management, Propagation, Pruning, Landscaping and Floral Design. Students can earn a GED in this program. A high school diploma or GED is no longer a prerequisite for this program.

### **Organic Gardening & Farming**

This nine month certificate program provides students with the opportunity to learn how to grow plants organically and to put this learning to use at Mother Earth Farm. Mother Earth Farm produces over 150,000 pounds of fresh fruits and vegetables each growing season – all of which is distributed directly to local food banks and hot meal programs. The educational component of this program prepares offenders upon release; to work in a greenhouse or in landscaping.

### **Prison Pet Partnership Program (PPPP)**

The PPPP is a non-profit organization. They rescue and train homeless animals to provide service dogs for persons with disabilities and operate a boarding and grooming facility to provide vocational education for women offenders. This is an innovative approach to the rehabilitation of offenders. Offenders work toward Pet Care Technician certification and may also obtain Companion Animal Hygienist certification.

### **Stress and Anger Management**

This course is designed to help students to develop a clear understanding of the sequence of stress and anger, to discover their anger style and how it affects their life, and how distorted thinking relates to behavior. Students learn effective ways to communicate and skills to manage stress and anger. This course is 30 hours in duration.

### **WORK PROGRAMS**

Offenders who are employed while incarcerated develop a work ethic and build skills that will help them find work after they are released. Offenders also save taxpayer money and benefit the Department by performing routine jobs in food services, laundry, and maintenance. Currently we have an approximated 600 offenders employed at WCCW.

As a business, Correctional Industries is committed to maintain and expand offender work training programs. As part of the WCCW Correctional Industries Program Offenders may enjoy an improved sense of self-esteem and experience positive changes in their lives that come with recognition of their accomplishments and successes. Current Correctional Industries programs at WCCW include Computer Aided Drafting (CAD), Braille Transcription, Embroidery and the Trades Related Apprenticeship Coaching Program (TRAC).

## **WCCW Bike Refurnishing Project**

WCCW has developed partnership with the Gig Harbor Kiwanis club to refurbish used and often very worn bicycles. Community members that wish to donate a used or new bike to the program may do so by donating it directly to WCCW or the Gig Harbor Kiwanis club. The Kiwanis club supplies WCCW with all parts any materials that are needed to refurbish the bikes. Once the bike is completed, they are returned to the Kiwanis club for distribution. The Kiwanis club identifies individuals that need them through local elementary schools. The program has up to 5 offenders working on bikes daily.

## **Embroidery**

The Embroidery/Screen Printing shop provides training and employment in computer design digitizing, industrial sewing and embroidery machine operation. Other services include screen printing and graphics for quality apparel and patches, including offender clothing distribution (PIK-A-PAK).

## **Horticulture Program**

The Horticulture Program at WCCW is a one-year certificate program with concentrations in Ornamental Horticulture, Landscape Maintenance and Floriculture. Experience gained through participation in this program provides offenders with marketable job skills.

Students put their knowledge to work by designing and maintain flower beds throughout the institution and by creating flower arrangements for sale to the local community.

## **Trades Related Apprenticeship Coaching (TRAC)**

The 16-week TRAC program is designed to train offenders in the carpentry, construction craft laborer and ironworker trades for employment with the Unions. After approximately 14 weeks of classroom and hands-on training, instructors from the Carpenter, Laborer and Ironworker Union Apprenticeships conduct pre-employment testing. If an offender successfully passes the tests, she is invited and eligible for acceptance into a union apprenticeship.

## **SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 3  
Number of standards met: 39  
Number of standards not met: 0  
Non-applicable: 1

### **§115.11 - Zero tolerance of sexual abuse and coordinator**

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

WCCW demonstrated compliance with all elements of this standard. Very impressed overall with the Agency and Facility efforts towards PREA. It was apparent that this was important to them. DOC Policy 490.800, Prison Rape Elimination Act (PREA) outlines the agency's approach towards eliminating sexual abuse and sexual harassment with a zero tolerance policy. The Agency has identified a Statewide PREA Compliance Coordinator and WCCW has identified a PREA Liaison that services as the facility's PREA Compliance Manager.

### **§115.12 - Contracting with other entities for the confinement of inmates**

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

The Washington State Department of Corrections has currently hired a staff to conduct audits of county jails that it currently contracts with for the confinement of inmates to ensure that they are working to be compliant with PREA Standards. All confinement contracts are updated annually and language has been included through use of a shell agreement that requires that each facility agree to be PREA compliant and be actively working to achieve compliance.

### **§115.13 – Supervision and Monitoring**

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

WCCW demonstrated compliance with all elements of this standard. As a facility they really do this very well. From the annual vulnerability assessments, staffing reviews, camera committee, and engaged management team, they meet all the elements of this standard. The staffing plan is reviewed annually with input from the Agency PREA Coordinator who reviews aggregated data for indications that changes to staffing or camera systems may be appropriate.

The facility complies with an administrative memorandum that prohibits staff from altering others that supervisory rounds are being conducted. A review of housing logs and interviews of staff show that supervisory rounds are being conducted. Superintendent Parnell also has directed that each of her management staff are required to spend ten percent of their working week touring the facility on all shifts to ensure compliance with PREA standards and reduce the risk of sexual abuse and sexual harassment throughout the facility.



### §115.14 – Youthful Inmates

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

WCCW has demonstrated compliance with all elements of this standard. Washington State Department of Corrections has entered into an interagency agreement with Juvenile Rehabilitation Services to house all offenders under the age of 18 convicted of a felony. No youthful offenders are housed at the Washington Corrections Center for Women.

### §115.15 – Limits to Cross-Gender Viewing and Searches

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

WCCW demonstrated compliance with all elements of this standard. A review of their policies and procedures as well as interviews with staff and inmates shows that inmates are able to shower, preform bodily functions and change clothes without non-medical staff of the opposite gender being able to view their genitalia, breasts or buttocks, except during routine cell checks.

WCCW has a policy that requires staff of the opposite gender to announce themselves when entering a housing unit and the auditor observed that these announcements were taking place. In fact, the facility male staff were observed announcing themselves multiple times during each check of the unit. A practice that far exceeds the requirements of the PREA standards and could be perceived to be a poor security practice as it would prevent the detection of inmate misconduct to include sexual abuse.

### §115.16 – Inmates with Disabilities and Inmates English Proficient

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

WCCW demonstrated compliance with all elements of this standard. WCCW has made every effort to comply with this portion of the standard. The have WCCW Operation Memorandum 450.500, Language Services for Limited English Proficient (LEP) Offenders that outlines what services are available and how to access them. Steps have been taken to provide for English and Spanish documentation be placed throughout the facility.

## **§115.17 – Hiring and Promotion Decisions**

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

WCCW has demonstrated compliance with all elements of this standard. Through review of documentation provided and interviews with staff, it was determined that WCCW has established a system of conducting criminal background check for new employees and contractors who may have contact with inmates to ensure they do not hire or promote anyone who had engaged in sexual abuse in prison or other confinement setting; been convicted of engaging or attempting to engage in sexual activity in the community or refuse; or had civilly or administratively adjudicated to have engaged in sexual activity in the community facilitated by force, coercion, or if the victim did not consent.

Effective February 14, 2014 WADOC implemented a policy that required follow up background checks for all employees, contractors and volunteers. WCCW provided documentation demonstrating these records checks are being completed as required. DOC Policy 810.800, Recruitment, Selection and Promotion outlines that a criminal background check will be completed for all promotional candidates and external candidates in the hiring process. DOC Policy 810.800 also states that for promotional candidates and former department employees, Human Resources will review the Offender Management Network and the PREA database for information on substantiated allegation of sexual misconduct or any resignation pending investigation of alleged sexual misconduct and provide the review results to the Appointing Authority.

This standard requires that material omissions or providing of false information be grounds for termination. While Washington Department of Corrections Policy 810.800, Recruitment, Selection and promotion states that any applicant who is found to have provided false information or failed to disclose criminal convictions and/or incarcerations may be declined further consideration for hiring or promotion, there is no indication that termination is required.

## **§115.18 – Upgrades to Facilities and Technology**

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

WCCW demonstrated that it exceeds compliance of this standard. WCCW has a very nice camera program and has a clear vision of what improvements are needed to enhance their current capabilities. They are currently working with a contractor to review and update their camera system. The facility has taken steps to mitigate concerns where there is limited camera coverage. An example would be not having staff conduct pat downs in an area of limited camera viewing. Staff has simply been

directed to move several feet to where more coverage is available. The facility modifies operations once per month to conduct a safety meeting on each shift. Recommendations from the all staff meeting related to camera concerns are forwarded to the facility camera committee for review and possible implementation.

### **§115.21 – Evidence Protocol and Forensic Medical Examinations**

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

WCCW has demonstrated compliance with all elements of this section. The Pierce County Sheriff's Department is designated as the primary investigative agency for the facility with the Washington State Police designated to investigate any cases not picked up by the county. The facility has specialized staff trained in conducting administrative investigations of sexual abuse and sent harassment in a confinement setting. Staff are trained in evidence collection and preservation to maximize the potential of collecting usable evidence. The agency has contracted with three area hospitals for SAFE and SANE examinations.

### **§115.22 – Policies to Ensure Referrals of Allegations for Investigations**

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

WCCW has demonstrated compliance with all elements of this standard as evidenced by ensuring a process was in place to confirm all allegations of sexual abuse and sexual harassment are investigated. Both investigative agencies that could potentially investigate criminal allegations have the authority to do so. As part of the referral process, it requires that information be shared at least every 30 days and upon completion of the investigation.

### **§115.31 – Employee Training**

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

WCCW demonstrated compliance with all elements of this standard by verifying all staff, contractors and volunteers have received the required PREA 101 training and that the training met all 10 required standards.

### **§115.32– Volunteer and Contractor Training**

- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW has demonstrated that every effort has been made to comply with all of the elements of this standard. They have aggressively ensured that all volunteers and contractors have received the required PREA Training based upon the level of access to inmates.

### **§115.33 – Inmate Education**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW has not only demonstrated that they meet every element of this standard, they have taken steps to exceed. Every inmate receives PREA Training within the first week at the facility as part of orientation. They were again brought together in a town hall style meeting to again be provide the PREA Training and provided an opportunity to ask questions. Every effort is made to ensure that every inmate regardless of limitation or disability has the same access to PREA education resources. PREA information has been provided on an ongoing basis and has been documented to demonstrate compliance. Well Done.

### **§115.34 – Specialized Training: Investigations**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW has demonstrated compliance with all elements of this standard. The facility investigator and all staff assigned to the PREA Response Team have completed the specialized PREA Investigations Training.

### **§115.35 – Specialized training: Medical and mental health care**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW has demonstrated compliance with all elements of this standard. All have completed that online PREA 101 Training as well as the Specialized Health Services Training. Health Services Staff interviewed were able to demonstrate knowledge related to how to detect, report and preserve evidence associated with PREA incidents.

### **§115.41 – Screening for Risk of Victimization and Abusiveness**

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

The Washington Department of Corrections and WCCW have demonstrated compliance with all elements of this standard. The only noted concern was that “Whether the inmate is detained solely for civil immigration purposes” was not being considered as part of the assessment. While it was noted that Washington does not house inmates for this purpose and no evidence was found to contradict this, the auditor feels that this would be an easy fix to add this to the items already being considered.

### **§115.42 – Use of Screening Information**

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

WCCW demonstrated compliance with all the elements of this standard. They demonstrated that WCCW is effectively utilizing the information obtained from the vulnerability risk assessment to make housing, work, education, and programming assignments. Based upon the information received, individualized determinations are made related to inmates at high risk for victimization or abusiveness. A review is completed for all transgender and intersex inmates to determine the most suitable housing assignment and it includes the offender's own views related to their safety. The facility does not have dedicated housing for LGBTI inmates and does provide separate showering for all inmates.

### **§115.43 – Protective Custody**

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

WCCW demonstrated compliance with all the elements of this standard. In fact, I would suggest that due to their commitment to avoid the use of segregated housing for protective custody, they exceed the minimum standard. The Washington Department of Corrections and WCCW have policies in place to clearly outline expectations related to administratively assigning inmates in Segregation because of a risk of victimization. As an Agency and as a Facility, they are committed to exhausting all other options to ensure that this has not occurred.

### **§115.51 – Inmate Reporting**

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

WCCW demonstrated compliance with all elements of this standard. The Washington State Department of Corrections and WCCW have made every effort to ensure multiple ways for offenders to report concerns related to sexual abuse, sexual harassment, retaliation, staff neglect or violation of responsibilities. Overwhelmingly, offenders were aware of many ways to report and stated that they felt safe reporting to staff at the facility. Staff knew and understood that regardless of how a report of sexual abuse, sexual harassment, retaliation, staff neglect or violation of responsibilities is received, it must be reported and investigated. WCCW has established a procedure for staff to follow that requires an affirmative responsibility to report PREA concerns privately.

### **§115.52 – Exhaustion of Administrative Remedies**

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

WCCW is exempt from this standard. WADOC Policy 550.100, Offender Grievance Program states that grievances alleging sexual abuse or sexual harassment will not be addressed through the grievance process but will be forwarded to the PREA Compliance Coordinator in accordance with WADOC Policy 490.800 Prison Rape Elimination Act (PREA).

### **§115.53 – Inmate Access to Outside Confidential Support Services**

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

WCCW demonstrated compliance with all elements of this standard. WADOC and WCCW have done a commendable job ensuring that these services are available for the offender population. Work should be done to enhance offender awareness of these services and recommend clearer information be provided regarding the confidentiality of these services.

### **§115.54 – Third-Party Reporting**

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

WCCW had demonstrated compliance in all elements of this standard. There are multiple methods that can be utilized for third party reporting. The Agency directs that regardless of how a report is received, it will be investigated.

### **§115.61 – Staff and Agency Reporting Duties**

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

WCCW demonstrated compliance with all elements of this standard. They have a process outlined in policy that requires staff to report any knowledge, suspicion or information regarding an incident of sexual abuse, sexual harassment that occurred in a correctional facility, regardless if it is part of the agency. Medical and Mental Health staff have received PREA Training which includes information related to their reporting responsibilities. The facility has a policy that outlines all allegations, including third party or anonymous reports to be reviewed and assigned for appropriate investigation.

### **§115.62 – Agency Protection Duties**

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

WCCW has demonstrated compliance with all elements of this standard. The facility has complies with WCCW Operation Memorandum 490.850, Prison Rape Elimination Act (PREA) Response, that outlines staff responsibilities related to keeping an offender safe when it is learned that they may be at substantial risk of imminent sexual abuse.

### **§115.63 – Reporting to Other Confinement Facilities**

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

WCCW demonstrated compliance with all elements of this standard. Their Agency PREA Policy and Facility Operational Memorandum for PREA both outline the requirement for the Facility Head or designee to report to the Facility Head or designee where the alleged abuse was reported to have occurred. WCCW provided documentation in the form of PREA Investigation Tracking Sheets and incident reports that demonstrated compliance with this standard.

### **§115.64 – Staff First Responder Duties**

- Exceeds Standard (substantially exceeds requirement of standard)



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

Does Not Meet Standard (requires corrective action)

WCCW demonstrated compliance with all elements of this standard. All staff from the superintendent to random staff and first responders knew of their responsibility to report. WCCW Operational Memorandum 490.850 Prison Rape Elimination Act (PREA) Response, directs employees and contract staff to separate the accused from the alleged victim and witnesses. The Shift Commander then initiates a Response and Containment Checklist or the Aggravated Sexual Assault Checklist based upon the information received.

### **§115.65 – Coordinated Response**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW demonstrated compliance with all elements of this standard. They have an individualized response plan that is outlined in WCCW Operational Memorandum 480.850, Prison Rape Elimination Act (PREA) Response. WCCW has established a multi-discipline PREA Response Team that is trained to respond to reports of sexual abuse.

### **§115.66 – Preservation of ability to protect inmates from contact with abusers**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

WCCW demonstrated compliance to all elements of this standard. WCCW provided a copy of the Collective Bargaining Agreement between the State of Washington and Teamsters Local Union 117 that showed no limitations that would prevent accused staff sexual abusers from contact with inmates pending the outcome of an investigation or determination of whether and to what extent discipline is warranted.

### **§115.67 – Agency protection against retaliation**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)



WCCW has demonstrated compliance with all elements of this standard. By including the Associate Superintendent and Correctional Program Manager for offender retaliation monitoring and the Human Resources Manager for Staff retaliation monitoring, it sets the tone in the facility that retaliation will not be accepted. These checks are documented monthly and forwarded to the superintendent for her review.

### **§115.68 – Post-Allegation Protective Custody**

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

WCCW has demonstrated compliance with all elements of this standard. WCCW Operational Memorandum 490.850, Prison Rape Elimination Act (PREA), Response, outlines the process the facility will follow prior to placing an alleged sexual abuse victim in segregation. WCCW is committed to ensuring that all other housing would be considered prior to placing a suspected victim of sexual abuse in segregation for their safety. There was no evidence to indicate that this had occurred at WCCW at any time to include this audit period.

### **§115.71 – Criminal and Administrative Agency Investigations**

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

WCCW has demonstrated compliance with all elements of this standard. WCCW has demonstrated that all allegations of sexual abuse and sexual harassment are all investigated, including anonymous and third party reports. Criminal investigations are referred to local law enforcement and administrative investigations are conducted by the agency staff who have received specialized training in conducting PREA related investigations in a confinement setting. WCCW provided examples of written reports for both criminal and administrative PREA investigations and have shown that these reports are maintained by the agency for fifty years after the investigation is completed.

### **§115.72 – Evidentiary Standard for Administrative Investigations**

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

WCCW demonstrated compliance with all elements of this standard. WCCW follows WCCW Operational Memorandum 490.860, Investigations, in conducting all investigations of sexual

abuse or sexual harassment. The findings in an investigation of sexual abuse and sexual harassment are based on a preponderance of evidence.

### **§115.73 – Reporting to Inmate**

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

WCCW demonstrated compliance with all elements of this standard. WCCW Operational Memorandum 490.860, Prison Rape Elimination Act (PREA) Investigation, directs the Appointing Authority who is familiar with the case to notify the victim in person whether the allegation was substantiated, unsubstantiated or unfounded as well inform the victim anytime the staff member is no longer posted within the inmate's unit, no longer employed at the facility, if the staff member has been indicted of a charge related to sexual abuse within the facility or the staff member has been convicted on a charge related to sexual abuse with the facility.

WCCW provided evidence and documentation showing that notifications are being made to the offenders who are still in custody.

### **§115.76 – Disciplinary sanctions for staff**

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

WCCW has demonstrated compliance with all elements of this standard. WCCW follows Operational Memorandum 490.860, Prison Rape Elimination Act (PREA) Investigation, in regards to staff discipline which includes disciplinary sanctions up to and including termination for violating sexual abuse or sexual harassment policies. During this audit period two staff members who were alleged to have committed sexual harassment or sexual abuse, were investigated with the outcome of the investigations being substantiated. Prior to the completion of the investigation, both staff members resigned from state service. Due to these staff member's resignation, WCCW has not had to terminate employment of any staff member during this audit period due to a substantiated PREA investigation.

### **§115.77 – Corrective action for contractors and volunteers**

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

WCCW demonstrated compliance with all elements of this standard. WCCW demonstrated compliance with WCCW Operational Memorandum 490.860, Prison Rape Elimination Act (PREA) which requires all reports of sexual abuse and sexual harassment be investigated. WCCW provided information related to a substantiated PREA case brought against a volunteer. The volunteer's access to the facility was restricted and therefor no longer has contact with inmates.

### **§115.78 – Disciplinary sanctions for inmates**

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

WCCW has demonstrated compliance with all elements of this standard. Offenders at WCCW are subject to disciplinary sanctions as part of an administrative hearings process. The hearings process and sanctions imposed are clearly described in WCCW Operational Memorandum 460.000 Disciplinary Process for Prisons and DOC Policy 320.150 Disciplinary Sanctions. The disciplinary process allows the hearings officer to consider mental disabilities/mental illness and utilizes a sanctioning grid to ensure sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed are comparable for same offenses committed by other inmates with similar histories. WCCW prohibits all sexual activity among offenders, does not deem such activity to be sexual abuse if the activity is consensual.

### **§115.81 – Medical and mental health screenings; history of sexual abuse**

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

WCCW demonstrated compliance with all elements of this standard. All offenders are screened during the intake process and asked a series of questions that include if they had ever been assaulted in your life, including sexually while in jail or prison; Has anyone ever accused you of being sexually aggressive; or is it difficult to stand up for yourself. Any offender providing information indicating past victimization or sexual abusiveness is immediately referred for a follow up meeting with a mental health practitioner. Medical and Mental Health staff knew of their duty to report any incident of sexual abuse that had occurred in an institutional setting and the need to obtain an informed consent in cases that did not occur in a correctional setting, unless the offender was under the age of 18.

### **§115.82 – Access to emergency medical and mental health services**

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

WCCW has demonstrated compliance with all elements of this standard. Inmates who report sexual abuse are provided immediate access to medical and mental health care at no cost to the inmate. When a report of sexual abuse is reported, WCCW Staff take immediate steps to protect the inmate and to report the information to medical. Medical staff have received specialized training in how to preserve evidence and ensure that the victim is provided timely information about emergency contraception and sexually transmitted disease prophylaxis when medically appropriate. Care is provided for victims of sexual abuse at no cost to the inmate regardless of whether or not they cooperate in identifying the abuser or cooperate with the investigation.

### **§115.83 – Ongoing medical and mental victims and abusers**

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

WCCW has demonstrated compliance with all elements of this standard. WCCW provides services to offender victims regardless of their cooperation with investigators or refusal to identify an aggressor. WCCW provides medical and mental health care to all inmates who have reported to be victims of sexual abuse in an institutional setting at no cost to the inmate. As part of the medical and mental health care, they receive follow up care and counseling as well as outside services with rape crisis centers and other contracted advocacy groups. As part of the medical care, when medical indicated, victims receive pregnancy tests, tests for sexually transmitted diseases, hepatitis and offered any appropriate care as indicated to include information regarding the interruption of a pregnancy.

### **§115.86 – Sexual abuse incident reviews**

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

WCCW demonstrated compliance with all elements of this standard. At the conclusion of every investigation into a sexual abuse allegation, WCCW's PREA Review Committee meets to discuss the outcome and findings and consider what causal factors may or may not have been a factor into the incident and if needed, how to respond to identified concerns. An Incident Review had been completed for substantiated and unsubstantiated PREA cases within the required 30 days.

## **§115.87 – Data Collection**

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

WCCW has demonstrated compliance with all elements of this standard as evidenced by the facility incident reviews that occur up completion of each substantiated and unsubstantiated PREA allegation. This data is compiled from all agency facilities and aggregated into a report that is submitted to the agency secretary for review and to U.S. Department of Justice upon request.

## **§115.88 – Data Review for Corrective Action**

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

WCCW has demonstrated compliance with all elements of this standard as evidenced by the facility incident reviews that occur up completion of each substantiated and unsubstantiated PREA allegation. This data is compiled from all agency facilities and aggregated into a report that is submitted to the agency secretary for review and to U.S. Department of Justice upon request.

## **§§115.89 – Data Storage, Publication, and Destruction**

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

WCCW and the Washington State Department of Corrections has demonstrated compliance with all elements of this standard. The Agency PREA Coordinator collects data and reports from all facilities and compiles a report annually of investigations of all allegations of sexual abuse and sexual harassment.

The Agency Coordinator compiles the report which consists of prevention and response, findings of corrective action and the assessment of the Department's progress in addressing sexual abuse and sexual harassment against previous years. The Agency PREA Coordinator will then submit the report to the WADOC Secretary for their review. Once the review is complete a copy is then placed on the department's website. All data and reports are submitted to the U.S. Department of Justice upon request.

The PREA Coordinator maintains electronic records of sexual abuse and sexual harassment cases pursuant to the state's Records Retention Schedule.

All investigation records are retained for 5 years after the close of the investigation. Excluded are records covered by the Prison Rape Elimination Act which are retained for 50 years after the close of the investigation. This includes incident and investigative reports, evidence cards, photographs, interviews, and other related items.

**AUDITOR CERTIFICATION:**

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Robert Real \_\_\_\_\_

August 26, 2014 \_\_\_\_\_

Auditor Signature

Date