

# PREA Facility Audit Report: Final

**Name of Facility:** Washington Corrections Center

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 04/05/2022

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> Maria Silao-Johnson	<b>Date of Signature:</b> 04/05/2022

AUDITOR INFORMATION	
<b>Auditor name:</b>	Silao-Johnson, Maria
<b>Email:</b>	maria@midwestprea.com
<b>Start Date of On-Site Audit:</b>	02/15/2022
<b>End Date of On-Site Audit:</b>	02/17/2022

FACILITY INFORMATION	
<b>Facility name:</b>	Washington Corrections Center
<b>Facility physical address:</b>	Washington
<b>Facility Phone</b>	
<b>Facility mailing address:</b>	PO Box 900, Shelton, Washington - 98584

Primary Contact	
<b>Name:</b>	Barbara Kopecky
<b>Email Address:</b>	bjkopecky@doc1.wa.gov
<b>Telephone Number:</b>	360-427-4602

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	Dean Mason
<b>Email Address:</b>	damason@doc1.wa.gov
<b>Telephone Number:</b>	360-427-4696

Facility PREA Compliance Manager	
<b>Name:</b>	Alfred Smack
<b>Email Address:</b>	aasmack@DOC1.WA.GOV
<b>Telephone Number:</b>	O: (360) 545-2678
<b>Name:</b>	Ufiufi White
<b>Email Address:</b>	umwhite@doc1.wa.gov
<b>Telephone Number:</b>	

Facility Health Service Administrator On-site	
<b>Name:</b>	Norm Goodenough
<b>Email Address:</b>	njgoodenough@doc1.wa.gov
<b>Telephone Number:</b>	360-427-4686

Facility Characteristics	
<b>Designed facility capacity:</b>	1268
<b>Current population of facility:</b>	1576
<b>Average daily population for the past 12 months:</b>	1673
<b>Has the facility been over capacity at any point in the past 12 months?</b>	Yes
<b>Which population(s) does the facility hold?</b>	Males
<b>Age range of population:</b>	18 - 80
<b>Facility security levels/inmate custody levels:</b>	medium to close
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	671
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	33
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	0

AGENCY INFORMATION	
<b>Name of agency:</b>	Washington Department of Corrections
<b>Governing authority or parent agency (if applicable):</b>	State of Washington
<b>Physical Address:</b>	P0 Box 41100, Olympia, Washington - 98504
<b>Mailing Address:</b>	
<b>Telephone number:</b>	360-725-8213

Agency Chief Executive Officer Information:	
<b>Name:</b>	Dr. Cheryl Strange
<b>Email Address:</b>	cheryl.strange@doc.wa.gov
<b>Telephone Number:</b>	360-725-8810

Agency-Wide PREA Coordinator Information			
<b>Name:</b>	Beth Schubach	<b>Email Address:</b>	blschubach1@doc1.wa.gov

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
<b>Number of standards exceeded:</b>	
0	
<b>Number of standards met:</b>	
45	
<b>Number of standards not met:</b>	
0	

# POST-AUDIT REPORTING INFORMATION

## GENERAL AUDIT INFORMATION

### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-02-15
2. End date of the onsite portion of the audit:	2022-02-17

### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The auditor spoke to an advocate representing Office of Crime Victims Advocacy (OCVA) and Program SafePlace (Community Sexual Assault Program (CSAP), the local community-based sexual assault advocacy organization, to discuss the emotional support services offered and provided to offenders following an experience of sexual abuse at WADOC WCC. In anticipation of the original onsite date, in February 2022, the auditor corresponded with Just Detention International (JDI) to learn if the advocacy organization was in receipt of any information related to the sexual safety of people confined within WCC. A review indicated zero allegations reported to Just Detention International (JDI).

## AUDITED FACILITY INFORMATION

14. Designated facility capacity:	
15. Average daily population for the past 12 months:	
16. Number of inmate/resident/detainee housing units:	
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	

### Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

#### Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	1428
37. Enter the total number of youthful inmates or youthful/juvenile detainees in the facility as of the first day of the onsite portion of the audit:	

38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	7
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	7
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	1
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	35
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	28
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	15
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	40
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	78
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	No text provided.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	622
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	110
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	63

52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	No text provided.
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## INTERVIEWS

### Inmate/Resident/Detainee Interviews

#### Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	28
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54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
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55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	<p>Random inmates were selected across all housing units to ensure geographic diversity. The audit team also made selections of inmates with varying gender identity, race, ethnicity, custody levels, and time in custody where possible. Selections were made from a list of offenders provided by WCC on the day of the onsite visit. Interview sample sizes were derived from the PREA Auditor Handbook and in accordance with the total inmate population on the first day of the onsite audit. Inmate interviews were conducted within private offices in each housing unit, which allowed for confidentiality, efficient movement, and cooperation (i.e. to maximize outcomes, auditors needed to balance gang culture and transparency).</p>
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56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
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#### Targeted Inmate/Resident/Detainee Interviews

58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	55
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As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".

<p><b>59. Enter the total number of interviews conducted with youthful inmates or youthful/juvenile detainees using the "Youthful Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/detainees in this category:</b></p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/detainees.</p> <p><input checked="" type="checkbox"/> The inmates/detainees in this targeted category declined to be interviewed.</p>
<p><b>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>2</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>2</p>
<p><b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>Corroborated there were no inmates to interview who were blind or or have low vision through interviews with target inmates (inmates who are disabled or LEP), the PREA compliance specialist and Corrections Unit Supervisor.</p>

<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>1</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>List of Vulnerable adults provided by facility. The Disabled and LEP list was ran together, not differentiated.</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>3</p>
<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>4</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>WADOC does not collect this information in this format or this is not currently being tracked at WADOC.</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>2</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>LGTBI list ran together, not differentiated</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>9</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>3</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Corroborated there were no inmates to interview who were or are currently housed in a restricted status due to risk of victimization or report of sexual abuse through interviews with target inmates (those who reported sexual abuse), the facility superintendent, PREA compliance manager, and Corrections Unit Supervisor.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>On 2/15/2022 and 2/17/2021, 51 inmates were interviewed using four targeted interview protocols (55 total targeted protocols). Targeted inmates were identified from a listing of inmates provided by the facility during the pre-onsite phase of the audit. The auditor selected inmates from each identified target category and made selections that were geographically diverse across as many housing units as possible. The facility indicated they do not house youthful inmates or segregate inmates for high risk of victimization. As such, there were none to be interviewed from these categories. This assertion was verified by policy and probing random staff and inmates during their respective interviews. To supplement these targeted interviews, the auditors interviewed an additional inmate who is hard of hearing; three limited English proficient (LEP) inmates; two inmates with a cognitive disability; and four inmates who identify as gay or bisexual. The audit team used the contracted language services vendor, to communicate effectively and confidentially with limited English proficient inmates. All inmate interviews were conducted using the Interview Guide for Inmates developed by the Department of Justice.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	

71. Enter the total number of RANDOM STAFF who were interviewed:	12
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	<p>From a total of 622 staff members, random staff interviews were selected across all shifts, classifications, work assignments, tenure, and sex to ensure adequate representation. Selections were made by the lead auditor from a list of all staff provided by the facility on 2/15/22. Random interviews were conducted using the Interview Guide for a Random Sample of Staff developed by the Department of Justice. A total number of 12 random staff interviews were conducted. Staff interviews were conducted either on the housing units or at their work areas.</p>
<b>Specialized Staff, Volunteers, and Contractor Interviews</b>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	53
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p><b>79. Were you able to interview the PREA Compliance Manager?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>
<p><b>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Agency contract administrator</p> <p><input type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment</p> <p><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</p> <p><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</p> <p><input type="checkbox"/> Medical staff</p> <p><input type="checkbox"/> Mental health staff</p> <p><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</p> <p><input type="checkbox"/> Administrative (human resources) staff</p> <p><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</p> <p><input type="checkbox"/> Investigative staff responsible for conducting administrative investigations</p> <p><input type="checkbox"/> Investigative staff responsible for conducting criminal investigations</p> <p><input type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</p> <p><input type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</p> <p><input type="checkbox"/> Staff on the sexual abuse incident review team</p> <p><input type="checkbox"/> Designated staff member charged with monitoring retaliation</p> <p><input type="checkbox"/> First responders, both security and non-security staff</p> <p><input type="checkbox"/> Intake staff</p> <p><input type="checkbox"/> Other</p>
<p><b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>1</p>
<p>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	
<p>a. Enter the total number of CONTRACTORS who were interviewed:</p>	<p>1</p>
<p>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>Specialized staff were identified from a listing provided by the facility during the pre-onsite phase of the audit. The lead auditor randomly, when possible, selected staff from each identified specialized category. Specialized interviews were conducted using the Interview Guide for Specialized Staff developed by the Department of Justice. Fifty-one specialized staff interviews were conducted using 59 interview protocols. In addition, one contractor was interviewed; the same interview protocol was used for each. Due to the health pandemic, volunteers were prohibited from the facility during the 12-month audit period and as of the on-site visit were just beginning re-entry. One volunteer was interviewed via telephone.</p> <p>The audit team did not interview security staff who supervise youthful inmates, education and program staff who work with youthful inmates.</p>
<p><b>SITE REVIEW AND DOCUMENTATION SAMPLING</b></p>	
<p><b>Site Review</b></p>	

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: discussions related to testing critical functions are expected to be included in the relevant Standard-specific overall determination narratives.

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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**Was the site review an active, inquiring process that included the following:**

85. Reviewing/examining all areas of the facility in accordance with the site review component of the audit instrument?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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86. Testing and/or observing all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., intake process, risk screening process, PREA education)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	<p>On 2/15/22 the onsite phase of the audit commenced. The audit team was introduced to the facility staff. After brief introductions, the auditor facilitated an entrance briefing. This meeting was attended by the superintendent, the PREA coordinator, PREA compliance manager, PREA compliance specialist, and members of the WCC leadership team. The entrance briefing included a review of the audit process, goals and expectations, and logistics.</p> <p>The audit team visited all housing units. When applicable, upon entry into each unit, staff utilized a doorbell and made verbal announcements to alert inmates that a member of the opposite gender was present on the floor. Audit notices were posted on each unit, as were English and Spanish posters describing the agency's zero tolerance policy and reporting options. Inmates are directed to report using any of the following methods: tell any staff member; call the 1800 PREA hotline or write to Colorado Department of Corrections; or ask a family member or friend to notify the facility. For support services inmates may write to or call SafePlace (CSAP). Posters were hung on information boards or near telephones, which general population inmates have the opportunity to use during scheduled times each day. While submitting a grievance is not an advertised way of reporting sexual abuse and sexual harassment, it serves as another form of notifying staff; secured grievance boxes were observed in each unit. Grievances are collected daily and are handled in accordance with the agency's policy, with the agency's policy.</p>
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**Documentation Sampling**

Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?

- Yes  
 No

91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).

The WCC documentation review process was initiated six months prior to the on-site. Through the utilization of the Supplemental Files within OAS, the facility was able to provide the auditor with monthly documentation uploads containing requested information. These documents included personnel records, training records, inmate PREA education, inmate risk screening, sexual abuse and sexual harassment grievance as well as investigation files. During the on-site portion the auditor was able to spot check for specific documents for review.

During the 12-month review period, there were 36 allegations of sexual abuse and eight allegations of sexual harassment. The audit team reviewed 14 records. Per the auditor handbook, the audit team was required to review 13 records, at minimum. Of these 14 investigations, five alleged sexual abuse and eight alleged sexual harassment. two investigations were substantiated, nine investigations were unsubstantiated, and three investigations were unfounded. The records spanned perpetrator type (i.e. staff and inmate). WCC completed the administrative investigations as the criminal investigations are conducted by the Mason County Sheriff's Office per MOU with the WA State Police Department.

## SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

### Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	6	0	6	0
Staff-on-inmate sexual abuse	13	0	13	0
<b>Total</b>	19	0	19	0

93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual harassment</b>	20	0	20	0
<b>Staff-on-inmate sexual harassment</b>	6	0	6	0
<b>Total</b>	26	0	26	0

## Sexual Abuse and Sexual Harassment Investigation Outcomes

### Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for "convicted.") Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/Court Case Filed	Convicted/Adjudicated	Acquitted
<b>Inmate-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	3	0	2	1
<b>Staff-on-inmate sexual abuse</b>	6	4	3	0
<b>Total</b>	9	4	5	1

### Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/Court Case Filed	Convicted/Adjudicated	Acquitted
Inmate-on-inmate sexual harassment	0	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	8	2	10	0
Staff-on-inmate sexual harassment	6	4	3	0
<b>Total</b>	14	6	13	0

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	5
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

**Inmate-on-inmate sexual abuse investigation files**

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	4
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

**Staff-on-inmate sexual abuse investigation files**

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	9
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
<b>Inmate-on-inmate sexual harassment investigation files</b>	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	5
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>Staff-on-inmate sexual harassment investigation files</b>	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	4

<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	

## SUPPORT STAFF INFORMATION

### DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes  <input checked="" type="radio"/> No         </p>
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### Non-certified Support Staff

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	
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<p>a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:</p>	2
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## AUDITING ARRANGEMENTS AND COMPENSATION

<p>121. Who paid you to conduct this audit?</p>	<p> <input type="radio"/> The audited facility or its parent agency  <input checked="" type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)  <input type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)  <input type="radio"/> Other         </p>
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<p>Identify your state/territory or county government employer by name:</p>	
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Was this audit conducted as part of a consortium or circular auditing arrangement?

Yes

No

## 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> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Documents</p> <ul style="list-style-type: none"> <li>a. Pre-audit Questionnaire (PAQ)</li> <li>b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting</li> <li>c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting (Attachment 1)</li> <li>d. 490.850 Prison Rape Elimination Act (PREA) Response</li> <li>e. 490.860 Prison Rape Elimination Act (PREA) Investigation</li> <li>f. WADOC Agency Organization Chart</li> <li>g. WCC Facility Organization Chart</li> <li>h. Memorandums from the superintendent to the PREA auditor</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> <li>b. PREA Compliance Manager</li> </ul> <p>Findings (By Provision):</p> <p>115.11 (a)</p> <p>The PAQ identified three policies corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state the department has zero tolerance for all forms of sexual misconduct. The Department will impose disciplinary sanctions for such conduct, up to and including dismissal for staff. Incidents of sexual misconduct will be referred for criminal prosecution when appropriate. This policy also requires the agency PREA Coordinator to “develop and implement PREA related policies. A PREA Compliance Manager “will coordinate local PREA compliance.” These two positions, one on the agency level and one on the facility level are tasked with developing, coordinating, and tracking the strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.</p> <p>Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting (Attachment 1) provides definitions of prohibited behaviors regarding sexual abuse and sexual harassment.</p> <p>Policy 490.850 Prison Rape Elimination Act (PREA) Response, and 490.860 Prison Rape Elimination Act (PREA) Investigation outlines how the facility will implement the agency’s approach to preventing, detecting, and responding to sexual abuse and sexual harassment.</p> <p>Policy 490.860 Prison Rape Elimination Act (PREA) Investigation includes sanctions for staff, contractors and volunteers, as well as the individuals under the Department’s jurisdiction found to have participated in prohibited behaviors.</p> <p>A final analysis of the evidence indicates the facility is compliant with this provision.</p>

115.11 (b)

The PAQ identified one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state the PREA coordinator will develop and coordinate procedures to triage allegations received and identify, monitor and track incidents of sexual misconduct. WADOC has one PREA coordinator who has the authority to oversee agency efforts to comply with the PREA standards in all of its facilities. The PREA coordinator is listed on the agency's organization chart and reports to the Deputy Director Command B.

The PREA coordinator reported she has been in this position since 2012. There are 24 facilities, each facility has a PREA compliance manager who report to their superintendent. She has oversight over any PREA related issue and maintains contact with the PREA compliance managers on a daily basis through emails, phone calls, and telecommunications. The PREA compliance managers are members of the PREA Advisory Council (PAC). If there are any changes to training or when policies are discussed, they work together as a group.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.11 (c)

The PAQ identified one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state a PREA compliance manager will be identified by the superintendent for each prison. WCC has one designated PREA compliance manager, he is listed on the facility organizational chart and reports to the superintendent.

A memorandum from the superintendent to the PREA auditor states the WCC Associate Superintendent over Programs has been designated the PREA compliance manager. The Associate Superintendent over Programs is a fulltime position and the PREA compliance manager role is a collateral duty. WCC has one full-time PREA Compliance Specialist who ensures program requirements are followed and reports directly to the PREA compliance manager.

The PREA compliance manager was interviewed. He reported he has enough time to manage all of his PREA related responsibilities due to having a PREA compliance specialist to assist him, "without her I wouldn't have the time." The WCC PREA compliance manager changed one month prior to the onsite audit. He stated "He has been in the PREA compliance manager role for two and a half years. He was the PREA compliance manager at his previous facility. He works with the WCC PREA compliance specialists to get things done and if he had to do the work by himself, he would not be able to.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<p data-bbox="240 147 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 273 360 300">Documents</p> <ul style="list-style-type: none"> <li data-bbox="240 331 639 358">a. WCC Pre-Audit Questionnaire (PAQ)</li> <li data-bbox="240 389 647 416">b. Contract shell noting PREA language</li> <li data-bbox="240 448 1078 474">c. WADOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting</li> <li data-bbox="240 506 1090 564">d. American Behavior Health Systems contract (K10802, section VII). Public website <a href="https://www.americanbehavioralhealth.net/prea/">https://www.americanbehavioralhealth.net/prea/</a></li> <li data-bbox="240 595 1086 654">e. Iowa Department of Corrections contract (K106681, Article III, 27). Public website <a href="https://doc.iowa.gov/administration/prea/prea-audits">https://doc.iowa.gov/administration/prea/prea-audits</a></li> <li data-bbox="240 685 1426 743">f. Minnesota Department of Corrections contract (CPOP448, Amendment 3). Public website <a href="https://mn.gov/doc/family-visitor/prea-policy/prea-links/">https://mn.gov/doc/family-visitor/prea-policy/prea-links/</a></li> <li data-bbox="240 775 1283 833">g. Yakima County Jail for the housing of overflow offenders' contract (K10470, Article V). Public website <a href="https://www.yakimacounty.us/1141/Prison-Rape-Elimination-Act">https://www.yakimacounty.us/1141/Prison-Rape-Elimination-Act</a></li> <li data-bbox="240 864 1490 922">h. Pioneer Human Services contract (residential treatment facility with contract beds not primarily used for the confinement of residents in the adult criminal justice system.)</li> <li data-bbox="240 954 1350 1012">i. Washington State Department of Social and Health Services contract (K10491, Article III, 16). Public website <a href="https://www.dcyf.wa.gov/practice/practice-improvement/prea">https://www.dcyf.wa.gov/practice/practice-improvement/prea</a></li> <li data-bbox="240 1043 1481 1169">j. Collective Bargaining Agreement WFSE (2021-2023) <a href="https://ofm.wa.gov/state-human-resources/labor-relations/collective-bargaining-agreements/washington-federation-state-employees-wfse-gg-2021-23">https://ofm.wa.gov/state-human-resources/labor-relations/collective-bargaining-agreements/washington-federation-state-employees-wfse-gg-2021-23</a></li> </ul> <p data-bbox="240 1263 347 1290">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="240 1321 580 1348">a. Agency Contract Administrator</li> <li data-bbox="240 1379 461 1406">b. PREA Coordinator</li> </ul> <p data-bbox="240 1491 483 1518">Findings (By Provision):</p> <p data-bbox="240 1608 347 1635">115.12 (a)</p> <p data-bbox="240 1666 1390 1760">The PAQ identified one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting mirror the federal PREA standard requirement for contracting with other entities for the confinement of inmates.</p> <p data-bbox="240 1845 1485 2074">A review of the service contracts for the confinement of inmates indicated all contained PREA language requiring the adoption and compliance with PREA standards. The contract shell provided for review articulate in "Article V. PREA Sexual Misconduct" The contractor agrees to ensure that all of the contractor's employee's, vendors and volunteers (hereinafter contractor) that have contact with Department of Corrections (DOC) offenders comply with all federal and state laws regarding sexual misconduct including, but not limited to: The Prison Rape Elimination Act (PREA), the standards for adult prisons and jails or community confinement facilities, whichever is applicable, as promulgated by the US Attorney, and zero tolerance toward all forms of sexual abuse and sexual harassment.</p>

A final analysis of the evidence indicates the facility is compliant with this provision.

115.12 (b)

Of the 5 service contracts reviewed, one contract was not required to be contract monitored. This is due to the residential treatment facility having contract beds not primarily used for the confinement of residents in the adult criminal justice system.

Noted was contractor facility, Pioneer Human Services North a 134-bed facility with 13 contract beds. Pioneer Human Services East is a 44-bed facility with 7 contract beds. PREA compliance remains an expectation for these sites. If the population reaches 50% of offenders or the facilities become a primary use for the confinement of residents in the adult criminal justice system, then these two sites will require contract modification to include contract monitoring by WADOC PREA coordinator.

The agency contract monitor reported that her office was responsible for the drafting of the contract language to meet PREA standards, negotiating, and ensure provisions for the contract to include performance. However, the actual enforcement and contract monitoring for PREA compliance is conducted by the agency PREA Coordinator. The contracts are reviewed with WA state Attorney General's Office, the WADOC PC and the contract entity. The contacts are also maintained by the agency PREA Coordinator. This was confirmed by the PREA coordinator.

The agency PREA coordinator reported the contracted agencies with WADOC for offender housing were in compliance with PREA standards. Each county has their own contract monitor. The agency PREA coordinator has access to the contracted facilities at any time and is able to conduct spot checks. She is notified when WADOC is looking at a potential facility for contract. She monitors compliance by reviewing any of their audits or can attain information directly from their administration. Data is collected and reviewed annually. She also checks their public websites and DOJ websites for data. She maintains communication with the contract facility administrators. She also collects aggregated data and updates the annual reports.

A review of the service contracts for the confinement of inmates indicated all contained PREA language requiring the adoption and compliance with PREA standards. The contract shell provided for review articulate in "Article V. PREA Sexual Misconduct" The contractor agrees to provide to the Department documented compliance with the Federal PREA standards, and to allow the Department to monitor their facility's compliance. Monitoring may include, but is not limited to: Site visits, access to facility data, and review of applicable documentation.

A final analysis of the evidence indicates the facility is compliant with this provision.

<b>115.13</b>	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>Documents</p> <ul style="list-style-type: none"> <li>a. WCC Pre-Audit Questionnaire (PAQ)</li> <li>a. 110.100 Prison Management Expectations</li> <li>b. 400.200 Post Orders/Operations manuals and Post Logs</li> <li>c. 400.210 Custody Roster Management</li> <li>d. 420.370 Security Inspections</li> <li>e. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting <ul style="list-style-type: none"> <li>b. Memorandum from Superintendent to PREA auditor regarding PREA Standard 115.13 (a), (b) and (c)</li> <li>c. Memorandum from Superintendent to PREA auditor regarding PREA Standard 115.13 (d)</li> </ul> </li> <li>d. Staffing Plan 2020 and 2021 (Mandatory and non-mandatory positions, Custody Staffing Model and Non-Custody Staffing Model)</li> <li>e. Documentation showing mandatory posts filled with overtime or pulling from a non-mandatory post.</li> <li>f. Documentation of areas closed to programming due to vacant non-custody staff positions</li> <li>g. Documentation of agency directives regarding maintenance of vacancy levels due to budgetary constraints.</li> <li>h. PREA Vulnerability Assessment</li> <li>i. Documentation sample of WCC Walkabout report</li> </ul> <p>3. Interviews</p> <ul style="list-style-type: none"> <li>a. Superintendent</li> <li>b. PREA Coordinator</li> <li>c. PREA Compliance Manager</li> <li>d. Intermediate or Supervisory Staff</li> </ul> <p>Findings (By Provision):</p> <p>115.13 (a)</p> <p>The PAQ identified two policies corresponding to this provision. Policy 400.210 Custody Roster Management states custody staffing will be consistent with Custody Staffing Model. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state each superintendent... will use the PREA Compliant Staffing Plan template... to develop, maintain, and annually review a staffing plan that includes an objective analysis of the facility's staffing needs and established staffing model.</p> <p>A memorandum from the superintendent to the auditor reported the WADOC requires each facility to develop a staffing plan that addresses the 11 elements of this standard. Staffing plans are reviewed annually and the information is submitted to the agency coordinator for review. A component of this plan is a facility vulnerability assessment, completed to identify and address areas or processes creating risk.</p>

The superintendent was interviewed. He stated the WCC Staffing plan is maintained in the Assistant Superintendent of Custody's office. The superintendent and headquarters has copies. Camera systems are part of the staffing plan. Having the camera systems in place ensured the critical areas of WCC had additional viewing options. Pre-COVID, WCC had replaced and added cameras out of the budget. We looked at everything to include security needs, assaults, sexual abuse or for any breach of security. We're constantly looking for blind spots and if a specific unit is having issues we have the ability to watch it live and monitor. I was here in 2014 and WCC takes PREA seriously. Everything done at WCC is based on the question, does this enhance our ability to monitor PREA?

The PREA compliance manager was interviewed. He stated the numbers for the staffing plan is predicated by the legislature based on the population of offenders. The non-custody staff are determined by needs of the facility. WCC looks at all areas of the facility to balance out the camera and mirror placements to mitigate blind spots. The PREA compliance manager includes the maintenance staff and the staff that work in these areas for feedback.

A review of the current staffing plan for WCC contains the 11 required elements of this provision. WCC superintendent and PREA compliance manager affirm the vulnerability assessment as part of the annual review process for the staffing plan.

The PREA audit team monitored the camera systems in the housing units, in the Intensive Management Unit (IMU) and the Captain's office. Access to the camera systems are restricted to individuals working certain positions. The PREA audit team observed staff and offender movement on the camera systems covering the interior and exterior of the facility.

Three locations in Building G programming areas were found to have 3 blind spots. The corner room in the back of the laundry area, the tool room in the maintenance area, and the chain fenced area containing the facility blue prints. These areas with blind spots were discussed with the PREA compliance specialists on site and the maintenance supervisor. Recommendations for mirrors in the 3 locations would provide an indirect line of sight view to eliminate the blind spots.

The mirrors were in place on the locations identified within 1-2 days. This was evidenced by photographs of the mirror placements sent to the audit team.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.13 (b)

The PAQ identified one policy corresponding to this provision. Policy 400.210 Custody Roster Management state each facility will identify posts that may be temporarily vacated, absent any uncommitted authorized leave, training or sick leave relief...

The superintendent reported due to the COVID epidemic, staffing numbers have fluctuated to ensure coverage of vacant positions. This required WCC to run on minimum staffing levels. Some areas were closed to programming and recreation in an effort to consolidate staff. These were all documented to include in our shift logs for coverage needed for critical positions.

The PREA audit team reviewed 12 months documentation of WCC deviations from the staffing plan. These were daily rosters for staff coverage of vacant positions. The Facility Closure Monthly Report completed by a supervisor indicates the date, time, area, reason for closure, duration of closure and the authorizing person. The closures listed on the monthly report are due to delays, weather, immediate release, heavy fog, emergency medical trip, no volunteer staff, staff completing paperwork and institutional recount. As noted by the superintendent the COVID epidemic affected staff vacancy levels.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.13 (c)

The PAQ identified one policy corresponding to this provision. Policy 400.210 Custody Roster Management state the prisons staffing manager will complete an annual quality assurance audit on custody staffing for each facility.

The PREA coordinator reported we conduct the annual quality assurance audits. We have a template with the required elements. I review and approve them. If there's a major modification (e.g. agency modification of a facility or housing unit) our capital planning team out of headquarters will look at camera placements, walk the area on location and use blue prints to review the plan. We ask for PREA related positions in the budget packets. I review plans, ask for PREA related positions and provide the justification.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.13 (d)

The PAQ identified three policies corresponding to this provision. Policy 110.100 Prison Management Expectations states superintendents will ensure each member of the facility executive management team make unannounced tours of selected areas of the facility at least weekly. Employees are prohibited from alerting one another except when necessary for legitimate operational functions of the facility.

Policy 400.200 Post Orders/Operations Manuals and Post Logs state correctional staff will maintain a permanent log, providing a shift report that records routine information, emergency situations, unusual instances, and area visits by executive staff and designated department heads in the post log.

Policy 420.370 Security Inspections state the superintendent will develop a rotation schedule to ensure weekly visits are conducted of all living units and activity areas to encourage information contact with personnel and offenders and to informally observe living and working conditions.

A memorandum from the superintendent to the auditor state the superintendent, associate superintendents, correctional program managers, and correctional unit supervisors will conduct weekly unannounced rounds throughout the facility during all three (3) shifts. Staff are aware of and follow the policy requirement that prohibits alerting other staff members that a "walkabout" and/or area visit is being conducted.

Intermediate or supervisory staff members responsible for conducting unannounced rounds were interviewed. One reported weekly unannounced rounds were documented in the unit log books, usually in red ink. One would stagger their rounds on alternate shift and days as to not create a pattern. Staff and offenders on the units were asked randomly if they were aware of such rounds, most reported they were aware of the rounds taking place when they see the supervisory staff.

The PREA audit team reviewed log books for unannounced rounds entries, they were in red ink and logged appropriately pursuant to agency policy and facility practice. Unit staff on the housing units affirmatively reported unannounced supervisory rounds were being conducted.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.14 Youthful inmates

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 320.500 Youthful Offender Program
- c. Interagency Agreement between WADOC and WA Department of Social and Health Services
- d. List of Incarcerated Individuals housed in IMU as of 2/10/22

Findings (By Provision):

#### 115.14 (a-c)

The PAQ identified one policy corresponding to this provision. Policy 320.500 Youthful Offender Program states offenders admitted to WCC or WCCW will be housed to ensure direct supervision, safety, and security requirements are met. Pending transfer to Juvenile Rehabilitation Administration (JRA) the youthful offender will be separated from adult offenders, within an intensive management or segregation unit or infirmary. The youthful offender will not be housed or participate in programming with adult offenders. Youthful offender will be under direct supervision by 2 custody employees whenever youthful offender leaves their cell. Sight or sound contact with adult offenders will be minimal and brief.

Interagency Agreement between WADOC and WA Department of Social and Health Services to coordinate management and movement of youthful offenders while at WCC or WCCW.

Memorandum from Superintendent to PREA auditor regarding PREA Standard 115.14 (a), (b) and (c) states If a youthful offender is received at WCC, they are assigned to Intensive Management Unit/Segregation (IMU) or infirmary and kept separate from adult offenders pending transfer to JRC. They would be housed in a single man cell and isolated from adult offenders by sight, sound, and physical contact.

The PREA audit team informally interviewed intake and IMU staff who reported that while WCC is a an admit facility for the state, in the past 12 months there were no youthful offenders. A review of all offenders list housed at WCC during the on-site noted the ages were between 18-76 years.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.15 Limits to cross-gender viewing and searches

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 320.265 Close Observation Areas
- c. 420.310 Search of Offenders
- d. 420.312 Body Cavity Search
- e. 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision
- f. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- g. 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- h. Pat Search training power point
- i. WADOC Facilitator Guide to Pat Searches
- j. Instructional Guide to Strip Searches of Transwomen
- k. Strip Searches of Incarcerated of Transwomen in Male Prisons training power point
- l. List of WCC staff completing Cross Gender Pat Search Training
- m. List of voluntary WCC female staff to conduct transgender and intersex strip searches
- n. Sample of strip search logs
- o. Offender roster

#### Interviews

- a. Non-medical staff (involved in cross gender strip or visual searches)
- b. Random Staff
- c. Inmate Interview
- d. Transgender/Intersex Inmate

#### Findings (By Provision):

##### 115.15 (a)

The PAQ identified two policies corresponding to this provision. Policy 420.310 Search of Offenders states a strip search must be conducted by 2 trained employees. Strip searches of a male offender require one of the employees conducting the search be male. If the second person is a female, she will position herself to observe the male employee conducting the strip search, but will not be in the line of sight of the male offender.

Policy 420.312 Body Cavity Searches states all participants in a body cavity search process will be the same gender as the offender.

In the past 12 months WCC did not conduct cross-gender strip or cross gender visual body cavity searches of inmates. This

was confirmed by the random staff and non-medical staff (involved in cross gender strip or visual searches) interviews as there are no female offenders housed at WCC.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.15 (b)

WCC does not house female offenders. The WADOC website and the WCC offender roster confirmed there are no female offenders housed at this facility. Random staff and the PREA compliance manager affirmed only male offenders were housed at WCC.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.15 (c)

The PAQ identified three policies corresponding to this provision. Policy 420.310 Search of Offenders state all strip searches will be documented before the search, or as soon as possible after the completion of an emergent strip search... The video recording will be maintained in a secure location per Records Retention Schedule. Incident documents will be forwarded to the Superintendent via chain of command. A copy of the completed DOC 21-998 Body Cavity Search Authorization form must be sent to the appropriate Deputy Director after the search... If a strip search conducted does not meet these gender requirements, a confidential report will be submitted in IMRS before the end of shift. The distribution will include the agency PREA Coordinator.

Policy 420.312 Body Cavity Search state incident documents will be completed and forwarded to the superintendent through the chain of command. A copy of the completed DOC 21-998 Body Cavity Search Authorization must be sent to the appropriate deputy director after the search.

Policy DOC 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision state search preferences will be documented on the individual's DOC 02-420 Preferences Request... If unable to accommodate the request in prison, the shift commander/duty officer will consider appropriate alternatives... When a pat/strip search is not conducted according to the DOC 02-420 Preferences Request, an Incident Management Reporting System (IMRS) report will be completed.

There were no cross-gender strip or body cavity searches conducted at WCC in the past 12 months as supported by strip search logs for WCC. This was confirmed with 12 random staff and 28 random inmate interviews. As previously addressed in 115.15 (b) female offenders are not housed at WCC.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.15 (d)

The PAQ identified two policies corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting require individuals will be provided the opportunity to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks... Notices will be posted in living units, Close Observation Areas (COAs) and infirmaries indicating that personnel of all genders could be present in the unit... Notices in COAs will include that cameras in use may be viewed by employees of any gender and individuals will be verbally informed upon placement or during the first tier/cell checks after the initial placement. Verbal notification will be documented in the area logs... This includes viewing via surveillance systems. An announcement will be made by anyone who does not identify with the facility's gender designation, loud enough and often enough to reasonably be heard by the occupants of a

housing unit, or any common area designated for individuals to disrobe or change their clothing... At a minimum announcement will be made when anyone who does not identify with the facility's gender designation, enter the living unit and as follows... announcements will be made verbally and by using the doorbell system in Prisons.... Individuals will be informed of the purpose of and use of doorbells in Prisons... Inpatient infirmaries are considered living areas, and staff are required to announce. Announcements are not required by medical and mental health practitioners... Superintendents and Work/Training Release CCS may define where the living area begins... for the purpose of identifying where the announcements must be made and may determine where additional announcements are required based on the physical design of the units.

Policy 320.265 Close Observation Areas state observation assignments will be conducted by an officer of the same gender as the offender, except in emergency situations.

Random inmates and random staff interviewed reported female staff announce their presence verbally or in conjunction with the doorbell system. The inmates reported they were not seen naked by a female staff member.

The PREA audit team observed the staff of the opposite gender announcing their presence on the housing units, tiers, or floor. Also noted were signs posted "Men and Women work in this Area." The notices are in English and Spanish.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.15 (e)

The PAQ identified one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state employees/contract staff will not search or physically examine a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it will be determined by health care providers during conversations with the offender, by reviewing medical records, or if necessary, as part of a broader medical examination conducted in private by a health care practitioner.

12 random staff were interviewed. They reported only medical staff would be determining an offender's genital status. Transgender/intersex inmate interviewed reported they are not on a housing unit designed for transgender or intersex inmates.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.15 (f)

The PAQ identified one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting requires employees/contract staff who may conduct pat searches will be trained in cross gender searches and searches for transgender and intersex individuals.

Random staff were interviewed. They reported female staff do make announcements coming onto the units. Offenders are able to shower, dress and use the toilet without being viewed by female staff. Female staff interviewed confirmed they make announcements and use the doorbell system. Random staff indicated they had been trained to conduct cross-gender pat searches at CORE (initial Corrections training). Staff reported there was a list of female staff volunteers to conduct cross-gender pat searches of transgender or intersex offenders if requested. Staff reported they were aware of the policy prohibiting these types of searches. Staff reported that its medical staff who will make the determinations of an offender's genital status, not through a search of the individual.

The PREA audit team noted that there were 28 offenders who disclosed LGBTQ status at their initial PREA Risk Assessment (PRA). They were disbursed throughout the facility appropriately based on unit population. The PREA audit team reviewed a list of 18 female volunteers to provide cross-gender searches of transgender or intersex offenders. These staff members cover all three shifts. A review of the WADOC Pat Search and WADOC Strip Search training materials included direction for staff to conduct these searches in a professional and respectful manner in the least intrusive manner possible, consistent with security needs.

The PREA audit team notes that 100 percent of the staff have received cross-gender pat-down searches and search of transgender and intersex inmates within the previous 12 months. The staff online training tracker is Learning Management System (LMS).

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.16 Inmates with disabilities and inmates who are limited English proficient

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 310.000 Orientation
- c. 450.500 Language Services for Limited English Proficient (LEP) Offenders
- d. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- e. 690.400 Offenders with Disabilities
- f. Position Description for Deaf Services Coordinator
- g. Contract – Interpreter Services, Spoken
- h. 8 Contracts for Sign Language interpreters
- i. Agency PREA posters (English and Spanish)
- j. Use of contracted telephone interpretation services for (LEP) offender interviews
- k. WADOC Inmate Orientation Handbook “Manual Estatal De Orientacion Del Interno”
- l. WCC List of LEP offenders on 2/16/22

#### Interviews

- a. Agency Head
- b. Offenders with disabilities or who are Limited English Proficient (LEP)
- c. Random sample of staff

#### Findings (By Provision):

##### 115.16 (a)

The PAQ identified three policies corresponding to this provision. Policy 310.000 Orientation state prison orientation will be conducted within one week of admission... Information will be provided, both orally and in writing, in a manner that is clearly understood... Prison orientation will, at a minimum include information on Prison Rape Elimination Act (PREA)...

Policy 690.400 Offenders with Disabilities state Offenders with disabilities will be provided reasonable accommodation that allows participation in services, programs, and activities which may include: Modifying policies, practices, or procedures, when reasonable. Removing barriers to access. Providing auxiliary aids and services... Information provided by the offender, health care providers, and/or others qualified to evaluate disability and accommodation needs will be used to identify reasonable accommodations... Health care providers will document a medically necessary device(s) or accommodation on a Health Service Report (HSR) in Offender Management Network Information-Health Services (OMNI-HS). The HSR will specify the duration of the accommodation, which should not exceed one year... Facilities will develop a process to ensure employees/contract staff receive updated information regarding the specific needs of offenders with disability... Temporary disabilities and/or accommodations will receive a case-by-case evaluation and review.

The agency head was interviewed. He reported the process starts at orientation, we have brochures for the low functioning and developmentally delayed. We have language interpreters that are certified and contracted to provide services through a

language line. We also have videos for the LEP inmates.

8 Offenders with disabilities or who are Limited English Proficient (LEP) were interviewed. They reported that they have access to PREA information via the PREA posters on the walls and they were aware of a translator access. They articulated their rights to be free from sexual abuse and sexual harassment. They also identified reporting options they could use to make an allegation.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.16 (b)

The PAQ identified three policies corresponding to this provision. Policy 310.000 Orientation state when a literacy or language problems exists, employees will assist the individual per DOC 450.450 Language Services for Limited English Proficient (LEP) Offenders.... Spanish speaking individuals will attend a Spanish version of the orientation program and be notified of available Spanish translated materials and services.... Each facility will develop process for non-Spanish speaking limited English Proficient individuals, including those requiring sign language interpretation to receive orientation in a language they understand.

Policy DOC 450.450 Language Services for Limited English Proficient (LEP) Offenders state the Department will provide oral interpretation (i.e. telephonic, in-person, video remote) and written translation services through Department and/or contract services at all facilities. The Department will also provide guidelines for interpretation and translation services for Limited English Proficiency (LEP) individuals under the Department's jurisdiction...

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting states Professional interpreter or translation services, including sign language, are available to assist individuals in understanding this policy, reporting allegations, and/or participating in investigation of sexual misconduct per DOC 450.500 Language Services for Limited English Proficient individuals...

The PREA audit team utilized the telephone interpreter line to interview 3 of 8 Offenders with disabilities or who are Limited English Proficient (LEP) were interviewed. They reported that they have access to PREA information via the PREA posters on the walls and they were aware of a translator access. They articulated their rights to be free from sexual abuse and sexual harassment. They also identified reporting options they could use to make an allegation.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.16 (c)

The PAQ identified one policy corresponding to this provision. Policy DOC 450.500 Language Services for Limited English Proficient individuals state individuals are not authorized to use interpretation/translation services from other individuals, family members, or friends for these purposes. The Deaf Services Coordinator is authorized to provide the same professional interpreter/translation services for sign language as contract interpreters with regard to assisting individuals in understanding this policy, reporting allegations, and/or participating in investigations of sexual misconduct. With the exception of the Deaf Services Coordinator, staff interpreters/translators will only be used for these purposes in exigent circumstances. Americans with Disabilities Act (ADA) accommodations will be provided per DOC 690.400 Offenders with Disabilities.

12 Random staff were interviewed. Staff reported there's a language line they can use if they need an interpreter. In an emergency we would use another inmate or a staff member to translate until we can get access to a translator.

3 LEP inmates were interviewed. They reported they have not had to use the language line as they have easier and faster access to another inmate or staff that speak Spanish for daily tasks. They reported that they have access to PREA information via the PREA posters on the walls and they were aware of a translator access. They articulated their rights to be free from sexual abuse and sexual harassment. They also identified reporting options they could use to make an allegation.

The PREA audit team observed PREA posters and signage through out the facility and noted the Spanish brochures and the Inmate Handbook available to the LEP upon arrival to WCC through the intake process.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.17 Hiring and promotion decisions

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 400.320 Terrorism/Extremism Activity
- c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- d. 800.005 Personnel Files
- e. 810.015 Criminal Record Disclosure and Fingerprinting
- f. 810.800 Recruitment, selection and Promotion
- g. DOC 03-031 Criminal Disclosure
- h. DOC 03-506 Sexual Misconduct and Institution Employment/Service Disclosure
- i. DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III CHECK NCIC/WACIC CHECK
- j. WCC Staff Tracking Background Checks
- k. Sample records of person hired or promoted in past 12 months
- l. Sample records of contractors who might have contact with inmates
- m. Documentation of background records checks of employees/contractors at 5-year intervals

#### Interviews

- a. Human Resources staff

#### Findings (By Provision):

##### 115.17 (a, b, f and g)

The PAQ identified three policies corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state to the extent permitted by law, the Department will not knowingly hire, promote, or enlist the services of anyone who: Has engaged in sexual misconduct in a Prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined I 42 U.S.C. 1997... Has engaged in sexual misconduct with an individual on supervision... Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse or... Has been civilly or administratively adjudicated to have engaged in the activity described above... The Department will consider any incidents to sexual harassment in determining whether to hire, promote, or enlist the services of anyone who may have contact with individuals under its jurisdiction.

Policy 810.015 Criminal Record Disclosure and Fingerprinting state failure to fully divulge criminal information on the part of an individual subsequently employed, promoted, or authorized to provide services for the Department may be cause for disciplinary action, up to and including dismissal or termination of services.

Policy 810.800 Recruitment, selection and Promotion state the Appointing Authority will ensure the following is conducted on the preferred candidate before appointment... Completion of DOC 03-506 Sexual Misconduct and Institutional Employment/Service disclosure.

Four Human Resources staff were interviewed. They reported all applicants and employees who may have contact with inmates about previous misconduct at part of the application process for hiring or promotions. The facility imposes upon every employee a continuing affirmative duty to disclose any such misconduct. They run a background check every 5 years and before any promotion. All custody staff are screened annually usually during firearms training.

The PREA audit team reviewed 12 months of WCC Staff Tracking Background Checks noting their completions.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.17 (c)

The PAQ identified three policies corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state the Department will obtain information through one or more of the following: Washington Crime Information Center (WACIC)/National Crime Information Center (NCIC) records check, Employment/volunteer applications, reference checks, Personnel file review and contract discloser statements.

Policy 810.015 Criminal Record Disclosure and Fingerprinting state a background check will be completed for all applicants before initial appointment or rehire. The department will provide guidance to hiring authorizes consistent with RCW 9.94A.640 concerning disclosure and use of information about prior criminal convictions and subsequent incarcerations of employees, contract staff, and volunteers...

Policy 810.800 Recruitment, selection and Promotion state the Appointing Authority will ensure the following is conducted on the preferred candidate before appointment... Completion of DOC 03-506 Sexual Misconduct and Institutional Employment/Service disclosure... To the extent possible for external candidates, including former employees/contract staff/volunteers, all previous institutional employers will be contacted for information on substantiated allegations of sexual misconduct or nay resignation pending investigation of alleged sexual misconduct.

4 Human Resources staff were interviewed. They reported all employees with the exception of the volunteers/contractors will have their background check completed by their office. HR will run their criminal history. The background checks for the volunteers/contractors are conducted by and an administrative assistant.

The PREA audit team reviewed 12 months of WCC Staff Tracking Background Checks noting their completions.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.17 (d)

The PAQ identified two policies corresponding to this provision. Policy 400.320 Terrorism/Extremism Activity state criminal background checks will be initiated on DOC 05-370 Request for Criminal History Record Information WASIS/NCIC III CHECK NCIC/WACIC CHECK and conducted per DOC 810.015 Criminal Record Disclosure and Fingerprinting for all new employees, contractors, and volunteers prior to assuming their duties.

Policy 810.015 Criminal Record Disclosure and Fingerprinting state all applicants, including former employees/contract

staff/volunteers, will be required to complete DOC 03-031 Criminal disclosure and DOC 05.370 Request for Criminal History Record Information WASIS/NCIC III CHECK NCIC/WACIC CHECK before being offered an initial appointment... Disclosure requirements are not limited to any time period and include... All convictions... This does not include convictions vacated by the court and removed from the official record.

4 Human Resources staff were interviewed. They reported all employees with the exception of the volunteers/contractors will have their background check completed by their office. HR will run their criminal history. The background checks for the volunteers/contractors are conducted by and an administrative assistant.

The PREA audit team reviewed background checks of contractors who might have contact with inmates.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.17 (e)

The PAQ identified one policy corresponding to this provision. Policy 810.015 Criminal Record Disclosure and Fingerprinting state the designated unit/employee will establish a process to ensure that criminal background checks are run for all current volunteers, contract staff, and unarmed employees at least every 5 years... Annual criminal background checks are required as part of weapons qualification for all armed employees per DOC410.235 User of Force Training and Qualifications.

4 Human Resources staff were interviewed. They reported WCC uses NCIC, state patrol database, OMNI (database with PREA information). Human Resources only does PREA history checks, not criminal history. WCC uses the Washington Criminal Investigation System (WACIS), NCIC and the Washington Warrants and Wants System.

The PREA audit team reviewed the WCC Staff Tracking Background Checks noting the staff names, their current rank, hire date, promotion date, and most recent criminal background check completed.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.17 (h)

The PAQ identified one policy corresponding to this provision. Policy 800.005 Personnel Files state in addition to the employee, the following are authorized access: Prospective employers considering the employee for a position, with written authorization from the employee... Access will be documented on DOC 03.033 Personnel File Access and retained in the personnel file, including a copy of any authorizations.

Memorandum from superintendent to PREA auditor regarding 115.17 (h) states WADOC provides upon request all available information regarding substantiated allegations of sexual misconduct or harassment to institutional employers seeking employment verification upon receipt of a release from the former employee. Generally, this information is provided verbally in response to telephone inquiries from potential employers. Neither agency policy nor protocols require the maintenance of logs documenting responses provided. Therefore, there would be no documentation applicable to this standard.

4 Human Resources staff were interviewed. They reported when a former employee applies for work at another institution, upon request from that institution, WCC would provide the information on substantiated allegations of sexual abuse or sexual harassment unless prohibited by law.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.18 Upgrades to facilities and technologies

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- a. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. Email documenting mirror placement to mitigate blind spots.
- d. Email documenting camera replacement for improved quality viewing since the last DOJ PREA audit of 2017
- e. Vulnerability Assessment

#### Interviews

- a. Superintendent
- b. PREA Compliance Manager

#### Findings (By Provision):

##### 115.18 (a-b)

WCC PAQ noted one agency policy corresponding to this standard. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting states the department will consider possible effects on its ability to protect individuals from sexual misconduct when: Designing or acquiring a new facility... Planning substantial expansions or modifications or existing facilities... and Installing or updating video monitoring systems, electronic surveillance systems or other monitoring technology.

Memorandum from superintendent to PREA auditor regarding 115.18 (a-b) state that since the last DOJ PREA audit, conducted November 16, 2017, the following acquisitions, expansion, modifications and updated monitoring system have been initiated:

- 2018, the former Key Control room was changed into a clothing closet for incarcerated individuals who have releasing. At this time incarcerated individual do not enter this room, but it was reviewed for possible change in the future and 4 mirrors were added to ensure no blind spots remain.
- 2020 WCC modified D tier in the intensive Management Unit (IMU) into a transfer pod (similar to a step-down program). The common areas are in full view of staff. The shower is still set up for privacy as before. This unit currently sits empty and is an option for isolation and intake separation for those individuals entering with possible COVID-19 symptoms.
- Due to COVID-19 May of 2020, the chapel at WCC was modified into a Regional Care facility. Mirrors were suggested and implemented as well as discussion of processes for staff and incarcerated individuals regarding restrooms, showers, dayroom, and ensuring that the intake PREA risk assessments (PRA) were not hindered.
- Thirty-one cameras were upgraded and installed in R1, six were installed in the A-Bldg. administrative area, one placed in B-Bldg., four were installed in C-Bldg. administrative and interview area, one in D-Bldg. the infirmary area, nineteen cameras were placed/upgraded in the TC Gym system, two were installed near the point of view walkways and one was added to Tower 7.

The agency head was interviewed. He reported the agency considers the sexual safety of all inmates. We'll inspect the areas and look at each facility for blind spots, check the line of sight between the staff and the inmates, review the area operations and the areas outside of viewing. We look at previous incidents and review the specific problem areas. We conduct vulnerability assessments and look for any weaknesses, if a weakness is identified we will seek funds to fix the

issue. An example of that would be to change out a static camera for one that can zoom in/out. The superintendents and investigative captains check for that on a regular basis.

The superintendent was interviewed. He reported no expansions or modifications to the physical plant of the facility. The PREA audit team did not observe any new expansions or modifications during the on-site review that was not previously identified by the superintendent's memorandum specific to this provision. It is noted that the PREA compliance specialist and the PREA compliance manager were involved and consulted to ensure PREA compliance.

The PREA audit team reviewed sample emails documenting past requests for monitoring equipment placement following the process from request to completion.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.21 Evidence protocol and forensic medical examinations

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.850 Prison Rape Elimination Act (PREA) Response  
Aggravated Sexual Assault Checklist (Attachment 1) and  
PREA Response and Containment Checklist (Attachment 5)
- d. 600.000 Health Services Management
- e. 610.025 Health Services Management of Alleged Sexual Misconduct Cases
- f. WCC case database of Sexual Assault cases open or closed
- g. Forensic Medical Exam Procedure for DOC Health Care Staff
- h. Forensic medical Exam Procedures – Transport Staff
- i. Sexual Assault Evidence Collection – Uniform Evidence Protocol
- j. National Protocol for Sexual Assault medical Forensic Examinations Adults/Adolescents
- k. U.S. DOJ Recommendations for Administrators of Prisons, Jails, and Community Confinement Facilities for Adapting the US DOJ National Protocol for Sexual Assault medical Forensic Examinations Adults/Adolescents
- l. MOU between WADOC and WA Department of Commerce Office of Crime Victims Advocacy (OCVA)
- m. PREA Response and Containment checklist
- n. WADOC Sexual Assault Support pamphlet with advocacy contact information
- o. Advocate selection memorandum for PREA Services by WA Office of Crime Victims Advocacy (OCVA)
- p. Mutual Aid Agreement between WA State Patrol and WADOC
- q. Meeting Minutes indicating the Mason County Sheriff's Office (MCSO) will conduct criminal investigations at WCC. WA State patrol will conduct the criminal investigation of MCSO declines for any reason.
- r. WA Department of Commerce Office of Crime Victims Advocacy (OCVA) PREA Advocate qualification memorandum
- s. Offender Sexual Assault Support and Information line pamphlet (English and Spanish)
- t. Sexual Assault Support and Information Line poster (English and Spanish)
- u. WADOC PREA Designated Advocate and Hospitals available for forensic medical exams list

#### Interviews

- a. Random staff
- b. SAFE/SANE
- c. PREA Compliance Manager (PCM)
- d. Offenders who Reported Sexual Abuse

Findings (By Provision):

115.21 (a)

WCC PAQ identified two agency policies corresponding to this provision. Policy DOC 490.850 Prison Rape Elimination Act (PREA) Response state for allegations of aggravated sexual assault, the Shift Commander/designee will initiate the Aggravated Sexual Assault Checklist (Attachment 1) and the PREA Response Team will conduct a coordinated, multidisciplinary response to the allegation.

12 random staff were interviewed. They reported the Mason County Sheriff's office conducted criminal investigations. The staff at WCC are responsible for administrative investigations by trained PREA investigators. Staff were able to articulate their responsibilities to the alleged victim and perpetrator which involves separating the alleged victim from the perpetrator, notifying the shift lieutenant, block off the cell, keep the victim safe and securing the scene. There's a team that will respond and process the evidence. This is immediately reported to the shift commander for a team response.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.21 (b)

WCC PAQ noted there are no youthful offenders within the past 12 months. The protocol is developmentally appropriate for youthful offenders. The evidence collection protocol and training curriculums was adapted from DOJ's Office of Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents."

A final analysis of the evidence indicates the facility is compliant with this provision.

115.21 (c)

WCC PAQ identified two agency policies corresponding to this provision. Policy DOC 490.850 Prison Rape Elimination Act (PREA) Response state forensic exams will be performed only at designated health care facilities in the community by a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) where possible. If SAFE/SANE is not available, the examination can be performed by a qualified medical practitioner... The agency PREA Coordinator will be notified via email of all forensic medical examinations as soon as possible.

Policy 600.000 Health Services Management state Medical and mental health services allowed under the Offender Health Plant related to sexual misconduct as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting will be provided at no cost to the offender.

Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state any incarcerated individual alleging sexual assault, sexual abuse, and/or staff sexual misconduct will be referred to a health care provider to evaluate any injury. Medical and mental health treatment services and follow-up care will be provided when clinically indicated. Forensic medical examinations will be conducted at a community health care facility... this policy also lists the responsibilities of the medical and mental health staff if a report of aggravated sexual assault is made within 120 hours of the alleged assault and the process of evaluation starting from the time the allegation is made to the time the offender is returned to the facility.

The SAFE/SANE at Providence St. Peters was interviewed. They reported that offenders from WCC would go to their ER for any forensic medical examination. There are 4 SAFE/SANE for the hospital and can be called in as needed. If one is not available the ER will call the next SAFE/SANE on the list. There is always 1 SAFE/SANE on call. Someone will respond.

The PREA audit team noted 1 SAFE/SANE conducted in the past 12 months for WCC offender.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.21 (d-g)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state individuals will have toll-free access to the Sexual Assault Support and Information line operated by the Office of Crime Victims Advocacy (OCVA). Calls are only available Monday through Friday, 8am to 5pm. Calls are not monitored or recorded. Offenders will not be required to use an IPIN to call 1-855-210-2087. Sexual assault support services may also be obtained through legal mail addressed to Just Detention International, 3325 Wilshire Boulevard, Suite 340, Los Angeles, CA 90010.

The PREA Compliance Manager was interviewed. He reported there is an agreement with OCVA to provide advocacy services for the offenders. The advocates may accompany the offender to SAFE/SANE or will meet up with the offender at the hospital. The victim advocate is available if the offender just wants to talk to them. The advocate can video call or telephone or meet with the offender in person. These communications are tracked by the PCS to ensure services are being provided and that meetings occur. WCC maintains a listing of contacts in multiple areas with several advocacy groups.

Eight offenders who reported Sexual Abuse were interviewed. They stated that they were aware they had the option to call someone when they were sexually assaulted.

The audit team noted random staff were aware of their responsibilities when responding to an allegation of sexual abuse. Offenders who reported Sexual Abuse stated they had access to out outside emergency medical and victim advocacy services. A review of OMNI Sexual Assault allegations provided documentation of incidents when a SAFE/SANE or a Victim Advocate was utilized. Signage posted throughout the facility provided contact information for Sexual Assault Support via telephone or via the mail.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.22 Policies to ensure referrals of allegations for investigations

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.850 Prison Rape Elimination Act (PREA) Response
- d. 490.860 Prison Rape Elimination Act (PREA) Investigation
- e. WADOC Public Website <https://www.doc.wa.gov/corrections/prea/resources.htm>
- f. Agreement between WADOC and WA State Patrol
- g. Annual Meeting with Law Enforcement (PREA) meeting minutes from conference call
- h. WCC list of LE referrals of Sexual Assault
- i. WCC list of Offender Complaint Log

#### Interviews

- a. Agency Head
- b. Investigative staff

#### Findings (By Provision):

##### 115.22 (a)

WCC PAQ identified three agency policies corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state Each Superintendent or designee will meet at least annually with local enforcement officials to: Review investigation requirements detailed in Federal PREA standards... Establish procedures for conducting criminal investigations related to PREA allegations... and Establish points of contact and agree upon investigatory update procedures... Meetings with law enforcement will be documented in meeting minutes.

Policy 490.850 Prison Rape Elimination Act (PREA) Response Aggravated Sexual Assault Checklist (Attachment 1) and PREA Response and Containment Checklist (Attachment 2) list required actions to be taken by staff for an allegation of sexual assault.

Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the Department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving individuals under the jurisdiction or authority of the Department... Investigations will be completed even if the individual is no longer under Department jurisdiction or authority and/or the accused staff, if any is no longer employed by or providing services to the Department... Allegations may be referred to law enforcement agencies for criminal investigation. The Department may discipline and refer for prosecution, when appropriate, persons determined to be perpetrators of sexual misconduct. Investigations involving represented employees will be conducted per the provisions of the applicable collective bargaining agreement... all allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the Appointing Authority/designee. Referrals may be made using DOC 03.505 Law Enforcement Referral of PREA allegation.

The agency head was interviewed. He reported a PREA triage is conducted by headquarters to determine if the allegations

meet the definitions of sexual abuse or sexual harassment. From that determination an investigation is assigned. If there is a crime suspected, it will be referred out to law enforcement (State Police). This will happen under the direction of the appointing authority usually a superintendent.

The PREA audit team noted during the past 12 months 92 allegations of sexual abuse and sexual harassment were received. Of that, 91 were allegations resulting in an administrative investigation. 23 were referred for criminal investigation by the Mason County Sheriff's Office.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.22 (b)

WCC PAQ identified three agency policies corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the Department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving individuals under the jurisdiction or authority of the Department... Investigations will be completed even if the individual is no longer under Department jurisdiction or authority and/or the accused staff, if any is no longer employed by or providing services to the Department... Allegations may be referred to law enforcement agencies for criminal investigation. The Department may discipline and refer for prosecution, when appropriate, persons determined to be perpetrators of sexual misconduct. Investigations involving represented employees will be conducted per the provisions of the applicable collective bargaining agreement... all allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the Appointing Authority/designee. Referrals may be made using DOC 03.505 Law Enforcement Referral of PREA allegation.

Five investigative staff were interviewed. They reported, a law enforcement referral is completed for an allegation of sexual abuse or assault. If something appears to be criminal in nature or involve criminal behavior. WCC conducts administrative investigations. The local law enforcement department (Mason County Sheriff's Office) responds to criminal incidents.

The PREA audit team reviewed the WCC list Law Enforcement referrals of sexual abuse for the previous 12 months. The WADOC PREA policies and the PREA investigation process is posted on the Department of Corrections public website. The annual Law Enforcement meeting minutes indicate that Mason County Sheriff would be notified for allegations of sexual abuse or sexual assault at WCC. The WA State Patrol would step in if the Sheriff's office declines the investigation for any reason.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.31 Employee training

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. WCC PREA training Completion Dates
- d. Random samples of training transcripts of completed PREA training
- e. Random samples of Signed DOC 03-483 PREA Training Acknowledgement forms
- f. Prison Rape Elimination Act (PREA) Facilitator Guide

#### Interviews

- a. Random staff

#### Findings (By Provision):

##### 115.31 (a-c)

WCC PAQ noted one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting requires all new employees, contract staff and volunteers to receive initial PREA training upon hire/assignment, followed by annual refresher training... Training consisted of (1) Its zero-tolerance policy for sexual abuse and sexual assault harassment (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures (3) Inmates' right to be free from sexual abuse and sexual harassment (4) The right inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment (5) the dynamics of sexual abuse and sexual harassment in confinement (6) The common reactions of sexual abuse and sexual harassment victims (7) How to detect and respond to signs of threatened and actual sexual abuse (8) How to avoid inappropriate relationships with inmates (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

12 Random staff were interviewed. They reported they were trained initially at CORE (Initial Custody training) and they have completed PREA refresher training using the on-line Learning Management System (LMS). They were able to articulate the topics covered in training and reported its part of the annual training.

The PREA audit team reviewed random samples of completed PREA training transcripts and samples of signed PREA training acknowledgment forms. WCC spreadsheet indicates all staff have completed PREA training. The training curriculum is applicable to male and female offenders.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.31 (d)

WCC PAQ noted one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA)

Prevention and Reporting requires staff to acknowledge their understanding of the PREA training... For online training, acknowledgment will be included in the electronic course... For in-person training, acknowledgment will be documented on DOC 03-483 PREA Training Acknowledgment or DOC 03-523 PREA disclosure and Training Acknowledgement for Volunteers.

The PREA audit team reviewed random sample staff PREA training acknowledgment forms signed by the student. Online training acknowledgement is tracked in the Learning Management System (LMS).

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.32 Volunteer and contractor training

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 530.100 Volunteer Program
- d. Facilitator Guide for Prison Rape Elimination Act (PREA) Annual In Service (AIS) training
- e. WADOC training link for volunteers/religious contractors <https://doc.wa.gov/corrections/programs/volunteer.htm#training>
- e. Prison Rape Elimination Act (PREA) pamphlet for Staff, Volunteers, and Contractors
- f. WCC Vendor Log of Contractors showing completed PREA training
- g. WCC Log of Volunteers showing completed PREA training
- h. Sample of random DOC 03-523 PREA Acknowledgement for Volunteers

#### Interviews

- a. Volunteers/Contractors who have contact with Inmates

#### Findings (By Provision):

##### 115.32 (a-c)

WCC PAQ noted one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting requires all new employees, contract staff and volunteers to receive initial PREA training upon hire/assignment, followed by annual refresher training... Training consisted of (1) Its zero-tolerance policy for sexual abuse and sexual assault harassment (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures (3) Inmates' right to be free from sexual abuse and sexual harassment (4) The right inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment (5) the dynamics of sexual abuse and sexual harassment in confinement (6) The common reactions of sexual abuse and sexual harassment victims (7) How to detect and respond to signs of threatened and actual sexual abuse (8) How to avoid inappropriate relationships with inmates (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Policy 530.100 Volunteer Program state Completion of mandatory volunteer orientation training is required before beginning services... All training requires approval from the Headquarters Correctional Program Administrator and will be provided by authorized employees or volunteers trained in the curriculum... Training will include Prison Rape Elimination Act (PREA).

2 volunteer(s)/contractor(s) were interviewed. They both reported they completed their initial training during CORE (initial training program) in PREA and are current with the refresher course that is online every year through the Learning Management System (LMS). They were trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response, per their agency Zero tolerance policy and procedures.

The PREA audit team were able to access the training link for WADOC volunteers/contractors on line.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.32 (c)

WCC PAQ noted one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting requires staff to acknowledge their understanding of the PREA training... For online training, acknowledgment will be included in the electronic course... For in-person training, acknowledgment will be documented on DOC 03-483 PREA Training Acknowledgment or DOC 03-523 PREA disclosure and Training Acknowledgement for Volunteers.

The PREA audit team reviewed random samples of completed PREA training transcripts and random samples of signed PREA training acknowledgment forms. WCC spreadsheet indicates all staff have completed PREA training.

2 volunteer(s)/contractor(s) were interviewed. They both reported they completed their initial training during CORE (initial training program) in PREA and are current with the refresher course that is online every year through the Learning Management System (LMS). They were trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response, per their agency Zero tolerance policy and procedures.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.33 Inmate education

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 310.000 Orientation
- c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- d. Intake records of inmates for past 12 months (spot check)
- e. Record of inmate receiving PREA information at intake
- f. Statewide Inmate Orientation Handbook with PREA information (pages 10-15)
- g. PREA posters (English and Spanish) listing the PREA hotline number
- h. Inmate education material
- i. WCC Orientation Tracker of Inmate participation in classes for 12 months
- j. Random 21-992 Prison Orientation Checklist
- k. PREA brochure in Spanish
- l. PREA posters in Spanish

#### Interviews

- a. Intake staff
- b. Random Inmate

#### Findings (By Provision):

115.33 (a), (b) and (e)

WCC PAQ identified two agency policies corresponding to this provision. Policy 310.000 Orientation state all newly received incarcerated individuals will participate in a program of interviews, testing, and other activities related to the admission process at the receiving facility per DOC 310.150 Reception, Initial Classification, and Custody Facility Plan... Initial reception and orientation will be completed within 4 weeks of admission to the RDC unless medical, mental health, or behavioral issues prevent completion of this process... Incarcerated individuals arriving at prison, including transfers between an Intensive Management Unit (IMU) will receive an orientation to the new facility... Prison orientation will be conducted with one week of admission... Prison orientation will at a minimum include information on the Prison Rape Elimination Act (PREA)... Employee will document orientation in the incarcerated individual's electronic file and the individual will acknowledge receipt of orientation and the Statewide Inmate Orientation Handbook/facility specific handbook by signing the DOC 21-992 Prison Orientation Checklist in prison.

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state individuals under the department's jurisdiction will be provided PREA-related information, which will include information on the Department's zero tolerance stance and ways to report sexual misconduct. Information will be presented in a manner allowing individuals to ask questions of the staff member facilitating the orientation... If an orientation video is presented in-transit, individuals will be provided an opportunity to ask questions of the facilitator during the onsite facility orientation.

Two intake staff were interviewed. They both reported there's a PREA video shown on the bus and a PREA video shown on the units. Offenders receive PREA information as soon as they arrive. Posters (English and Spanish) are on the walls of intake and brochures about PREA. There's a PREA video and a discussion about the zero-tolerance policy, what their rights are and how to report an allegation of PREA. Orientation they get PREA briefing with pamphlets, video, and staff talks about the PREA policy.

28 random inmates were interviewed. They reported they received PREA information via video before they arrived at the facility. They got off the bus and they were asked about PREA. Offenders received PREA information within the first 24 hours of arrival.

The PREA audit team reviewed the PREA information materials offenders are provided when arriving at WCC intake noting the handouts provide information of the federal PREA standards, the inmates' right to be free from sexual abuse and sexual harassment, from retaliation for reporting a sexual abuse or sexual harassment, and options of reporting.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.33 (c)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state individuals under the Department's jurisdiction will be provided PREA-related information, which will include information on the Department's zero tolerance stance and ways to report sexual misconduct. Information will be presented in a manner allowing individuals to ask question of the staff member facilitating the orientation... If an orientation video is presented in-transit, individuals will be provided an opportunity to ask question of the facilitator during the onsite facility orientation... During intake at any prison, individuals will be given an informational brochure provided by the PREA coordinator... Individuals will be provided additional PREA information during formal orientation at any prison, or per local procedures for individuals arriving directly to restrictive housing or the infirmary. This information will be communicated in writing and verbally, using either the video or the script approved by the PREA coordinator in a manner that is clearly understood... Provision of PREA information will be documented in OMNI Programs.

Two intake staff were interviewed. They reported the PREA education portion is recorded in the Offender Management Network Information (OMNI) database.

The PREA audit team reviewed logs of PREA education completed by offenders at WCC captured from a 12-month period. The offenders were listed by name, current housing unit, date of arrival, date of orientation and their current classification counselor.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.33 (d)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state professional interpreter or translation services, including sign language are available to assist individuals in understanding this policy, reporting allegations, and /or participating in investigations of sexual misconduct per DOC 450.500 language Services for Limited English Proficient Individuals... Individuals are not authorized to use interpretation/translation services from other individuals, family members, or friends for these purposes... The Deaf Services Coordinator is authorized to provide the same professional interpreter/translation service for sign language as contract interpreters with regard to assisting individuals in understanding this policy, reporting allegations and/or participating in investigations of sexual misconduct... With the exception of the Deaf Services Coordinator, staff interpreters/translators will

only be used for these purposes in exigent circumstances... Americans with Disabilities Act (ADA) accommodations will be provided per DOC 690.400 Offenders with Disabilities... The need to provide targeted orientation will be determined on a case-by-case basis, taking into consideration: Reading comprehension levels, Mental health input/evaluation, Cognitive abilities, Interactions with staff, and/or Language barriers other than Spanish.

The PREA audit team reviewed a Facilitator's Guide "End Silence" (Graphic Novel) for education custodial staff and youthful residents about sexual victimization in custodian settings also appropriate for lower functioning adults. Spanish education materials were also reviewed for PREA content and agency Zero tolerance policy.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.33 (f)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state A PREA compliance manager will be identified by the superintendent for each prison. The PREA compliance manager will be an employee outside of any intelligence and investigation unite, who will coordinate local PREA compliance... Coordinate monthly checks to verify: The PREA hotline telephone number is posted on or near all telephones used by incarcerated individuals... Posters and brochures provided by the PREA coordinator are posted in areas accessible to individuals and the public, including Health Service areas and case manager offices... DOC 21.379 Report of a PREA Allegation to an Outside Agency or are available for individuals to access. In prison, forms will be maintained in the living units and/or library.

The PREA audit team reviewed the Inmate Orientation Handbook (English and Spanish) and noted it provided PREA definitions (sexual harassment and sexual misconduct), how to report allegations, what happens after an allegation is made, access to medical and mental health care, support services and the information line, housing and job assignments, and what you should do if you've been the victim of sexual misconduct. As well as random DOC 21-992 Prison Orientation Checklists with signatures for handbooks.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.34 Specialized training: Investigations

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.860 Prison Rape Elimination Act (PREA) Investigation
- d. 880.100 Corrections Training and Development
- e. WAC 138-05-240 Requirements of the basic law enforcement academy
- f. WAC 139-05-250 Basic law enforcement curriculum
- g. WAC 139-25-110 Career-level certification for law enforcement and corrections personnel
- h. RCW 26.28A.430 and 435 Sexual Assault Kit Initiative Project
- i. RCW 43.10.800 Sexual Assault forensic Examination Best Practices Advisory Group
- j. RCW 43.101.270 Sexual Assault – Training for Investigating and Prosecuting
- k. RCW 43.101.272 Sexual Assault – Training for Persons Investigating Adult Sexual Assault
- l. RCW 43.101.274 Sexual Assault- Training Curriculum Modification
- m. RCW 43.101.277 Sexual Assault – Training Curriculum Requirements
- n. Training records of investigative staff
- o. List of agency staff who have successfully completed investigator training
- p. Random sample of documentation for WCC investigator training completions

#### Interviews

- a. Investigative staff

#### 115.34 (a)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state investigators will be assigned by the appointing Authority/designee and must be trained per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

5 investigative staff were interviewed. They were all trained to conduct sexual abuse investigations in a confinement setting. They were trained on the PREA standards, the investigative process, sexual abusers use of the SAFE/SANE, interviewing techniques, information on how to ID witness, compassion for the victim, requirements for the reporting writing. To include attachments: forms, incident reports, referrals, information on the original reporting person and to get the details of allegations. We're fact finders only and we're to remain unbiased for investigations.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.34 (b)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state PREA investigators will be trained in: (1) Crime scene management/investigation, including evidence collection in prison and work/training releases, (2) Confidentiality of all investigation information, (3) Miranda and Garrity warnings, compelled interviews, and the law enforcement referral process, (4) Crisis intervention, (5) Investigating sexual misconduct, (6) Techniques for interviewing sexual misconduct victims and (7) Criteria and evidence required to substantiate administrative action or prosecution referral.

6 investigative staff were interviewed. They confirmed they were trained in the 7 topics identified for this provision. A review of the Investigation curriculum and records verified the investigators successfully completed this training.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.34 (c)

WCC PAQ identified one agency policy corresponding to this provision. Policy 880.100 Corrections Training and Development state the Training and Development Unit (TDU) Administrator will maintain training records/certifications.

The PREA audit team reviewed sample Training transcripts for four investigators. WADOC maintains a PREA Workplace Investigation Training Participants listing trained investigators and their status.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.34 (d)

The auditor is not required to audit this provision of the standard.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.35 Specialized training: Medical and mental health care**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 610.025 Health Services Management of Alleged Sexual Misconduct Cases
- d. 880.100 Corrections Training and Development
- e. DOC PREA Health Services Training for the Medical Management of PREA Cases
- f. List of Hospitals Available for Forensic Medical Examinations
- g. WCC Health Services staff list of PREA training completions
- h. Random sample of 4 Health Services transcripts

Interviews

- a. Medical and Mental Health staff

Findings (By Provision):

115.35 (a)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state Health Services employees/contract staff, with the exception of medical records, clerical, pharmacy personnel, the Dietary Services Manager, and the Psychologist assigned exclusively to sex offender treatment programming, will be trained (1) Detecting and assessing signs of sexual misconduct, (2) Responding effectively and professionally to sexual misconduct victim, (3) Completing DOC 02.348 Fight/Assault Activity Review, (4) Preserving physical evidence, (5) Reporting sexual misconduct, and (6) Counseling and monitoring procedures.

2 Medical and Mental health staff were interviewed. They reported they received their initial PREA training and in addition also received PREA training specific to detecting and assessing signs of sexual misconduct, responding effectively and professionally to sexual misconduct victim, completing DOC 02.348 Fight/Assault Activity Review, preserving physical evidence, reporting sexual misconduct, and counseling and monitoring procedures.

The PREA audit team reviewed the PREA Health Services training curriculum and noted the required elements are part present. A sample of WCC Health Services staff training records were reviewed and verified medical staff who have completed the initial PREA and PREA for Health Services.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.35 (b)

WCC PAQ identified one agency policy corresponding to this provision. Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state each prison health authority will make prearrangements with a community health

care facility with specially educated and clinically prepared forensic medical examiners to evaluate alleged victims who have reported sexual assault, sexual abuse, and/or staff sexual misconduct.

The PREA audit team noted the WCC medical staff do not conduct forensic examinations. The alleged victims of sexual abuse are transported to an offsite medical facility for SAFE/SANE examinations pursuant to policy and practice.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.35 (c)

WCC PAQ identified one agency policy corresponding to this provision. Policy 880.100 Corrections Training and Development state Staff Training and Tracking Information System (STATIS) will be used to document all official Department training.

The PREA audit team reviewed medical and mental health staff training transcripts and noted PREA Health Services training as well as the disclosure acknowledgment forms are recorded electronically.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.35 (d)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state all new employees, contract staff, and volunteers will receive initial PREA training upon hire/assignment, followed by annual refresher training. When initial training is not conducted prior to assignment, the person will sign DOC 03-478 PREA acknowledgement and will complete training at earliest opportunity.

The PREA audit team reviewed training records of medical and mental health staff. The records show they completed the initial training as well as the PREA for Health Services training.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.41 Screening for risk of victimization and abusiveness

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 280.310 Information Technology Security
- c. 280.515 Data Classification and Sharing
- d. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- e. 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- f. 490.860 Prison Rape Elimination Act (PREA) Investigation
- g. OMNI PREA Risk Assessment (PRA) Assessors Guide
- h. DOC 07-019 PREA Risk Assessment form
- i. WCC Initial 72 hours PREA screening tracker for 12 months
- j. Sample of initial PRA and reassessment within 30 days
- k. Sample records of inmate perpetrators of sexual assault for confirmation of reassessment
- l. Sample of PRA for cause

#### Interviews

- a. Staff responsible for Risk Screening
- b. Inmate interview
- c. PREA Coordinator
- d. PREA Compliance Manager

#### Findings (By Provision):

##### 115.41 (a)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state all PREA Risk Assessments (PRA) will be completed in the offender's electronic file. PRA must be completed in person with the offender. If access to the electronic file is not possible, the Classification counselors may use DOC 07-019 PREA Risk Assessment form to document PRA information and update the electronic file as soon as practical.

6 Staff responsible for Risk Screening were interviewed. They reported inmates are not disciplined for refusing to respond to the PREA assessment questions.

28 Random inmates were interviewed. They all reported having completed a PREA assessment upon arrival at WCC. They remember whether being asked whether they had been in jail or prison before, whether they have ever been sexually abused, whether they identify as being gay, lesbian, or bisexual and whether you think you might be in danger of sexual abuse at WCC.

The PREA audit team reviewed samples of PREA risk assessments and confirmed all 28 random inmates interviewed were given a PREA assessment upon arrival or transfer to the facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.41 (b)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state Classification Counselors will complete a PRA within 72 hours of arrival for all offenders, even on weekends and holidays.

6 Staff responsible for Risk Screening were interviewed. They reported inmates are screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of intake.

28 Random inmates were interviewed. They reported they were screened the first day they arrived at WCC.

The PREA audit team confirmed the 28 random inmate PREA assessment screenings occurred upon transfer to WCC or shortly thereafter. A review of the OMNI PREA Risk Assessment program noted when an Initial, Intake, or Follow-Up PRA is overdue, the assigned Classification Counselor or Work/Training Release CCO will receive an action-required OMNI Notification stating, "PREA Risk Assessment is overdue". Notifications will also be sent once a PRA has been "in work" for three (3) days. If a Counselor or Work/Training Release CCO has not yet been assigned, the Notification will be sent to the facility PREA Mailbox, which will be monitored by facility staff as designated by the Appointing Authority. Once a Counselor or Work/Training Release CCO is assigned, the Notification will automatically be forwarded to that Counselor or Work/Training Release CCO. This electronic alert notification ensures the 72-hour timeline is not missed.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.41 (c)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state all PREA Risk Assessments (PRA) will be completed in the offender's electronic file... If access to the electronic file is not possible, the Classification counselors may use DOC 07-019 PREA Risk Assessment form to document PRA information and update the electronic file as soon as practical.

WCC indicated their PREA risk assessment electronic tool is the Offender Management Network Information (OMNI) PREA Risk Assessment (PRA). This electronic system will send alerts if the timelines for the screening is not being met.

6 Staff responsible for Risk Screening were interviewed. They reported the risk screening tool considers disabilities, age, physical build, previous incarcerations (s), criminal history, perceived sexual orientation, previous sexual victimization, and perception of vulnerability. This is all recorded in the OMNI PRA electronic system.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (d)

The electronic system used to conduct the PREA Risk Assessments (PRA) is OMNI. The PRA asks the offender the following questions.

- Is this the offender's first prison incarceration as an adult?
- Is the offender under the age of 25 or over the age of 65?
- Is the offender small in stature? o Males: Under 5'8" and/or under 140 pounds o Females: Under 5'0" and/or under 115 pounds
- Has the offender ever been sexually assaulted/abused while incarcerated in any type of facility?
- Has the offender ever been convicted of a sex offense or a crime with sexual motivation in which the victim was a child of 13 years or younger or elderly person of 65 years or older?
- Does offender identify as gay/lesbian or bisexual? o If no, does the offender seem to be gender non-conforming to you/others?
- Does offender identify as transgender or intersex?
- Does offender identify as gender non-conforming? o If no, does the offender seem to be gender non-conforming to you/others?
- Does the offender express feelings of being at risk of being sexually abused?
- Has the offender's criminal history been exclusively non-violent?
- Does the offender have any mental illness or impairment that increases vulnerability?
- Does the offender have any developments, intellectual, or physical disability that increases vulnerability?
- For males only: Has the offender ever been the victim of sexual abuse/assault in the community?

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (e)

WCC notes the electronic system used to conduct the PREA Risk Assessments (PRA) is OMNI. The following questions are asked of the offender in order to consider previous acts of sexual abuse or sexual harassment.

- Does the offender have any previous prison incarcerations as an adult?
- Has the offender ever committed sexual assault/abuse while incarcerated in any type of facility to include jails or other state corrections agencies?
- Has the offender ever committed any other violent act while incarcerated in any type of facility to include jails or other state corrections agencies?
- Has the offender ever been convicted of a sexual offense or a crime with sexual motivation in which the victim was between 14 and 65 years old?
- Has the offender ever been convicted of a violent offense?

The PREA audit team noted that 9 of the 10 criteria identified in the federal PREA standard are asked on the OMNI PRA. The criteria not asked is whether the inmate is detained solely for civil immigration purposes. Immigration detainees are civil actions, not criminal therefore WCC does not house a person "solely for civil immigration purposes."

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (f)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state.820 Follow up PRA will be completed between 21 and 30 calendar days after the offender's arrival at the facility.

6 Staff responsible for Risk Screening were interviewed. They reported the follow up PRA occurred within 21 to 30 days of the offenders' arrival at WCC.

The PREA audit team reviewed assessments completed in a 12-month period and confirmation of reassessments within the 30-day timeline for a total of 4445 completed follow PRA.

28 Random inmates were interviewed. They all reported it was weeks after they arrived and it was done by their counselors in the office.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (g)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state for-cause PRA will not replace required initial, intake, or follow-up PRA. For-cause PRA will be completed within 10 business days by the assigned Classification Counselor.

- When additional information is received suggesting potential for victimization or predation (e.g., reports of behavior while in jail or on the bus in transit, court documents, Pre-Sentence Investigations).
- If the offender self-discloses information that could impact assessed risk (e.g., previously unreported prior abuse, sexual orientation/identity).
- When there is a finding of guilt on certain infractions listed in the PRA, including violent infractions and infractions for sexual assault/abuse.
- When an employee/contract staff observes offender behavior suggesting potential for victimization or predation.
- For substantiated allegations of offender-on-offender sexual abuse/ assault or staff sexual misconduct.

6 Staff responsible for Risk Screening were interviewed. They reported that anytime there's a need for a PREA reassessment, they will complete one. A follow up PRA can be for any reason, a referral, a request, an incident of sexual abuse or upon receipt of any information that bears on the inmate's risk of sexual victimization or abusiveness.

28 Random inmates were interviewed. They reported they were asked these questions when they arrived and weeks after they were here by their counselor.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (h)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state offenders are not obligated to answer PREA questions and cannot be disciplined for refusing to answer or not disclosing complete information in response to assessments.

6 Staff responsible for Risk Screening were interviewed. They reported that inmates are not disciplined for refusing to respond or participate in the PRA. They would use the information provided in the static questions and make a note of it in OMNI. This process is voluntary and the inmate has a right to refuse to participate.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.41 (i)

WCC PAQ identified four agency policies corresponding to this provision. Policy 280.310 Information Technology Security state All users with access to confidential Department data must maintain the integrity of the data per DOC 280.515 Data Classification and Sharing.

Policy 280.515 Data Classification and Sharing state Data will be classified into 4 categories per the Data Classification Standards and office of the Chief Information Officer (OCIO) 141.10 Securing Information Technology Assets... Category 4 Data: Confidential Information Requiring Special Handling – Data that is specifically protected from release by law and... Has especially strict handling requirements by statute, regulation, or agreement... May result in serious consequences arising from unauthorized release... Per the Federal Information Processing Standards 140-2 or higher: Category 3 and 4 data must be encrypted when storing/transferring data... Portable storage devices must be hardware encrypted when transferring data.

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state Information related to allegations/incidents of sexual misconduct is confidential and will only be disclosed when necessary for related treatment, investigation, and other security and management decision. Staff who breach confidentiality may be subject to corrective/disciplinary action.

Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state all PREA data containing personal identifying information will be maintained as Category 4 data per DOC 280.515 Electronic Data Classification.

The PREA Coordinator was interviewed. She reported the electronic PRA system is a secure protected module within the Offender Management Network Information (OMNI). Certain job classifications will have automatic access. Like classification counselors, unit supervisors, or a program manager. Anyone else has to be approved by me.

The PREA Compliance Manager was interviewed. He reported the counselors have access, Corrections Program Managers have access and the Superintendent has access to the PRA.

6 staff responsible for risk screening were interviewed. They reported staff with access to the PRA are limited to the classification staff completing the initial assessment. The Corrections Program Manager, the Corrections Unit Supervisor, the Associate Superintendent, and the PREA Coordinator. Access is based on job classification, its very restrictive.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.42 Use of screening information

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. WCC Pre-Audit Questionnaire (PAQ)
- b. 300.380 Classification and Custody Facility Plan Review
- c. 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision
- d. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- e. 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- f. PREA Risk Assessment (PRA) Housing Guide
- g. Sample documentation review of risk-based work, education and programing decisions (5 cases)
- h. Sample documentation review of reassessment of programming assignments for each transgender or intersex inmate in compliance with the standard. (DOC 02-385 Housing Review for Transgender, Intersex, and Gender Non-Conforming Individuals)
- i. Sample documentation review of PREA Monitoring Plans (7 cases)
- j. Sample documentation review of Housing Protocol for Transgender and Intersex offender (DOC 02-384 Housing Protocol for Transgender, Intersex, and Gender Non-Conforming Individuals.
- k. WCC PREA Data LGBTQ offenders and housing unit

#### Interviews

- a. PREA Coordinator
- b. PREA Compliance Manager
- c. Staff responsible for risk screening
- d. LGBTI inmates

#### 115.42 (a-b)

WCC PAQ identified two agency policies corresponding to this provision. Policy 300.380 Classification and Custody Facility Plan Review state the Incoming Screening Committee members will review each offender on the transfer manifest before she/he arrives at the receiving facility. The screening will include, at a minimum... Prison Rape Elimination Assessment (PREA) information per DOC 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments... Facility Risk Management Team (FRMT) is only considered multidisciplinary when one or more of the following disciplines are included as members when relevant to the offender. Additional mental health and/or other employee/contract staff may be included to provide general input about areas of potential risk based on history for offenders with a documented history of predatory violence or predatory sexual offending... Any concerns regarding work programs, treatment, education, evidence-based programs, or other activities presented after reviewing the offender's PEA Risk assessment will be documented in the Summary/Statement field in the Classification Review section of the incoming Transport/Job Screening Checklist, including any applicable mitigation strategies.

Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state the PREA Risk Assessment information will be reviewed before offender job placement and programming assignments per DOC 300.380 Classification and Custody Facility Plan Review... Before placing the offender in a multi-person cell/room, employees responsible for making housing assignments will review the PRA identifier to ensure the compatibility of cell/roommates... For offenders who have not had a PRA, either at the sending facility or on a prior incarceration, a mental health employee/contract staff will review the completed DOC 13-394 Intersystem/restrictive Housing Mental Health Screening for information impacting the offender's housing assignment... Employees will document the review in a PREA housing chrono entry for each cell

occupant...

The PREA Compliance Manager was interviewed. He reported the counselors conduct the PREA risk assessments. The assessments tell the supervisors who may be potential victims and this comes through the risk screening process. We evaluate jobs, programs, and ensure staff aware of the vulnerable inmates. The inmates also need to know how to report to staff of these situations.

6 Risk Screeners were interviewed. They reported inmates receive a PREA risk assessment on the day they arrive but no more than 72 hours from their arrival. Prior to assigning an offender to a housing unit. Staff will check their risk assessment score to ensure the inmates at high risk of being sexually victimized are separated from those at high risk of being sexually abusive. Any offender with a dual identifier can be housed with another offender that has a no risk score.

The PREA audit team reviewed the PRA Housing Guide. It provided information on the four types of PREA risk assessments (Initial, Intake, Follow-up and For cause), how to navigate the electronic risk screening information within the OMNI system, and housing assignment screenings to ensure compatibility of cell/room assignments. Monitoring plan are developed for offenders identified as potential victims, potential predators or who are dual identified and reviewed by the Facility Risk Management Team (FRMT). The team also reviewed samples of chrono entries in OMNI indicating that individualized determinations were taking place to ensure the safety of each inmate.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.42 (c)

WCC PAQ identified two agency policies corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state housing and programming will be reviewed, initially and prior to any transfer by a local review committee for all offenders who identify as transgender or intersex. Initial housing reviews will be completed within 10 business days of disclosure by the offender of transgender or intersex status.

Policy 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision state the PREA Coordinator will maintain a record of transgender, intersex, and/or gender non-conforming individuals in a secure imaging system...

DOC 02-420 Preferences Request will be completed if an individual identifies as transgender, intersex, and/or gender non-conforming... If the arriving individual does not have a PREA risk assessment (PRA) and DOC 02-384 Housing Protocol for Transgender, Intersex, and Gender Non-Conforming Individuals on file, the individual will be evaluated by appropriate personnel and temporarily assigned to the least restrictive housing pending final outcome of the Multidisciplinary Team (MDT)... In prisons, an individual who is at high risk for sexual victimization will be housed separately only if there is no available alternative means of separation from likely abusers.

The PREA compliance manager was interviewed. He stated, WCC determines housing and programs for transgender or intersex inmates with the PREA assessment with the health and safety of the offender in mind.

Transgender/Intersex inmates were interviewed. They reported a PREA risk assessment was completed upon arrival and they were not placed in a designed transgender or intersex housing at WCC. They were asked if they feel safe at WCC as part of their assessment.

The PREA audit team reviewed sample documentation of Transgender-Intersex-Gender Non-conforming tracking document of 10 offenders. Information provided a timeline of their housing location, arrival date, any holds, gender preferences, PRA dates and comments regarding their housing.

DOC 02-384 Housing Protocol for Transgender, Intersex, and Gender Non-Conforming Individuals. This form considers how the resident's medical and mental health needs are affected by their placement, the length of their incarceration, history of victimization, likelihood of the individual being taken advantage of based on their placement, the individual's ability to stand up for themselves and several other factors to determine whether a men's facility or women's facility is the best placement for the individual.

DOC 02-420 Preferences Request. This form indicates how they self-identify, their preferred pronouns and whether they feel

safe to be housed in general population.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.42 (d-e)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision state the facility MDT will reassess placement and programming assignments every 6 months using DOC 02.385 Housing Review for Transgender, Intersex, and Gender Non-Conforming Individuals to review any threats to the individual's safety... Transgender and intersex offenders may appeal housing review decisions writing to the prisons Command A deputy director for decisions made based on facility recommendations or applicable assistant secretary for decision made after a headquarters MDT review.

The PREA compliance manager was interviewed. He reported, every 6 months we reassess and review their status, we consider their views about their safety at WCC. We've conducted many housing protocol reviews to ensure they feel safe here.

6 Risk screeners were interviewed. They reported transgender and intersex inmates are reassessed every 6 months. It's part of the housing protocol, it's usually initiated by the counselor to the PREA Compliance Manager.

Transgender/intersex inmates were interviewed. They reported they were asked if they felt safe at WCC as part of their risk assessments.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.42 (f)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.700 Transgender Intersex, and/or Gender Non-conforming Housing and Supervision state facilities will develop local procedures to allow transgender, intersex, and/or gender non-conforming individuals the opportunity to shower and dress/undress separately from other individuals.

The PREA compliance manager was interviewed. He reported yes, they can request to have a separate time to shower, if they want it. We take their requests into consideration.

6 Risk screeners were interviewed. They reported, yes, they can designate locations and times to shower alone (e.g. during count) when no one else is out.

6 LGBTI inmates were interviewed. They reported they were aware they could ask to shower separately if they wanted to.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.42 (g)

WCC PAQ identified one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state The PREA Compliance Manager will be an employee outside of any Intelligence and Investigation Unit who will coordinate local PREA compliance and conduct periodic reviews of housing assignments to ensure individuals who identify as lesbian, gay, bisexual, transgender, intersex, or gender non-conforming are not grouped together within a facility based solely on this status.

The PREA coordinator was interviewed. She reported This agency has 27 PREA compliance managers. One facility has 4 PCMs because it's a large institution. All but one PREA compliance managers is an ad-hoc duty role. We communicate via

Teams, telephone, daily emails, they all participate in PAC. The PREA compliance managers maintain ongoing communications amongst themselves and with me.

The PREA compliance manager was interviewed. He reported WCC is not subject to a consent decree, legal settlement, or legal judgment requiring that it establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex

6 LGBTI inmates were interviewed. They reported they were not housed in an area only for transgender or intersex inmates.

WADOC is not under any related consent decree, legal settlement or legal judgement. WCC is not a dedicated facility, unit, or wing for LGBTI offenders.

The PREA audit team revised the WCC PREA Data LGBTQ offenders and housing unit and noted they were evenly disbursed throughout the facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.43 Protective Custody

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- c. WCC Individuals who scored as Potential Victim on their PRA

Interviews

- a. Superintendent
- b. Staff who supervise Seg
- c. Inmates in Seg (for risk of sexual victimization or alleged to have suffered sexual abuse)

Findings (by provision)

#### 115.43 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state an offender who scores at potential risk for sexual victimization will not be housed in the same cell/room as an offender who scores at potential risk for sexual predation or as a dual identifier... in prisons, this separation may include placement in Administrative Segregation... Placement in administrative segregation for more than 24 hours should only occur if no suitable alternative housing exists and will last only until an alternative placement can be made. Each alternative considered, along with the reason(s) it was determined unsuitable, will be documented in a PREA housing chrono entry... in the rare even that placement lasts more than 30 days, a review will be conducted every 30 days to determine the continued need for the placement...

Memorandum from the superintendent to the PREA auditor indicated during the review period of this audit no offenders were placed into secured/restricted housing based on their risk for sexual victimization.

The superintendent was interviewed. He reported yes, it's in our PREA policy with a caveat that if we have no other place to put them, we do need to protect them. In the past, we've had a transgender person that could not be housed anywhere else, we've tried to use the infirmary as housing but sometimes there's no room. There have been a few times placement was made in segregation, but only because we had no other place.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.43 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state offender on this type of placement will have access to programming and job assignments to the extent possible. When unavailable, the reason and duration will be documented in the offender's electronic file.

Staff who supervise inmates in segregated housing were interviewed. He reported they still had access to programs, retain privileges, education access, and work opportunities. Any opportunities that have been limited would be noted into a log book, the times and the reasons. As the CUS, I would be a reviewer.

The PREA audit team toured the restricted housing unit at WCC and there were no inmates at high risk of victimization in seg status in the past 12 months.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.43 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state in prisons, this separation may include placement in Administrative Segregation...

Placement in administrative segregation for more than 24 hours should only occur if no suitable alternative housing exists and will last only until an alternative placement can be made. Each alternative considered, along with the reason(s) it was determined unsuitable, will be documented in a PREA housing chrono entry... in the rare event that placement lasts more than 30 days, a review will be conducted every 30 days to determine the continued need for the placement.

The superintendent was interviewed. He reported inmates at high risk for sexual victimization or who alleged sexual abuse placed in involuntary segregated housing would be there for as little time as possible, they would be prioritized to be moved quickly. They would be moved out within 24 hours.

Staff who supervise inmates in segregation was interviewed. He reported inmates are only placed into involuntary segregation until an alternative means of separation from likely abusers can be arranged. We would log that in the logbook. We'd keep them for the least amount of time possible. We have the ability to single cell in segregated housing.

WCC reported that zero inmates were placed in involuntary segregated status during the past 12 months as a result of being at a high risk for sexual victimization or when an inmate alleged sexual abuse, therefore there was no inmate to interview.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.43 (d)

WCC PAQ noted zero cases in which to record a statement of the basis for the facility's concern for the inmate's safety and the reason(s) why alternative means of separation could not be arranged.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.43 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state in the rare event that placement lasts more than 30 days, a review will be conducted every 30 days to determine the continued need for the placement.

Staff who supervise inmates in segregation was interviewed. We'd keep them for the least amount of time possible. We have the ability to single cell in segregated housing.

WCC reported that zero inmates were placed in involuntary segregated status during the past 12 months as a result of being at a high risk for sexual victimization or when an inmate alleged sexual abuse, therefore there was no inmate to interview.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.51 Inmate reporting

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 450.100 Mail for Individuals in Prison
- c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- d. 490.850 Prison Rape Elimination Act (PREA) Response (Attachment 4)
- e. MOU with Colorado DOC (K10506)
- f. PREA posters (English and Spanish)
- g. Inmate Handbook (English and Spanish)

#### Interviews

- a. Random staff
- b. Inmates
- c. PCM

#### Findings (by provision)

##### 115.51 (a)

WCC PAQ indicated one agency policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting identifies multiple ways an offender can report an allegation of sexual abuse or sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

12 Random staff were interviewed. They reported inmates can send a note to a staff member or ask to speak to someone they trust, call the 800 PREA hotline, write a kite to a supervisor or write to Colorado DOC.

28 Random inmates were interviewed. They reported they could tell a staff member, send a kite, use the information off the PREA brochures, or call a family member to report an allegation of PREA.

The PREA audit team noted PREA posters (English and Spanish) in the common areas used by the public, staff and inmates providing information on where to report an allegation. Information on how to report is in their inmate handbooks, brochures from intake and PREA videos shown on the DOC transportation buses and at the facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.51 (b)

WCC PAQ noted a Memorandum of Understanding with the Colorado Department of Corrections. (PREA Reporting Office, 2862 South Circle Drive, Colorado Springs, CO 80906. This intergovernmental agreement does not convey or include within its scope authority for the receiving party to investigate those reports. The receiving party's sole function with regard to such reports shall be to immediately forward them to the part having jurisdiction, who shall be responsible for investigating them.

The PREA compliance manager was interviewed. He reported an inmate can write to Colorado DOC as WADOC provides the envelopes. An inmate can call the 1800 PREA hotline, or an inmate can put the envelopes into the grievance boxes. Only the grievance staff has access to the boxes to mail out the envelopes. These processes enable immediate transmission of inmate reports of sexual abuse and sexual harassment to agency officials that allow the inmate to remain anonymous upon request.

28 Random inmates were interviewed. They reported they could use the 1800 phone number, they can tell staff member, write a kite to a supervisor, call a friend or tell a family member to report a PREA allegation.

The PREA audit team noted that WADOC does not detain inmates solely for civil immigration purposes therefore no information for consular or the Department of Homeland Security is posted.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.51 (c)

WCC PAQ indicated one agency policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state staff must immediately report any knowledge, suspicion, or information received, including anonymous and third-party reports, regarding an allegation or incident of sexual misconduct occurring in any incarceration setting even if it is not a department facility. This also include related retaliation and knowledge of staff actions or neglect that may have contributed to an incident... Staff receiving any information regarding an allegation or incident of sexual misconduct must deliver the information confidentially and immediately per the PREA reporting process (Attachment 4).

12 Random staff were interviewed. They reported allegations can be made verbally, in writing, anonymously and through a third party. They would document every allegation immediately and report to the shift commander.

28 Random inmates were interviewed. They reported allegations of sexual abuse or sexual harassment allegations can be in writing or made in person. Someone else can make the report on their behalf so they can remain anonymous.

The PREA audit team reviewed the WADOC PREA reporting process. When staff obtains information about an allegation. The staff will notify the shift commander immediately who will then notify the superintendent or duty officer as soon as possible but no later than the end of the reporting staff's shift. Staff may report allegations of a highly sensitive nature directly to the appointing authority or duty officer. A Confidential Incident Management Reporting System (IMRS) report will be completed as soon as possible, but no later than the end of the shift in which the information was received.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.51 (d)

WCC PAQ indicated one agency policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA)

Response (Attachment 4) state staff may report allegations of a highly sensitive nature directly to the appointing authority or duty officer.

12 Random staff were interviewed. They reported the shift commander can be notified directly or the superintendent if needed.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.52 Exhaustion of administrative remedies

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.860 Prison Rape Elimination Act (PREA) Investigation
- d. 550.100 Offender Grievance Program
- e. WCC Offender Complain Log
- f. Samples of documentation DOC 05-165 Offender Complaint Form
- g. WADOC Statewide Orientation Handbook
- h. Offender Grievance Program Manual
- i. Memorandum from WADOC Sinclair (January 10, 2019)

#### Interviews

- a. Inmates who reported sexual abuse

#### Findings (by provision)

##### 115.52 (a)

WCC PAQ indicated two policies corresponding to this provision. Policy 550.100 Offender Grievance Program state grievances alleging sexual misconduct will be forwarded to the PREA coordinator per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting and will not be reviewed through the grievance process.

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state grievances, including emergency complaints, per DOC 550.100 Offender Grievance Program and the Offender Grievance Program Manual... Copies of grievances alleging sexual misconduct will be forwarded immediately to the applicable authority per the Prison Rape Elimination Act (PREA) Response... The individual will be notified via the grievance response that the allegation was forwarded for review for a possible PREA investigation... The PREA coordinator/designee will notify the appropriate grievance staff of the determination on whether the allegation meets the definition of sexual misconduct... If the allegation does not, the individual may refile the grievance per DOC 550.100 Offender Grievance program.

The PREA audit team noted a discrepancy between the title of form DOC 05-165 listed in the WADOC Statewide Orientation Handbook and WADOC Offender Grievance Program Manual. The orientation handbook list DOC 05-165 as a Resolution Request. The Offender Grievance Program Manual list DOC 05-165 as Offender Complaint Form. While this does not rise to a compliance level it may confuse offenders and the reader. Recommend the Handbook and the Manual use one title for the form.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.52 (b)

WCC PAQ provided a memorandum from WADOC Sinclair (January 10, 2019) state although PREA investigations are not subjected to specific policy defined timelines for completion, DOC policy 490.860, Prison Rape Elimination Act (PREA) Investigation states: "The Department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving offenders under the jurisdiction or authority of the Department."

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.52 (c)

WCC PAQ noted one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state individuals may report PREA allegations anonymously, through a third party, calling the confidential PREA hotline, in writing to the PREA coordinator, through a grievance, or to an outside agency via grievance/medical envelope.

The PREA audit team noted multiple PREA postings throughout the facility and information brochures (English and Spanish) identifying methods for inmates to submit a grievance alleging sexual abuse without submitting it to a staff member who is the subject of the complaint or referring the allegation to a staff member who is the subject of the complaint.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.52 (d)

WCC PAQ provided a memorandum from WADOC Sinclair (January 10, 2019) state if an investigation has been open for a period of 90 days or more, it is reviewed for status and issues that may need to be resolved by the agency PREA Coordinator and/or responsible Appointing Authority. This allows for oversight of investigations without restricting the investigation, particularly in cases involving law enforcement or issues such as witness availability, evidence processing, etc.

Generally, offenders are required to exhaust their administrative remedies (i.e. the grievance process) before filing litigation. Since WADOC removes PREA allegations from the established grievance process, the submission of a formal grievance would not be a prerequisite for an offender to file related litigation.

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state Copies of grievances alleging sexual misconduct will be forwarded immediately to the applicable authority per the Prison Rape Elimination Act (PREA) Response... The individual will be notified via the grievance response that the allegation was forwarded for review for a possible PREA investigation... The PREA coordinator/designee will notify the appropriate grievance staff of the determination on whether the allegation meets the definition of sexual misconduct... If the allegation does not, the individual may refile the grievance per DOC 550.100 Offender Grievance program.

Inmates who reported sexual abuse were interviewed. They did not file through the grievance process however their allegations were investigated and they were informed when the investigations were completed.

The PREA audit team noted there two sexual abuse related sexual abuse related grievances filled in the 12-month review period. The decision on the merits of the grievance was issued within the 90-day period.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.52 (e)

WCC PAQ noted one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state individuals, visitors, family members/associates, and other community members can report: allegations of sexual misconduct, retaliation by individuals or staff for reporting sexual misconduct, and/or staff actions or neglect that may have contributed to an incident of sexual misconduct.

The PREA audit team noted no requirement for the alleged victim to agree to have the request filed on his/her behalf or require the alleged victim to personally pursue any subsequent steps in administrative remedy process. Nor is there a requirement for agency documentation if the inmate declines to have third-party assistance in filing.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.52 (f)

WCC PAQ noted one policy corresponding to this provision. Policy 550.100 Offender Grievance Program state grievances alleging sexual misconduct will be forwarded to the PREA coordinator per DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting and will not be reviewed through the grievance process.

WADOC Offender Grievance Program manual state emergency complaints are those that involve a potentially serious threat to the life or health of an offender or staff member, relate to severe pain being suffered by the offender, or that involve a potential threat to the orderly operation of a facility, and its resolution would be too late if handled through routine administrative or grievance channels... If an offender believes he/she has a complaint that is an emergency, he/she must check the "EMERGENCY" box at the top of the complaint form, write his/her complaint, and submit it to a staff person immediately after the incident so that it may be processed in a timely manner. Emergency Complaints are handled by the Grievance Coordinator or designee (most often, but not always, the Shift Lieutenant).

The PREA audit team reviewed the timeframes for emergency complaint responses. If grievance coordinator/designee determines complaint as operations related, the response will occur within 8 hours (within shift). If determined medical related, the response will occur within 1 hour.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.52 (g)

WCC PAQ noted one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state a report of sexual abuse made in good faith will not constitute providing false information even if the investigation does not establish sufficient evidence to substantiate the allegation.

The PREA audit team noted WCC reported zero number of inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.53 Inmate access to outside confidential support services

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. Office of Crime victims Advocacy (OCVA) brochure and poster
- d. WCSAP information brochure
- e. In-Person Victim Advocacy Services Guide
- f. Advocate confidentiality summary
- g. MOU WA Department of Commerce Office of Crime Victims Advocacy (OCVA)
- h. WADOC Offender Orientation video

#### Interviews

- a. Random inmates
- b. Inmates who reported sexual abuse

#### Findings (by provision)

##### 115.53 (a)

WCC PAQ indicated one policy corresponding to this provision. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state PREA coordinator... Maintain a memorandum of understanding for external victim advocacy services... Individuals will have toll-free access to Sexual Assault Support and Information Line operated by the Office of Crime victims Advocacy (OCVA).

28 Random inmates were interviewed. They reported they were aware of the victim services availability for inmates and how to access them on the 1800 phone line.

Inmates who reported sexual abuse were interviewed. They reported they know they have the option of writing to Colorado or using the phone number for victim services.

The PREA audit team observed postings of the number for Victim advocacy located by the inmate telephones within the facility. The facility does not house individuals detained solely for civil immigration purposes.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.53 (b)

WCC PAQ indicated inmates are informed prior to giving them access to outside support services that their communications will not be monitored. The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law.

28 Random inmates were interviewed. They reported the conversations with the victim advocates would be private because they were like counselors.

Inmates who reported sexual abuse were interviewed. They reported the information for victim advocates are on posters and they can call them on 1800 line if they wanted to.

The PREA audit team reviewed services provided by OCVA are confidential and that they are not associated with the DOC. Appointments for outside victims' services are coordinated with the facility for scheduling.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.53 (c)

WCC PAQ indicated one policy corresponding to this provision. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state PREA coordinator... Maintain a memorandum of understanding for external victim advocacy services.

WCC PAQ indicated WADOC has an MOU with MOU WA Department of Commerce Office of Crime victims Advocacy (OCVA) for services.

The PREA audit team noted OCVA provide victim services for inmates seeking emotional support for sexual abuse. The MOU describes the responsibilities of the parties involved in an effort to facilitate and provide support services to inmates.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.54 Third-party reporting

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. WADOC Information for Family and Friends brochure
- d. WADOC public website <https://doc.wa.gov/corrections/prea/default.htm>
- e. WADOC Inmate Handbook

Findings (by provision)

115.54 (a)

WCC PAQ indicated one policy corresponding to this provision. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state PREA coordinator... Maintain PREA content for the department website, including publication of required information and documents... The PREA compliance manager will coordinate local PREA compliance and: Coordinate monthly check to verify: Posters and brochures provided by the PREA coordinator are posted in areas accessible to individuals and the public, including Health Services areas and case manager offices... Visitors, family members/associates, and other community members can report allegations by calling the PREA hotline, writing a letter to the PREA coordinator or sending an email to [DOCPREA@doc.wa.gov](mailto:DOCPREA@doc.wa.gov).

The PREA audit team reviewed the public website to confirm information on how to report sexual abuse and sexual harassment on behalf of an inmate are identified for a member of the public to access.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.61 Staff and agency reporting duties

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 350.550 Reporting Abuse and Neglect/Mandatory Reporting
- c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- d. 490.850 Prison Rape Elimination Act (PREA) Response
- e. 490.860 490.860 Prison Rape Elimination Act (PREA) Investigation
- f. PREA brochure for Staff, Volunteers and Contractors
- g. PREA poster (English and Spanish)
- h. Offender Statewide Handbook
- i. Medical and Mental health PREA poster
- j. WCC complaint log

#### Interviews

##### Random staff

##### Medical and Mental Health staff

##### Superintendent

##### PREA Coordinator

#### Findings (by provision)

##### 115.61 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state staff must immediately report any knowledge, suspicion, or information received, including anonymous and third-party reports regarding an allegations or incident of sexual misconduct occurring in any incarceration setting even if it is not a department facility. This also includes related retaliation and knowledge of staff actions or neglect that may have contributed to an incident.

12 Random staff were interviewed. They reported WCC requires all staff to report to the shift commander or to the superintendent any knowledge, information or suspicious of sexual abuse/sexual harassment, retaliation, or staff neglect.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.61 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state staff receiving any information regarding an allegation or incident of sexual misconduct must deliver the

information confidentially and immediately per the PREA reporting process.

12 Random staff were interviewed. They reported agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.61 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state offenders will be informed of requirements of mandatory reporting at reception, and information will be posted in Health Service's are where it can be seen by offenders... Health services providers must inform of the duty to report before providing treatment when an offender; Displays signs/symptoms of sexual misconduct that are identified or observed in the course of an appointment or examination or discloses to a medical or mental health provider sexual misconduct that occurred while in any correctional setting.

Medical and mental health staff were interviewed. They reported disclosure to inmates about the limitations of confidentiality. Referrals are documented on DOC 13-509 PREA Mental Health Notification.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.61 (d)

WCC PAQ indicated two policies corresponding to this provision. Policy 350.550 Reporting Abuse and Neglect/Mandatory Reporting state any employee, contract staff, or volunteer who has reasonable cause to believe, based on observations made or information received in the coursed of his/her duties, that a; child has suffered abuse and/or neglect or vulnerable adult has suffered abuse, abandonment, financial exploitation, and /or neglect.

Policy 490.850 Prison Rape Elimination Act (PREA) Response state the department will report suspected child abuse/neglect and incidents of abuse, abandonment, financial exploitation, or neglect involving vulnerable adults to the appropriate authority.

The superintendent was interviewed. He reported juveniles are directly sent to receiving for processing and then straight to a juvenile facility. The incident would be reported to Department of Health Services for a juvenile or a vulnerable adult.

The PREA compliance manager was interviewed. She reported the agency does not house anyone under the age of 18. They would go to a juvenile facility until age 25. But regardless of the current age of the reporting person, if the incident occurred when they were under the age of 18, we still contact Child Protective Services (CPS) and refer to Law Enforcement. Within the OMNI system every vulnerable adult will be identified. In every reported allegation to the shift commander, the shift commander is responsible to verify if the inmate is a vulnerable adult. The shift commander is then responsible for notifications to Adult Protective Services (APS) and Law Enforcement. It will be documented in an incident report (IR). In the state of WA, APS services is responsible for the investigation. There is an inter-agency agreement that cedes auth to DOC to investigate these allegations. We can always consult with APS during course of the investigation.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.61 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state The PREA coordinator/designee will review all allegations, determine which allegations fall within the definition of sexual misconduct, and forward those allegations to the appropriate appointing authority for investigation.

The superintendent was interviewed. He reported allegations directed to the shift commander or to the superintendent. There will be an incident report, then the allegation will be triage, and then it may be assigned to an investigator.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.62 Agency protection duties

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- c. 490.850 Prison Rape Elimination Act (PREA) Response
- d. WCC Offender who scored as Potential Victim
- e. Sample of Chronos Monitoring plans
- f. Sample of Monitoring plans for Transgender
- g. Sample of Sexual Misconduct Incident report
- h. Sample of Housing reviews

Interviews

Agency Head

Superintendent

Random staff

Findings (by provision)

115.62 (a)

WCC PAQ indicated two policies corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments identify monitoring plans for offenders at increased risk for sexual victimization or predation as well as monitoring plans for transgender and intersex offenders... Immediate actions will be taken to protect the offender when it has been determined that she/he is at substantial risk of immediate sexual assault or abuse.

Policy 490.850 Prison Rape Elimination Act (PREA) Response identify the appointing authority's responsibilities regarding an Offender on Offender misconduct as well as Staff Sexual Misconduct incidents... The Appointing Authority/designee will attempt to minimize any disturbance to the alleged victim's housing location, program activities, and/or supervision during the investigation... In prisons, an alleged victim will be placed in administrative segregation/secured housing only at offender's documented request or if the appoint authority/designee has specific information that the alleged victim may be a danger to him/herself or in danger from other offenders... The placement should only be made when no suitable alternative housing exists and last only as long as necessary for the offender's protection.

The Agency head was interviewed. He reported we have a facility risk management team. We look at the risk for sexual abuse and sexual assault. We look at who the potential victim or perpetrator may be. They are monitored by a multi-disciplinary team consisting of a unit manager, a counselor, and unit sergeant. They'll look for behavior changes, maintain an open-door policy for the alleged victim. Conduct an investigation and make referrals to prevent a sexual abuse or sexual harassment.

The Superintendent was interviewed. He reported PREA risk assessments will determine where the offender will be housed and with whom. There is Housing protocol to decide what facility an offender should be housed at. There is a high

population of transgender offenders at WCC. We don't house at risk offenders with other at-risk offenders. The information is maintained in the management information system and by log entries.

12 Random staff were interviewed. They reported the most important immediate action is to separate the victim from the alleged perpetrator. Notify the shift commander and ensure everyone is safe until the team arrives.

The PREA audit team reviewed documentation for the previous 12 months and noted 102 times the agency or facility determined an inmate was subject to substantial risk of imminent sexual abuse. The average time that passed before agency or facility took action was 2 hours. As soon as the interview is completed, any allegations are reported and if at risk, housing is reviewed to ensure appropriate cell mate and monitoring plan is put into place.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.63 Reporting to other confinement facilities

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.850 Prison Rape Elimination Act (PREA) Response
- c. 490.860 Prison Rape Elimination Act (PREA) Investigation
- d. List of applicable cases in which allegation was received about another facility or jurisdiction
- e. List of applicable cases in which allegation was received by another facility or jurisdiction
- f. Sample of email notification from WCC to another facility or jurisdiction

#### Interviews

#### Findings (by provision)

##### 115.63 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state the appointing authority will notify the appropriate appointing authority or facility administrator within 72 hours of receipt of an allegation when the alleged incident; Occurred in another department location or another jurisdiction... Involve a staff who reports through another appointing authority.

The PREA audit team noted in the past 12 months, WCC received 27 allegations that an inmate was abused while confined at another facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.63 (b-c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state the appointing authority will notify the appropriate appointing authority or facility administrator within 72 hours of receipt of an allegation when the alleged incident; Occurred in another department location or another jurisdiction... Involve a staff who reports through another appointing authority.

The PREA audit team reviewed a sample of email notification from WCC to another facility or jurisdiction within 72 hours of receipt of an allegation for that other facility. Also reviewed was a list of applicable cases in which allegation was received by another facility or jurisdiction.

A final analysis of the evidence indicates the facility is compliant with this provision.

116.63 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving individuals under the jurisdiction or authority of the department.

The Agency head was interviewed. He reported allegations of sexual abuse or sexual harassment that occurred in a WADOC facility will be filtered through the PREA unit for triage.

The Superintendent was interviewed. He reported that the notification is received via email.

The PREA audit team noted in the past 12 months, one allegation of sexual abuse was received from other facilities.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.64 Staff first responder duties**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 420.375 Contraband and Evidence Handling
- c. 490.850 Prison Rape Elimination Act (PREA) Response
- d. First Response Actions
- e. WCC Case database noting how allegations were received

Interviews

First Responders

Inmates who reported sexual abuse

Random staff

Findings (by provision)

115.64 (a-b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response – Aggravated Sexual Assault Checklist (Attachment 1) provides an orderly process in which to respond to an aggravated sexual assault.

15 First responders (Security staff and Non-Security staff) were interviewed of which 12 were selected to be interviewed as random staff. They were all able to articulate separating the alleged victim from abuser, preserve and protect crime scene for evidence, does time allow for collection of physical evidence, if so request alleged abuser not take any action that could destroy physical evidence (e.g. washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating).

8 Inmates who reported sexual abuse were interviewed. They reported staff helped them right away and separated them from the rest of the people in the unit.

The PREA audit team reviewed the WCC Case database noting how allegations of sexual abuse were received.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.65 Coordinated response**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.850 Prison Rape Elimination Act (PREA) Response
- c. PREA Response Plan

Interviews

Superintendent

Findings (by provision)

115.64 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state each prison, work release, and field office will maintain a PREA response plan providing detailed instruction for responding to allegations of sexual misconduct... The PREA response plan will consist of 4 sections composed of the document listed in PREA response plan contents (Attachment 7) ... The plan will be maintained by the PREA compliance manager/specialist: In the shift commander's office for prisons... with the emergency management plan for work release and field offices.

The Superintendent was interviewed. He reported WCC 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 aggravated sexual assault allegation.

The PREA audit team reviewed the WCC PREA Response Plan (134 pages) for compliance to this provision.

A final analysis of the evidence indicates the facility is compliant with this provision.

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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. Collective Bargaining Agreement (2021-2023) WADOC

Interviews

Agency Head

Findings (by provision)

115.66 (a)

WCC PAQ noted a Collective Bargaining Agreement (2021-2023) WADOC corresponding to this provision.

The Agency head was interviewed. He reported All collective bargaining agreements (CBA) contain language allowing the removal of alleged staff from contact with alleged inmate victim pending investigation or determination of discipline warranted. The CBAs do not preclude our PREA investigative process, even if the staff member resigns, we'll continue the investigation to its conclusion.

The PREA audit team reviewed CBA language and noted that it does not contain language limiting the agency's ability to remove an alleged staff sexual abuser from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.67 Agency protection against retaliation**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.860 Prison Rape Elimination Act (PREA) Investigation
- c. Facility Case Log detailing cases applicable for monitoring
- d. PREA Monthly Retaliation Monitoring Report
- e. WCC Offender Complaint Log
- f. Sample documentation of retaliation monitoring during an investigation
- g. WCC list of who conducts PREA Monitoring

Interviews

Agency Head

Superintendent

Retaliation Monitoring staff

Inmates in Seg at risk for sexual victimization/who allege to have suffered sexual abuse

Inmates who reported a sexual abuse

Findings (by provision)

115.67 (a-b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state retaliation against anyone for reporting sexual misconduct or participating in an investigation of such misconduct is prohibited and may result in disciplinary actions.

The Agency head was interviewed. He reported the monitoring staff will meet on a regular basis with inmates or staff for retaliation monitoring. Housing changes or transfers, removal of alleged abusers, emotional support services are an option for the alleged victims.

The Superintendent was interviewed. He reported if staff is the accused, we will move staff not the alleged victim. We will discuss with staff involved so the victim is are taken care of and made to feel safe.

The Retaliation Monitoring staff was interviewed. He reported that he would watch the alleged victim to ensure they are being treated fairly and not singled out for participating in an investigation. He would check for any write ups and does the alleged victim or the staff have any concerns. I will initiate contact with the alleged victim on a weekly basis when I do my rounds. They can also send me kites.

4 Inmates who reported a sexual abuse were interviewed. They reported they felt protected enough against possible retaliation from other inmates.

The PREA audit team reviewed documentation of protective measures taken for inmates at WCC and noted there are 9 current Retaliation Monitors fulfilling this role.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.67 (c-d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state Retaliation monitoring will continue for 90 days following notification or longer inf the appointing authority determines it is necessary.

The Superintendent was interviewed. He reported the measures taken if suspected retaliation is to investigate and follow up with the alleged victim. The corrective discipline would apply if it's a staff member. The Corrections Unit Supervisors are normally assigned as retaliation monitors.

The Retaliation Monitoring staff was interviewed. He reported that his retaliation monitoring normally lasts 90 days or less. He has yet needed to extend a monitoring period. I will initiate contact with the alleged victim on a weekly basis when I do my rounds. They can also send me kites.

The PREA audit team reviewed 12 months of retaliation monitoring forms to determine compliance with this provision.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.67 (e)

The Agency head was interviewed. He reported an individual who cooperates with an investigation expresses a rear of retaliation, measures to protect that individual would be completed through retaliation monitoring. We monitor up to 90 days, and even longer if needed. Human Resources will check in with staff regularly, if it's an inmate then the PREA unit will check in with them.

The Superintendent was interviewed. He reported the different measures taken to protect inmates and staff from retaliation would be Unit changes/transfer or removal of alleged abuser.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.68 Post-allegation protective custody

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.850 Prison Rape Elimination Act (PREA) Response
- c. WCC Investigation showing housing before and after allegation

Interviews

Superintendent

Staff who supervise inmates in Segregated Housing

Inmates in Segregated Housing (for risk of sexual victimization/who allege to have suffered sexual abuse)

Findings (by provision)

115.68 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state in prisons, an alleged victim will be placed in Administrative Segregation/secured housing per DOC 320.200 Administrative Segregation or DOC 320.260 Secured Housing Units only; At his/her documented request or if the Appointing Authority/designee has specific information that the alleged victim may be a danger to him/herself if in danger to other offenders... the placement should only be made when no suitable alternative housing exists and last only as long as necessary for the offenders' protection.

The Superintendent was interviewed. He reported agency policy prohibit inmates at risk for sexual victimization or who have alleged SA to be placed into segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers. It's in our PREA policy with a caveat that if we have no other place to put them, we do need to protect them. Inmates at high risk for sexual victimization or who have alleged sexual abuse would only be placed into involuntary segregated housing for as little time as possible, they are prioritized to be moved quickly.

The Staff who supervise inmates in Segregated Housing were interviewed. He reported inmates placed in RHU for protection from sexual abuse or after having alleged sexual abuse, still have access to Programs; retain Privileges; Education access; and Work Opportunities. The facility documents everything. inmates are placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. The least amount of time possible so we can get them out. We do have the ability to single cell in RHU. Once an inmate is assigned to involuntary segregated housing, does the facility review the inmate's circumstances every 30 days to determine if continued placement in involuntary segregated housing is needed.

The PREA audit team noted WCC did not have any offenders in the previous 12 months housed in segregation who alleged to have suffered sexual abuse for longer than one to 24 hours awaiting completion of assessment. Nor was there an offender placed in segregation to have suffered sexual abuse during the onsite review.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.71 Criminal and administrative agency investigations

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 400.360 Polygraph Testing of Offenders
- c. 420.375 Contraband and Evidence Handling
- d. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- e. 490.860 Prison Rape Elimination Act (PREA) Investigation
- f. 14 sample investigations reviewed
- g. WCC investigator transcript samples of completed Investigator training
- h. PREA Workplace Investigation Training Participants
- i. WCC PREA Cases opened and/or closed
- j. Investigator Training Guide
- k. WCC LE licensing Referrals
- l. MOU with WA State Patrol
- m. PREA for Appointing Authorities
- n. Sample of Local PREA Investigation Review Checklist
- o. WCC Local Review Committee
- p. WADOC Records Retention Schedule Version 1.5 (April 2018)

#### Interviews

Investigative staff

Inmates who reported sexual abuse

Superintendent

PREA Coordinator

PREA Compliance Manager

Findings (by provision)

115.71 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the department will thoroughly, promptly, and objectively investigate all allegations of sexual misconduct involving individuals under the jurisdiction or authority of the department.

6 Investigative staff were interviewed. They reported the investigations into sexual abuse and sexual harassment are initiated as soon as they're assigned. Anonymous or 3rd party reports of sexual abuse and sexual harassment are investigated the same way; the process doesn't change.

The PREA audit team reviewed 14 samples of investigative records/reports for allegations of sexual abuse or sexual harassment.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state PREA investigators will be trained in: Crime scene management/investigation, including evidence collection in Prisons and Work/Training Releases... Confidentiality of all investigation information... Miranda and Garrity warnings, compelled interviews, and the law

enforcement referral process... Crisis intervention... Investigating sexual misconduct... Techniques for interviewing sexual misconduct victims... and Criteria and evidence required to substantiate administrative action or prosecution referral.

Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state investigators will be assigned by the Appointing Authority/designee and must be trained per DOC 490. 800 Prison Rape Elimination Act (PREA) Prevention and Reporting. Investigators will; Interview alleged victims, accused individuals/staff, and witnesses. Persons interviewed will be asked tossing DOC 03-484 Interview Acknowledgment... Refer the individual for mental health assessment using DOC 13-509 PREA Mental Health Notification if the investigation uncovers new information that the individual was the victim of any physical and/or emotional trauma of a sexual nature, whether in an institutional setting or in the community... Collect any additional evidence per 420.375 Contraband and Evidence Handling, DOC 420.365 Evidence Management for Work/Training Release, or 420.395 Evidence/Property Procedures for Field.

6 Investigative staff were interviewed. They reported they all received specialized PREA investigator training. The topics included the PREA standards, investigative process, use of SAFE/SANE services, interviewing techniques, information on how to ID witness, compassion for the victim, requirement for the reporting writing. To include attachment, forms, IR, referrals, collecting information from the reporting person, and getting the details of the allegations. We're fact finders only, we're to remain unbiased for investigations.

The PREA audit team reviewed 14 samples of investigative records/reports for allegations of sexual abuse or sexual harassment.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 420.375 Contraband and Evidence Handling state the shift commander/investigator will ensure evidence collected is handled using standard precautions. Employees/contract staff must wear gloves whenever handling evidence.

Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state Collect any additional evidence per DOC 420.375 Contraband and Evidence Handling, DOC 420.365 Evidence Management for Work/Training Release, or DOC 420.395 Evidence/Property Procedures for Field.

6 Investigative staff were interviewed. They reported the WCC process is an assignment letter detailing the events of who,

what, where, and why will be sent via email. With the victim, perpetrator, and any witness's info if known. We review the static information on the report. The first thing is to meet with victim and interview them, have them sign an acknowledgement form. I explain why I'm investigating and the PREA zero tolerance policy. At the interview let them talk about concerns from their point of view and what happened. Then compare the initial report and their statement. Let them know it's an active investigation and it's ongoing, the investigation is a need to know basis only. It will be forwarded to the appointing authority when completed. We have a zero tolerance for retaliation policy. An inmate can report an allegation by writing to Colorado or through a 3rd party and we'll still investigate. If the perpetrator is unknown, we'll try to get a physical description. I'll ask about any distinguishing characteristic. We can do a photo lineup by taking off the names and DOC numbers. Keep it to 3 or 4 pictures. Let them know there may be follow up interviews. Try to keep names out of it. After the interviews, send them the form to sign or request changes from the interview. Then compile the facts on the OMNI system to verify information. Make investigative notes within the report and collect the attachments together for the packet. If the conduct was criminal in nature then report that to the appointing authority and the PREA Coordinator. We're responsible for all the evidence collection.

The PREA audit team reviewed 14 samples of investigative records/reports for allegations of sexual abuse or sexual harassment.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.71 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state all allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the appointing authority/designee... When a substantiated allegation is criminal in nature, the appoint authority/designee will notify law enforcement

6 Investigative staff were interviewed. They reported when there's evidence that a prosecutable crime may have taken place, they contact law enforcement (Mason county Sheriff's Office). Staff at WCC are administrative investigators, not criminal investigators. Law enforcement are the decision makers about referring for prosecution. WCC does not make that decision.

The PREA audit team reviewed 14 samples of investigative records/reports for allegations of sexual abuse or sexual harassment.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.71 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 400.360 Polygraph Testing of Offenders state offenders who are alleged victims, reporters, or witnesses in Prison Rape Elimination Act (PREA) investigations will not be asked or required to submit to a polygraph examination regarding the alleged misconduct under investigation.

6 Investigative staff were interviewed. They reported credibility of the alleged victim, suspect, or witness is assessed on an individual basis and not their status as inmate or staff. This is part of the DOC 02-378 Investigative Finding Sheet check list.

9 Inmates who reported sexual abuse. They reported they were not required to take a polygraph test as a condition for proceeding with a sexual abuse investigation.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (f)

6 Investigative staff were interviewed. They reported the PREA committee will review the investigation to determine whether staff actions or failures to act contributed to the sexual abuse. Administrative investigations include documentation on the interviews, an interview summary, acknowledgment forms, any video, evidence collected, auxiliary reports, any additional documents, assignment letter, conduct of the person at interviews and whether it was referred to law enforcement or not.

The PREA audit team reviewed a sample of investigative checklists of administrative investigations.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (g)

WCC PAQ noted MOU with WA State Patrol for criminal investigations. The WA State Patrol has an understanding with WCC. Criminal investigations will be conducted by the local law enforcement agency, Mason County Sheriff's Office. If for any reason the MCSO cannot take the criminal investigation the WA State Patrol will investigate.

6 Investigative staff were interviewed. They reported criminal investigations will be conducted by the Mason County Sheriff's Office as WCC staff conduct administrative investigations only.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (h)

WCC PAQ noted WCC had zero substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit.

6 Investigative staff were interviewed. They reported that cases of a criminal nature are referred to law enforcement and they will determine if it is referred for prosecution, not WCC.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.71 (i)

WCC PAQ noted 36 investigations of sexual abuse in past 12 months, of which 14 were selected for review by PREA audit team. Hard copies of the PREA investigations are secured behind a locked file cabinet within the WCC PREA compliance specialist's office. Only encrypted electronic copies are sent out for review. The hard copies remain within the PCS office.

The PREA audit team reviewed 14 samples of investigative records/reports for allegations of sexual abuse or sexual harassment.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.71 (j)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the PREA coordinator/designee will maintain electronic PREA case records per the Records Retention Schedule. Policy 490.860 also states Investigations will be completed even if the individual is no longer under department jurisdiction or authority and/or the accused staff, if any, is no longer employed by or providing services to the department.

WCC PAQ noted WADOC Records Retention Schedule indicates that Investigations – Prison Rape Elimination Act (PREA) – Records relating to prison rape investigations as designated by 27CFR Parts 115.71 and 115.271 involving but not limited to offenders and staff. Includes, but is not limited to: Incident and investigation reports... Copies of evidence cards... Photographs... Interview acknowledgment forms. RETAIN for 50 years after close of investigation then DESTROY.

6 Investigative staff were interviewed. They reported when a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation into his/her conduct the investigation will continue to its conclusion.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.71 (k-l)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state all allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the Appointing authority/designee. Referrals may be made using DOC 03-505 Law Enforcement Referral of PREA allegation... Investigation reports received from law enforcement will be an attachment to the final PREA investigation report submitted... When a substantiated allegation is criminal in nature, the Appointing authority/designee will notify; Law enforcement, unless such referral was made previously during the cause of the investigation, and relevant licensing bodies.

The Superintendent was interviewed. He reported when an outside agency investigates allegations of sexual abuse WCC is remained informed of the progress of the investigation by Intelligence and Investigation Unit (I&I). Generally, the chief for that office that is the direct liaison.

The PREA Coordinator was interviewed. She reported we have a unique system in Washington. Law enforcement contact differ for each facility. If the facility is in the city - the police department will respond. If the facility is in the county - the sheriff's department will respond, or we engage with the WA state patrol. Every facility representative is required to meet with their Law Enforcement POC annually to discuss PREA and expectations. We also involve victims advocate for the facility. Each facility has a designated person (I&I unit chief at Shelton) to engage with the law enforcement units.

6 Investigative staff were interviewed. They reported when an outside agency investigates an incident of sexual abuse at WCC, they can help coordinate interviews with inmates and brief the approving authority of any issues.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.72 Evidentiary standard for administrative investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.860 Prison Rape Elimination Act (PREA) Investigation
- c. PREA for Appointing Authorities – Determination of Findings
- d. WCC PREA Cases open and/or closed
- e. RCW 72.09.225 Sexual misconduct by state employees, contractors

Interviews

Investigative staff

Findings (by provision)

115.72 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state for each allegation in the report, the Appointing authority will determine whether the allegation is: Substantiated... Unsubstantiated... or Unfounded.

WCC PAQ provided an excerpt of PREA for Appointing Authorities – 4.13 Determination of Findings. No standard higher than preponderance of the evidence is to be used in determining whether allegations are substantiated.

6 Investigation staff were interviewed. They reported the standard of evidence required to substantiate allegations of sexual abuse or sexual harassment was preponderance of the evidence.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.73 Reporting to inmates

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.860 Prison Rape Elimination Act (PREA) Investigation
- c. WCC PREA Cases opened and/or closed
- d. Sample tracking log of closed investigations and notification dates to the alleged victims
- e. Sample DOC 02-400 Notice of PREA Investigation Findings

Interviews

Superintendent

Investigative staff

Inmates who reported sexual abuse

Findings (by provision)

115.73 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state once the appointing authority has made a determination, the alleged victim will be notified of the findings... The appointing authority/designee of the facility where the individual is housed will inform the individual of the findings in person, in a confidential manner... Notification may be provided in writing if the individual is in restrictive housing... If the individual has been released, the appoint authority will inform the individual of the findings in writing to the last know address as documented in the electronic file.

The superintendent was interviewed. He reported the alleged victim will receive a letter in a sealed envelope by the Program Corrections Supervisor or the Unit manager if they are in restricted housing otherwise the notification is done in person (notice of investigation findings).

6 Investigative staff were interviewed. They reported the appointing authority is responsible for ensuring the notifications are made to the alleged victims of whether the allegation was determined to be substantiated, unsubstantiated, or unfounded following an investigation. Usually it's a unit manager that conducts the in-person meeting with the results of the investigation.

8 Inmates who reported sexual abuse were interviewed. They reported they were aware of the requirement for notification at the conclusion of a PREA investigation. They were not aware that it had to be in person.

The PREA audit team reviewed a sample of the tracking log identifying closed PREA investigations the dates of notification to the alleged victims of the results as well as reviewed sample notification forms DOC 02-400 from closed investigation files.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.73 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state all allegations that appear to be criminal in nature will be referred to law enforcement for investigation by the appointing authority/designee. Referrals may be made using DOC .3-505 Law Enforcement Referral of PREA Allegations...

Investigation reports received from law enforcement will be an attachment to the final PREA investigation report submitted.

The PREA audit team did not note any outside agency investigations for alleged inmate sexual abuse at WCC during the 12-month review period.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.73 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state substantiated/unsubstantiated allegations of staff sexual misconduct against employees: the alleged victim will be notified: When the accused employee is no longer regularly assigned to the individuals housing unit... when the accused employee no longer works at the facility and... If the department learns that the accused employee has been indicted on or convicted of any charge rated to staff sexual misconduct within the facility... the appoint authority/designee will track all cases, make required notifications and forward copies to the PREA coordinator... Notifications will be provided to the alleged victims in a confidential manner through legal mail or by another method determined by the appointing authority.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.73 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state the department will make the following notifications, in writing, to alleged victims until they are no longer under department jurisdiction... Individual on individual allegations of sexual assault or abuse: ... the alleged victim will be notified if the department learns the accused has been indicted on or convicted of a charge related to sexual assault or abuse within the facility...

The PREA audit team reviewed Notification logs for WCC of closed out investigations to confirm compliance.

8 Inmates who reported sexual abuse were interviewed. They confirmed they received notification of when their investigations were completed.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.73 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state the PREA coordinator/designee will track all cases and make required notifications.

The PREA audit team reviewed Sample tracking log of closed investigations and notification dates to the alleged victims to confirm compliance.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.73 (f)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation

state the department will make the following notifications in writing to the alleged victims until they are no longer under department jurisdiction.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.76 Disciplinary sanctions for staff

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 450.050 Prohibited Contact
- c. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- d. 490.860 Prison Rape Elimination Act (PREA) Investigation
- e. RCW 72.09.225 Sexual Misconduct by State Employee, Contractors.
- f. WAC 357.40.010 Can an appointing authority take disciplinary action

Findings (by provision)

#### 115.76 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state employees may be subject to disciplinary action, up to and including termination, for violating department PREA policies.

RCW 72.09.225 state the Secretary shall immediately institute proceedings to terminate the employment of any person: (a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the inmate; or (b) Upon a guilty plea or conviction for any crime specified in chapter 9A.44 RCW when the victim was an inmate.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.76 (b)

RCW 72.09.225, "Sexual misconduct by state employees, contractors" states in relevant part: "The Secretary shall immediately institute proceedings to terminate the employment of any person: (a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the inmate.

The PREA audit team noted there were zero in the past 12 months, of WCC staff who have violated agency sexual abuse or sexual harassment policies and zero in the past 12 months, of WCC staff who have been terminated for violating agency sexual abuse or sexual harassment policies.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.76 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA)

Investigation state employees may be subject to disciplinary action, up to and including termination, for violating department PREA policies.

The PREA audit team noted there were zero in the past 12 months, of WCC staff who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies

A final analysis of the evidence indicates the facility is compliant with this provision.

115.76 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state when a substantiated allegation is criminal in nature, the appointing authority/designee will notify: Law enforcement, unless such referral was made previously during the course of the investigation, and... Relevant licensing bodies.

The PREA audit team noted there were zero in the past 12 months, of WCC staff that were reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.77 Corrective action for contractors and volunteers

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 450.050 Prohibited Contact
- c. 490.860 Prison Rape Elimination Act (PREA) Investigation
- d. RCW 72-09-225 Sexual Misconduct by State Employee, Contractors

Interviews

Superintendent

Findings (by provision)

#### 115.77 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state any contractor or volunteer who engages in sexual abuse is prohibited from contact with residents and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

The PREA audit team noted there were zero in the past 12 months, of WCC contractors or volunteers reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates also there were zero in the past 12 months, of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.77 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 450.050 Prohibited Contact state presumptive restrictions for contact between an individual found to have engaged in staff sexual misconduct and any offender will result in permanent restriction on visitation (maybe appealed after 3 years) or an 18-month restriction on telephone and mail communication including eMessaging. All other substantiated allegations of staff sexual misconduct will result in a one-year restriction on telephone and mail communication including eMessaging, and a 2-year restriction on visitation.

The superintendent was interviewed. He reported any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer would result in immediate removal. WCC would terminate their access to the facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.78 Disciplinary sanctions for inmates

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 460.000 Disciplinary Process for Prisons
- c. 460.050 Disciplinary Sanctions
- d. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- e. 490.860 Prison Rape Elimination Act (PREA) Investigation
- f. WAC 138.28 Discipline-Prisons
- g. WAC 137-25-020 Definitions
- h. WAC 137-28-310 Decision of Hearing Officer
- i. WAC 137-28-360 Sanctions and Mental Status
- j. WCC PREA Cases opened and/or closed

#### Interviews

Superintendent

Medical and Mental Health Staff

#### Findings (by provision)

##### 115.78 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 460.050 Disciplinary Sanctions state the disciplinary hearing officer will determine the appropriate sanction(s) when an offender is found guilty of a violation... For substantiated PREA allegations against an offender, an infraction report must be written against the accused per DOC 490.860 Prison Rape Elimination Act (PREA) Investigation.

The PREA audit team noted zero administrative findings of inmate on inmate sexual abuse at WCC in the past 12 months and zero criminal findings of guilt for inmate on inmate sexual abuse at WCC in the past 12 months.

A final analysis of the evidence indicates the facility is compliant with this provision.

##### 115.78 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 460.050 Disciplinary Sanctions state the offender's disciplinary record, prior conduct, mental status, overall facility adjustment, and employee/contract staff recommendations may be considered.

The Superintendent was interviewed. He reported sanctions are based on the inmates' disciplinary history, and the sanctions imposed for similar offenses by other inmates with similar histories. It will also depend on the level of victimization.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.78 (c)

WAC 137-28-360 Sanctions and mental status state in determining an appropriate sanction, the hearing officer should consider the offender's mental health and his/her intellectual, emotional, and maturity levels and what effect a particular sanction might have on the offender in light of such factors. The hearing officer may request the assistance of other department staff members, including mental health staff members, in determining appropriate sanctions.

The Superintendent was interviewed. He reported everything is taken into consideration at the disciplinary hearing to include mental disability or mental illness when determining sanctions. There's always the potential for another violation. We trying to mitigate the risk and to keep everyone safe.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.78 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 460.050 Disciplinary Sanctions state Prison Rape Elimination Act (PREA) violations... An offender who is found guilty of a 611, 613, or a 637 violation may be sanctioned to a multidisciplinary Facility Risk Management Team review for consideration of available interventions (e.g. Mental Health Therapy, Sex Offender Treatment and Assessment Program, Anger Management).

Medical and Mental Health Staff were interviewed. They reported the amount of time the offenders spend at WCC is limited so a brief therapy solution is offered to the offenders. These brief therapy sessions are voluntary and we would be required to have their approval to participate.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.78 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state that a resident may not be disciplined for sexual contact with a staff member unless it is found that the staff member did not consent to such contact.

The PREA audit team noted there were no allegations in the past 12 months of sexual contact between an offender and a staff member.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.78 (f)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation section state that a resident who reports sexual abuse 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.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.78 (g)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting (Definitions) states Consensual, non-coerced sexual activity between individuals under the department's jurisdiction is prohibited by department rule, but is not defined as a violation of PREA policies.

A final analysis of the evidence indicates the facility is compliant with this provision.

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

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments
- d. 610.025 Health Services Management of Alleged Sexual Misconduct Cases
- e. 630.500 Mental Health Services
- f. WCC Offenders who indicated "yes" to see Mental Health at PRA screening
- g. Sample documents of DOC 13-509 PREA Mental Health Notification requests
- h. Health Record Procedure

Interviews

Inmates who disclose sexual victimization at risk screening

Staff risk screeners

Medical and Mental Health staff

Findings (by provision)

115.81 (a-b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.820 Prison Rape Elimination Act (PREA) Risk Assessments and Assignments state Prison Mental health Services... At the time the PREA is completed, classification counselors will complete referrals for mental health services using DOC 13-509 PREA Mental Health Notification if the screening indicates that the offender has perpetrated sexual abuse and/or has experienced prior sexual victimization, whether in an institutional setting or in the community.

Policy 630.500 Mental Health Services state a mental health provider will assess the need for mental health services incases where the offender reports sexual abuse or has been identified as a victim or perpetrator for sexual abuse and is requesting mental health services.

Inmate who disclose sexual victimization at risk screening was interviewed. He stated that he was asked if he wanted to meet with a medical or mental health staff and he met with a medical staff as he had a fractured eye socket.

6 Staff risk screeners were interviewed. They reported any inmate who has experienced prior sexual victimization or previously perpetrated sexual abuse, whether in an institutional setting or in the community, are offered a follow-up meeting with a medical/mental health staff. It's recorded on a DOC 13-509 PREA Mental Health Notification form.

The PREA audit team reviewed samples of DOC 13-509 and noted the referrals were submitted regardless as the inmates can refuse to speak the medical or mental health staff if they so choose.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.81 (c)

This provision only applies to jail facilities and is not applicable.

115.81 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state information related to allegations/incident of sexual misconduct is confidential and will only be disclosed when necessary for related treatment, investigation, and other security and management decisions. Staff who breach confidentiality may be subject to corrective/disciplinary action.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.81 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state medical and mental health practitioners will obtain informed consent before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the patient is under the age of 18.

2 Medical and Mental Health staff were interviewed. They reported there would be a note in the inmate's record but, there would not be a formal PREA report without the signed consent form. WCC does not have offenders under 18 however, there is no requirement for an informed consent for anyone under 18.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.82 Access to emergency medical and mental health services

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.850 Prison Rape Elimination Act (PREA) Response
- c. 600.000 Health Services Management
- d. 600.025 Health Care Co-payment Program
- e. 610.025 Health Services Management of Alleged Sexual Misconduct Cases
- f. 5 Samples of Aggravated Sexual Assault Checklist
- g. Sample documentation of Medical/Mental health staff
- h. Sample of no charge to the inmate billing for Medical/Mental response services

#### Interviews

Superintendent

Medical and Mental Health Staff

Inmates who reported sexual abuse

First Responders

#### Findings (by provision)

##### 115.82 (a)

WCC PAQ indicated two policies corresponding to this provision. 490.850 Prison Rape Elimination Act (PREA) Response Aggravated Sexual Assault Checklist (Attachment 1) state inmate 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 judgment.

Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state Any incarcerated individual alleging sexual assault, and/or staff sexual misconduct will be referred to a health care provider to evaluate an injury. Medical and mental health treatment services and follow-up care will be provided when clinically indicated. Forensic medical examinations will be conducted at a community health care facility.

2 Medical and Mental Health Staff were interviewed. They reported victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services immediately. The nature and scope of these services will be determined according to our professional judgment.

8 Inmates who reported sexual abuse were interviewed. They reported they were able to see a medical/mental health staff after they reported an abuse.

The PREA audit team reviewed samples of DOC 13-509 PREA Mental Health Notification to confirm referrals are an active part of the screening process.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.82 (b)

WCC PAQ indicated two policies corresponding to this provision. 490.850 Prison Rape Elimination Act (PREA) Response Aggravated state for allegations of aggravated sexual assault, the shift commander/designee will initiate the Aggravated Sexual Assault checklist and the PREA Response Team will conduct a coordinated, multidisciplinary response to the allegation... In prisons, the medical provider attending to the offender will complete the Aggravated Sexual Assault medical follow-Up Checklist (Attachment 1) and submit it to the shift commander.

Policy 490.850 Prison Rape Elimination Act (PREA) Response Aggravated Sexual Assault Checklist (Attachment 1) state the steps to protect the victim and to notify and provide medical and mental health services.

15 First Responders were interviewed. They were able to articulate how they would respond to an allegation of sexual abuse. Separate the victim and abuser, preserve and protect evidence/crime scene, request the victim and abuser not destroy physical evidence, immediately notify the lieutenant/shift commander.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.82 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response Aggravated Sexual Assault Medical Follow-up Checklist (Attachment 2) state sex acts that occurred within the previous 120 hours and involve penetration or exchange of body fluids... With informed patient consent, initiate medical testing as needed per established post exposure prophylaxis, communicable disease, infection prevention, an blood borne pathogens protocols and policies.

2 Medical and Mental Health Staff were interviewed. They reported victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis as determined by the health care member.

8 Inmates who reported sexual abuse were interviewed. They reported they were provided information about, and access to, emergency contraception and/or sexually transmitted infection prophylaxis.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.82 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 600.000 Health Services Management state Medical and mental health services allowed under the Offender Health plan related to sexual misconduct as defined in DOC 490.800

Prison Rape Elimination Act (PREA) Prevention and Reporting will be provided at no cost of the offender.

The PREA audit team reviewed Offender Management Network Information (OMNI) entries for Health Services: Consults: Emergency regarding inmates transported to hospital ERs for PREA consults at no charge.

A final analysis of the evidence indicates the facility is compliant with this provision.

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

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

#### Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.850 Prison Rape Elimination Act (PREA) Response
  - DOC 490.850 Prison Rape Elimination Act (PREA) Response (Attachment 5)
- c. 600.000 Health Services Management
- d. 600.025 Health Care Co-payment Program
- e. 610.025 Health Services Management of Alleged Sexual Misconduct Cases
- f. 610.040 Health Screenings and Assessments
- g. 630.500 Mental Health Services
- h. Memorandum from Superintendent to PREA auditor regarding PREA Standard 115.83 (a), (b), (c), (f) and (g)
- h. Sample documentation of PREA Response and Containment Checklists
- h. Sample documentation of Mental Health referral
- j. WADOC Health Services Offender Health Plan manual
- k. WADOC public website <https://doc.wa.gov/corrections/incarceration/prisons/wcc.htm>

#### Interviews

Medical and Mental Health Staff

Inmates who Reported a Sexual Abuse

#### Findings (by provision)

##### 115.83 (a)

WCC PAQ indicated three policies corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state Offenders housed in facilities with onsite health services will receive timely access to medical and mental health services per DOC 610.025 Health Services management of offenders in cases of alleged sexual misconduct.

Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state Medical and mental health treatment services will be offered when an incarcerated individual reports having been a victim of sexual misconduct.

Policy 630.500 Mental Health Services state A mental health provider will assess the need for mental health services in cases where the offender reports sexual abuse or ha been identified as a victim or perpetrator or sexual abuse and its requesting mental health services.

The PREA audit team reviewed sample documentation of PREA Response and Containment Checklists.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.83 (b)

WCC PAQ indicated two policies corresponding to this provision. Policy 630.500 Mental Health Services state 6 months prior to the offender's Earned Release Date (ERD), the mental health employee/contract staff designated to facilitate care coordination will review seriously mentally ill offenders, along with supporting information, to determine which offenders will need community mental health aftercare... 3 months prior to ERD, the mental health employee/contract staff designated to facilitate care coordination, in collaboration with the supervising psychologist, will identify offender that may be eligible for Department of Social and Health Services (DSHS) disability-based benefits.

Policy 610.040 Health Screenings and Assessments state Primary care practitioners will review health records and current medications for each individual scheduled for release... medically necessary durable medical equipment and applicable 30-day supplies will be provided... The Headquarters Nurse Desk and/or psychiatric social worker will assist with release planning for community supervision violators with extraordinary medical or mental health needs.

2 Medical and Mental Health Staff were interviewed. They reported evaluations and treatments for inmates who have been victimized include a mental assessment, some may have PTSD from the event and we'd ensure follow-up appointments with their provider.

8 Inmates who Reported a Sexual Abuse were interviewed. They reported they received follow-up services with mental health.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.83 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state Offenders housed in facilities with onsite health services will receive timely access to medical and mental health services per DOC 610.025 Health Services management of Offenders in Cases of Alleged Sexual Misconduct.

2 Medical and Mental Health Staff were interviewed. They reported the medical and mental health services offered to offenders are the same as the community level of care.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.83 (d-e)

WCC does not house female offenders. This provision is not applicable to WCC.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.83 (f)

WCC PAQ indicated one policy corresponding to this provision. Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state if a report of sexual assault or staff sexual misconduct is made more than 120 hours after

and within 12 months of the alleged incident, the alleged victim will be referred for medical follow-up with Health Services... For all other sexual misconduct related reports, the alleged victim will be offered a medical and mental health care appointment with Health Service and will be seen within 14 days unless the patient declines.

8 Inmates who Reported a Sexual Abuse were interviewed. They all reported they were offered the STD tests.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.83 (g)

WCC PAQ indicated three policies corresponding to this provision. Policy 490.850 Prison Rape Elimination Act (PREA) Response state all medical and mental health services for victims of sexual misconduct will be provided at no cost to the offender.

600.000 Health Services Management state medical and mental health services allowed under the Offender Health Plan related to sexual misconduct as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting will be proved at no cost to the offender.

600.025 Health Care Co-payment Program state Offenders will be charged a co-payment for all visits except... Medical and mental health services allowed under the Offender Health Plan related to sexual misconduct as defined in DOC 490.800 Prison Reap Elimination Act (PREA) Prevention and Reporting.

8 Inmates who Reported a Sexual Abuse were interviewed. They reported they were provided information about, and access to, emergency contraception and/or sexually transmitted infection prophylaxis by the medical staff.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.83 (h)

WCC PAQ indicated one policy corresponding to this provision. Policy 610.025 Health Services Management of Alleged Sexual Misconduct Cases state Mental health professionals will attempt to conduct a mental health evaluation within 60 days of receiving information of an incarcerated individual identified as the perpetrator in substantiated allegations of sexual assault and/or sexual abuse, both within the Department and from other jurisdictions, unless one has already been conducted for specific allegation.

2 Medical and Mental Health Staff were interviewed. They reported a mental health evaluation of all known inmate-on-inmate abusers and treatment programs are offered. The OMNI database tracks when someone is due for an evaluation, generally its within 14 days otherwise it's placed on the list in the database with as a priority level.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.86 Sexual abuse incident reviews

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.860 Prison Rape Elimination Act (PREA) Investigation
- c. WCC Local Review Committee tracker
- d. WADOC Local PREA Investigation Review Checklist DOC 02.383

Interviews

Superintendent

PREA Compliance Manager

Incident Review Team

Findings (by provision)

#### 115.86 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the Appointing Authority/designee will convene a local PREA Review Committee to examine all substantiated and unsubstantiated investigations of sexual assault/abuse and staff sexual misconduct... For prisons, if the superintendent of the facility where the allegation occurred, the superintendent/designee will be on the committee... The committee will meet every 30 days or as needed... The committee will include facility management, supervisors, investigators, and medical/mental health practitioners... Hearing Officers cannot serve as a PREA Review Committee member for any violations for which they conducted the hearing... The committee will review policy compliance, causal factors, and systemic issues using DOC 02-383 Local PREA Investigation Review Checklist.

The PREA audit team reviewed sample WADOC Local PREA Investigation Review Checklist DOC 02.383 for compliance. PAQ noted 16 during August 2019 through September 2020.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.86 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the committee will meet every 30 days or as needed.

The PREA audit team reviewed sample WADOC Local PREA Investigation Review Checklist DOC 02.383 for compliance. PAQ noted 16 during August 2019 through September 2020

A final analysis of the evidence indicates the facility is compliant with this provision.

115.86 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the committee will include facility management, supervisors, investigators, and medical/mental health practitioners.

The Superintendent was interviewed. He reported WCC has a SAIR and the members consist of himself, the associate superintendent, captain, correctional program manager, health services manager, psychologist, assigned investigator and the PREA corrections specialist.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.86 (d)

The Superintendent was interviewed. He reported the committee met in his conference room and they go through the PREA case looking for any corrective action. Was there a policy change (Department), an operational memorandum (local/facility)? We operate a lot from corrective action plans. What needs to be fixed? What's a new projected date for completion? What was the date if it was already completed? Who is responsible to get it done? If it's PREA related changes, the PREA compliance specialist will take pictures of what was corrected. We look at what motivated the incident, was there a physical barrier, do we have enough staff in the area? Camera footage comes up a lot. We can review camera footage from a tier but we don't have the ability to see into the cells.

PREA Compliance Manager was interviewed. He reported measures taken if suspected retaliation is to investigate and follow up with the alleged victim. The corrective discipline would apply if it's a staff member. The Corrections Unit Supervisors are normally assigned as retaliation monitors. If a contractor/volunteer violates a PREA policy, we will remove the contractor or volunteer from the facility. We will protect the offenders.

Incident Review Team member was interviewed. He reported the team considers everything involved with a PREA report or allegation. We consider it all. We examine where an allegation occurred, sometimes it happens somewhere there is no camera, so we have to check what the barrier was that prevented staff from seeing it. We look at it to see if we have adequate staffing. Right now, we're kind of short and we have to take note if we're fully staff in that area and what we can do to mitigate that as well from future issues. We should always add cameras but, cameras will not substitute staff.

The PREA audit team reviewed the DOC 02-383 Local PREA Investigation Review Checklist and noted that the 6 elements required by this provision is listed on the checklist to include any recommendations for improvement and to submit the Action Plan to the PREA coordinator when tasks have been completed.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.86 (e)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the committee will review policy compliance, causal factors, and systemic issues using DOC 02-383 Local PREA Investigation Review Checklist.

The PREA audit team reviewed the DOC 02-383 Local PREA Investigation Review Checklist and noted that the 6 elements required by this provision is listed on the checklist to include any recommendations for improvement and to submit the Action Plan to the PREA coordinator when tasks have been completed.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.87 Data collection

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting
- c. 490.860 Prison Rape Elimination Act (PREA) Investigation
- d. DOJ BJS Survey of Sexual Victimization 2016, 2018, 2019 and 2020
- e. WADOC Annual Report PREA 2013-2020

Findings (by provision)

115.87 (a-f)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state Investigators will submit the investigation report and DOC 02-382 PREA Data Collection Checklist to the appropriate authority/designee... Data will be collected by the PREA Coordinator/designee for each allegation of sexual misconduct... Data will be aggregated at least annually and include available information from investigation reports and incident review committees, as well as from each private facility contracted to confine or house individuals under the department's jurisdiction The PREA Coordinator will generate an annual report of findings... The report will include: An analysis of PREA prevention and response for the Department and for each facility, including high-level summary information and detailed facility data analysis... Findings and corrective actions at facility and Department levels... an assessment of the Department's progress in addressing sexual misconduct, including a comparison and stat and corrective actions from previous years... The report requires Secretary approval. Approved reports will be made available to the public through the Department's website... Information may be redacted from the report when publication would present a clear and specific threat to facility security, but the report must indicate the nature of the material redacted... All data/reports will be provided on request to the U.S. Department of Justice.

Policy 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting state the following terms are associated with this policy: Sexual misconduct includes aggravated sexual assault, individual on individual sexual assault, sexual abuse, and sexual harassment. It also includes staff on individual sexual harassment and staff sexual misconduct... these terms are further defined in Prison Rape Elimination Act (PREA) Definitions (Attachment 1).

WADOC utilizes a standardized instrument to track PREA allegations and maintains a case database within the Offender Management Network Information (OMNI). The OMNI system records case determinations/sanctions, demographic information of the accused, interviews of staff and inmates, location of incident, date/time of incident, type of allegation, who reported the allegation, date/time reported, who the allegation was reported to, incident description, investigation finding, demographic information of the victim, were there any referrals and case notes. The system is on a secured network and only specialized staff in specific roles have access to portions of OMNI.

The PREA audit team reviewed agency annual reports from 2013 -2020. All included a uniform standard of measuring sexual abuse and sexual harassment incidents, as well as a standardized set of definitions.

A final analysis of the evidence indicates the facility is compliant with this provision.

**115.88 Data review for corrective action**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 490.860 Prison Rape Elimination Act (PREA) Investigation
- c. WADOC public website <https://doc.wa.gov/corrections/prea/default.htm>

Interviews

Agency Head

PREA Coordinator

PREA Compliance Manager

Findings (by provision)

115.88 (a)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the PREA Coordinator will generate an annual report of findings... The report will include: An analysis of PREA prevention and response for the Department and for each facility, including high-level summary information and detailed facility data analysis... Findings and corrective actions at facility and Department levels.

Agency Head was interviewed. He reported We have an annual report process that helps us identify problem areas, and take corrective action on an ongoing basis. That's at the agency level. We also have a local strategic planning process at the facility level. We look at trends and adjust our planning accordingly. We have a very robust PREA program in our state.

PREA Coordinator was interviewed. She reported the agency review data collected and aggregated annually to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, and training. We start every February. The Approving Authority was more likely to determine a case unfounded if the perpetrator was a staff member instead of an inmate. So, we conducted more PREA training. We look at trends and we look at the why. After it's reviewed by the PREA Compliance Managers and the facility, it's forwarded to the Secretary for approval. The agency takes corrective action when we realize something is going on and we deal with it. Our PREA Compliance Specialist are good at reporting issues. Even during COVID we saw a lot of decreased reporting. We reviewed the data and concluded the decrease in reporting was based on restricted movement not based on an inmate not being able to report an allegation. WADOC prepares an annual report of findings from its data review and any corrective actions for each facility, as well as the agency as a whole. We start analyzing our reports in February, we are able to look at strategic plans for the next year and set milestones.

PREA Compliance Manager was interviewed. He reported the role of the facility and facility data is to basically ensure we're following the standard and address any anomaly. To correct any issues as needed. We have a once a month meeting with the other PREA Compliance Managers to stay on track with the any new standards of training. We discuss PREA issues once a month.

The PREA audit team reviewed WADOC most recently completed and posted annual report (i.e. 2020) and confirmed it includes the following components: zero tolerance statement; review of critical definitions; summary data; compliance efforts

and corrective action steps; and a summary statement.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.88 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state an assessment of the Department's progress in addressing sexual misconduct, including a comparison with data and corrective actions from previous years.

The PREA audit team reviewed WADOC annual reports from 2013 -2019. All included comparative data, corrective action, and a discussion of progress.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.88 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state the report requires Secretary approval. Approved reports will be made available to the public through the Department's website.

Agency Head was interviewed. He reported he was part of the review process and the Secretary of the Department approves the annual report.

The PREA audit team reviewed annual reports from 2013 – 2020 The Secretary of the Department has approved and signed the reports. The audit reports from 2013 – 2020 are accessible on the WADOC public website.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.88 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state Information may be reacted from the report when publication would present a clear and specific threat to facility security, but the report must indicate the nature of the material redacted.

PREA Coordinator was interviewed. She reported the types of material typically redacted from the annual report is the personal identifiers in the data. For example; we report on positions within facility and we do that at the agency level not, the facility level as some sites may only have one type of classification (e.g. chaplain). We would not identify the site location of that person.

The PREA audit team reviewed annual reports from 2015 – 2020. There was no data enclosed that required redaction.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.89 Data storage, publication, and destruction

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. Pre-Audit Questionnaire (PAQ)
- b. 280.310 Information Technology Security
- c. 280.515 Data Classification and Sharing
- d. 490.860 Prison Rape Elimination Act (PREA) Investigation
- e. List of Offender Management Network Information (OMNI) PREA Access / Security Group
- f. WADOC Records Retention Schedule
- g. WADOC public website <https://www.doc.wa.gov/information/records/publications.htm>

Interviews

PREA Coordinator

Findings (by provision)

115.89 (a)

WCC PAQ indicated three policies corresponding to this provision. Policy 280.310 Information Technology Security state All users with access to confidential Department data must maintain the integrity of the data per DOC 280.515 Data Classification and Sharing.

Policy 280.515 Data Classification and Sharing state data will be classified into 4 categories per the Data Classification Standards and Office of the Chief Information Officer (OCIO) 141.10 Security Information Technology Assets... Category 4 Data: Confidential Information Requiring Special Handling – Data that is specifically protected from release by law and: Has especially strict handling requirements by statute, regulation, or agreement... May result in serious consequences arising from unauthorized release (e.g., legal sanction, endanger health/safety) ... Per the Federal Information Processing Standards 140-2 or higher: Category 3 and 4 must be encrypted when storing/transferring data... Portable storage devices must be hardware encrypted when transferring data.

Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state all PREA data containing personal identifying information will be maintained as Category 4 data per 280.515 Data Classification and Sharing.

The PREA Coordinator was interviewed. She reported the agency review data collected and aggregated annually to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, and training. We start every February. The Approving Authority was more likely to determine a case unfounded if the perpetrator was a staff member instead of an inmate. So, we conducted more PREA training. We look at trends and we look at the why. After it's reviewed by the PREA Compliance Managers and the facilities, it's forwarded to the secretary for approval. The agency takes corrective action when we realize something is going on, we deal with it. Our PREA Compliance Specialist are good at reporting issues. Even during COVID we saw a lot of decreased reporting. We reviewed the data and concluded the decrease in reporting was based on restricted movement not based on an inmate not being able to report an allegation.

WADOC prepares an annual report of findings from its data review and any corrective actions for each facility, as well as the agency as a whole. We start analyzing our reports in February, we are able to look at strategic plans for the next year and set milestones.

WADOC utilizes a PREA database Incident Management Report System (IMRS) within the Offender Management Network

Information (OMNI) system for reporting, investigating and maintaining information which relates to PREA. Access is restricted and limited to staff with a need to know. Access to the drive is limited to the agency PREA Unit that is responsible for managing all allegations and maintain related information.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.89 (b)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state Data will be aggregated at least annually and include available information from investigation reports and incident review committees, as well as from each private facility contracted to confine or house individuals under the Department's jurisdiction... The PREA Coordinator will generate an annual report of findings... The report requires Secretary approval. Approved reports will be made available to the public through the Department's website.

The PREA audit team reviewed WADOC public website. The annual reports were listed by year (2013-2020) and provided aggregated sexual abuse data.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.89 (c)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state information may be redacted from the report when publication would present a clear and specific threat to facility security, but the report must indicate the nature of the material redacted.

The PREA audit team reviewed WADOC public website. The annual report for 2020 did not contain any personal identifying information.

A final analysis of the evidence indicates the facility is compliant with this provision.

#### 115.89 (d)

WCC PAQ indicated one policy corresponding to this provision. Policy 490.860 Prison Rape Elimination Act (PREA) Investigation state

The PREA audit team reviewed the State Government General Records Retention Schedule (SGRRS) Version 6.0 (June 2016) and noted that State Publications, regardless of format, published by the agency and intended for distribution to state government, the public or the legislature, includes but not limited to: Annual reports and other reports, manuals, brochures... Agencies are required to transfer copies to Washington State Library for permanent retention.

The PREA audit team reviewed the Department of Corrections Records Retention Schedule Version 1.5 (April 2018) and noted Investigations-Prison Rape Elimination Act (PREA)... Records relating to prison rape investigations. Retain for 50 years after close of investigation then destroy.

A final analysis of the evidence indicates the facility is substantially compliant with this provision.

## 115.401 Frequency and scope of audits

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. PREA audit notices (English and Spanish)
- b. WADOC Public website <https://www.doc.wa.gov/information/records/publications.htm>

Interviews

PREA Coordinator

Findings (by provision)

115.401 (a)

WADOC public website indicated that beginning in Audit Cycle II, and during each three-year period thereafter, the agency ensured each facility operated by the agency, or by a private organization on behalf of the agency, was and is audited at least once as verified by the WADOC Annual Report on the WADOC public website.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.401 (b)

WCC PREA audit onsite portion was initially scheduled for Nov 17-19, 2020 (Cycle 3-Year 2). On Aug 20, 2020 PREA audit team received notification of cancelled PREA audit due to COVID Pandemic. PREA audit for WCC would not proceed until Feb 15-17, 2022/ Cycle 3-Year 3, when the state agency travel ban for WI PREA audit team was lifted and the WADOC facilities allowed non-essential personnel into the prisons. WADOC did not achieve the one third requirement in Cycle 3-Year. WADOC resolution is to schedule the delayed PREA audits from year 2 in year 3.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.401 (h)

The PREA audit team had unrestricted access to all areas of the facility. The team was accommodated and allowed to observe any area or operation within the facility.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.401 (i)

The PREA audit team had access to documents, records, files, photographs, etc. as requested. Facility staff took photographs of specific items and areas within the facility upon request of the audit team and then provided copies to the

team for the auditor's use and reference in preparing the audit findings. The team unrestricted access to files, reports, and automated information systems at the agency and facility levels.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.401 (m)

The PREA audit team, WCC leadership and support staff worked cooperatively to develop a private process and location for conducting interviews of both staff and inmates. Due to the COVID pandemic precautions the interviews were mostly conducted in the housing unit counselor offices in an effort to control exposure between the quarantine inmates and the isolation inmates. A total of 102 staff and inmate interviews were completed.

A final analysis of the evidence indicates the facility is compliant with this provision.

115.401 (n)

The PREA audit team and the WCC facility leadership conducted monthly telephone calls and discussed the pending on-site reviews. On 12/19/2021, the auditor requested that WCC CPS post the PREA audit notices (English and Spanish) on colored paper in all staff and inmate common areas six weeks prior to the on-site review date. Audit notices included a confidentiality statement indicating outgoing mail to the auditor would be treated as legal mail, and instructions to contact the auditor via mail, if desired. The WCC PCS responded via email confirming audit notices were posted. She included ten sample photos of the postings, which showed English and Spanish notices displayed on yellow paper. The auditor received three letters from offenders. Two letters were received prior to the on-site and one letter was received after.

A final analysis of the evidence indicates the facility is compliant with this provision.

## 115.403 Audit contents and findings

**Auditor Overall Determination:** Meets Standard

### Auditor Discussion

Documents

- a. WADOC Public website <https://www.doc.wa.gov/information/records/publications.htm>

Interviews

PREA Coordinator

Findings (by provision)

115.403 (f)

The agency's website has a link dedicated to PREA-related information, including policies and procedures; reporting an allegation; audit schedules; and final audit reports. An interview with the PREA Coordinator and internet search confirmed that final audit reports are posted to the agency's public website. This is WCC third US DOJ PREA Audit. Final audit reports for all WADOC facilities are on the agency public website.

A final analysis of the evidence indicates the facility is compliant with this provision.

**Appendix: Provision Findings**

<b>115.11 (a)</b>	<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
<b>115.11 (b)</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
<b>115.11 (c)</b>	<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
<b>115.12 (a)</b>	<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.)	yes
<b>115.12 (b)</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.)	yes

**115.13 (a)**

**Supervision and monitoring**

Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

**115.13 (b)**

**Supervision and monitoring**

In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
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**115.13 (c)**

**Supervision and monitoring**

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

<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

**115.15 (d) Limits to cross-gender viewing and searches**

Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? yes

Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? yes

Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? yes

**115.15 (e) Limits to cross-gender viewing and searches**

Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? yes

If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? yes

**115.15 (f) Limits to cross-gender viewing and searches**

Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? yes

Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? yes

**115.16 (a)**

**Inmates with disabilities and inmates who are limited English proficient**

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

<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.17 (a)</b>	<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
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	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

<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	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.)	yes
<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.)	yes
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
		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

<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (d)</b>	<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? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<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
<b>115.21 (f)</b>	<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 agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
<b>115.21 (h)</b>	<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 always makes a victim advocate from a rape crisis center available to victims.)	yes
<b>115.22 (a)</b>	<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

<b>115.22 (b)</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
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
<b>115.31 (a)</b>	<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
<b>115.31 (b)</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

<b>115.31 (c)</b>	<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
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<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
<b>115.32 (b)</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 the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

<b>115.33 (d)</b>	<b>Inmate education</b>	
	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
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	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
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (b)</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
<b>115.34 (c)</b>	<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

<b>115.35 (a)</b>	<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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<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 or the agency does not employ medical staff.)	yes
<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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<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
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

**115.41 (d)****Screening for risk of victimization and abusiveness**

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

**115.41 (e)****Screening for risk of victimization and abusiveness**

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

**115.41 (f)****Screening for risk of victimization and abusiveness**

Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
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<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	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

<b>115.42 (d)</b>	<b>Use of screening information</b>	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
<b>115.42 (e)</b>	<b>Use of screening information</b>	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
<b>115.42 (f)</b>	<b>Use of screening information</b>	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
		Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
		Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.43 (a)</b>	<b>Protective Custody</b>	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

<b>115.43 (b)</b>	<b>Protective Custody</b>	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
		Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
		Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
		Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
		If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
		If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
		If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
<b>115.43 (c)</b>	<b>Protective Custody</b>	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
<b>115.43 (d)</b>	<b>Protective Custody</b>	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
<b>115.43 (e)</b>	<b>Protective Custody</b>	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
<b>115.51 (a)</b>	<b>Inmate reporting</b>	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

<b>115.51 (b)</b>	<b>Inmate reporting</b>	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
		Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
		Does that private entity or office allow the inmate to remain anonymous upon request?	yes
		Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
<b>115.51 (c)</b>	<b>Inmate reporting</b>	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
<b>115.51 (d)</b>	<b>Inmate reporting</b>	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
		Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
		Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	no

<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes

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

<b>115.53 (a)</b>	<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? (N/A if the facility never has persons detained solely for civil immigration purposes.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</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
<b>115.53 (c)</b>	<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
<b>115.54 (a)</b>	<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
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	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
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	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
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	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

<b>115.64 (b)</b>	<b>Staff first responder duties</b>	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.65 (a)</b>	<b>Coordinated response</b>	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)****Agency protection against retaliation**

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? yes

Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? yes

Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? yes

**115.67 (d)****Agency protection against retaliation**

In the case of inmates, does such monitoring also include periodic status checks? yes

**115.67 (e)****Agency protection against retaliation**

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

**115.68 (a)****Post-allegation protective custody**

Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43? yes

**115.71 (a)****Criminal and administrative agency investigations**

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

Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).) yes

<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
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
		Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
		Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
		Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (d)</b>	<b>Reporting to inmates</b>	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
<b>115.77 (a)</b>	<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
<b>115.77 (b)</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
<b>115.78 (a)</b>	<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
<b>115.78 (b)</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
<b>115.78 (c)</b>	<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?	yes

<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>	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<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? (N/A if the facility is not a prison).	yes
<b>115.81 (b)</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
<b>115.81 (c)</b>	<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? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<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
<b>115.81 (e)</b>	<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
<b>115.82 (a)</b>	<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
<b>115.82 (b)</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

<b>115.82 (c)</b>	<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
<b>115.82 (d)</b>	<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
<b>115.83 (a)</b>	<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
<b>115.83 (b)</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. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<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. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
<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
<b>115.86 (d)</b>	<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
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<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
<b>115.87 (b)</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.)	yes
<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 prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	no
<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. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes