

# PREA AUDIT: Final Report



Original date completed: 9/30/14
Dates revised:
Completed by: Auditing Unit
Title:
Date of last agency PREA audit (if applicable): N/A
Date of last facility PREA audit: N/A

## AGENCY INFORMATION (IF APPLICABLE)

<b>Name of agency:</b> Bergen County Jail	
<b>Governing authority or parent agency:</b> Bergen County Sheriff Office	
<b>Physical address:</b> 160 South River Street Hackensack, NJ	
<b>Mailing address:</b> (if different from above)	
<b>Telephone number:</b> 201 336 3551	
<b>The agency is:</b>	<input type="checkbox"/> Military <input checked="" type="checkbox"/> County <input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit <input type="checkbox"/> Municipal <input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit
<a href="#">Agency mission</a>	
<b>Agency Chief Executive Officer</b>	
<b>Name:</b> Michael Saudino	<b>Title:</b> Sheriff
<b>Email address:</b> msaudino@bcasd.us	<b>Telephone number:</b> 201 336-3519
<b>Agency-Wide PREA Coordinator</b>	
<b>Name:</b> Elaine Pell	<b>Title:</b> Sergeant
<b>Email address:</b> epell@bcasd.us	<b>Telephone number:</b> 201 336 3500 x7525
<b>PREA coordinator reports to:</b> Captain Michael Russo	
<b>Number of compliance managers who report to PREA coordinator:</b> 0	
<b>Agency website with PREA information:</b> www.bcsd.us	
<b>Is the agency accredited by any other organization?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

# PREA AUDIT: Final Report

## FACILITY INFORMATION

**Name of Facility:** Bergen County Jail

**Physical Address:** 160 South River Street Hackensack, NJ 07601

**Mailing address:** (if different from above)

**Telephone Number:** 201 336-3500

<b>The facility is:</b>	<input type="checkbox"/> Military	<input checked="" type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	

[Facility mission](#)

**Have there been any internal or external audits and/or accreditations for this facility**  Yes  No *UPLOAD ANY RELEVANT REPORTS*

**Warden/Superintendent**

<b>Name of Warden/Superintendent:</b> Christopher Davies	<b>Title:</b> Warden
<b>Email address:</b> <a href="mailto:cdavies@bcasd.us">cdavies@bcasd.us</a>	<b>Telephone number:</b> 201 336-3573

**Facility PREA Compliance Manager**

<b>Name of PREA Compliance Manager:</b> Elaine Pell	<b>Title:</b> Sergeant
<b>Email address:</b> <a href="mailto:epell@bcasd.us">epell@bcasd.us</a>	<b>Telephone number:</b> 201 336-3500 x7525

**Facility Health Service Administrator**

<b>Name of health service administrator:</b> Josephine Rodriguez	<b>Title:</b> Nursing Supervisor
<b>Email address:</b> <a href="mailto:jrodriguez@bcasd.us">jrodriguez@bcasd.us</a>	<b>Telephone number:</b> 201 336-3500 x 7741

**Facility Characteristics**

<b>Designed Facility Capacity:</b> 1130	<b>Current population of facility:</b> 839	<b>Population reports</b>
<b>Number of inmates admitted to facility during the past 12 months</b>		8221
<b>Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more</b>		1338
<b>Number of inmates admitted to facility during the past 12 months whose length of stay was for 72 hours or more</b>		4336
<b>Number of inmates on date of audit who were admitted to facility prior to August 20, 2012</b>		21 (9/9/14)
<b>Age range of population</b>	<input checked="" type="checkbox"/> Adults (range 18-79)	<input type="checkbox"/> Youthful inmates (under 18) 0
<b>Are youthful inmates housed separately from the adult population?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
<b>Number of youthful inmates housed at this facility during the past 12 months:</b> 0		
<b>Average length of stay or time under supervision:</b> N/A		
<b>Facility security levels/inmate custody levels:</b> minimum/medium/maximum/highest security		
<b>Number of staff assigned to the facility (including current staff and new hires) during the past 12 months:</b> 300 custody/		
<b>Number of staff hired by the facility during the past 12 months who may have contact with inmates:</b> 35		
<b>Number of staff assigned to the facility (including current and new hires) since the last audit:</b> N/A		

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<b>Number of contracts in the past 12 months for services with contractors who might have contact with inmates:</b> Approximately 14	
<b>Physical Plant</b>	
<b>Number of buildings:</b> 1	<b>Number of single cell housing units:</b> 0
<b>Number of multiple occupancy cells housing units:</b> 16	
<b>Number of open bay/dorms housing units:</b> 8	
<b>Number of segregation cells (administrative and disciplinary):</b> 32	
<b>UPLOAD SCHEMATIC OF FACILITY LAYOUT</b>	
<b>Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):</b> Video monitoring throughout entire facility; monitored by Center Control	
<b>Medical</b>	
<b>Type of medical facility:</b> 24 hr. on site	
<b>Forensic sexual assault medical exams are conducted at:</b> off site at Hackensack University Medical Center	
<b>Other</b>	
<b>Number of volunteers and individual contractors currently authorized to enter the facility:</b> Approximately 68	
<b>Number of investigators the agency currently employs to investigate allegations of sexual abuse:</b> 4	

# **PREA AUDIT: Final Report**

## **Executive Summary**

### **NARRATIVE:**

On September 17-19, 2014 an audit was conducted at the Bergan County Detention facility to determine compliance with the Prison Rape Elimination Act standards. A complete tour of the facility was conducted on September 17, 2014. The following areas and operations were visited and observed: Intake/receiving, kitchen, program areas, inmate housing units, medical unit and administrative offices.

The auditor reviewed all documents presented by the PREA Coordinator, prior to the onsite visit. The electronic file organization was excellent, allowing for a complete and accurate review of policies and agency documents. The documents reviewed are listed in the auditor's comments section of the report. Compliance with each standard was determined by reviewing agency policy along with agency documentation/proofs of compliance, along with the PREA COMPLIANCE AUDIT INSTRUMENT CHECKLIST OF POLICIES/PROCEDURES AND OTHER DOCUMENTS. The auditor also conducted interviews of staff and inmates that were randomly selected by the auditor prior to the conduct of the audit.

### **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The detention facility is a direct supervision facility. Inmate housing areas are clean and spacious. Each housing unit displayed an information board with PREA related information which included contact information and 3<sup>rd</sup> party reporting. The staffing levels combined with video surveillance were excellent. All inmates that were interviewed said that they trusted the staff and they felt safe in the facility.

### **SUMMARY OF AUDIT FINDINGS:**

#### **Agency Policies, procedures or written directives:**

No findings

Agency general orders were consistent with the standards

#### **Documentation required by the standards:**

No findings

Agency documents/proofs demonstrated compliance with the standards

#### **Facility Tour/Auditor observations:**

No findings

See comments made in description of facility characteristics

#### **Personnel Interviews:**

No findings

All staff were knowledgeable in their roles, about PREA

#### **Inmate Interviews:**

##### **No findings**

Inmates expressed trust in staff and were very knowledgeable about PREA.

## **PREA AUDIT: Final Report**

**Number of standards exceeded: 1**

**Number of standards met: 41**

**Number of standards not met: 0**

**Number of standards Not Applicable: 1**

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator and supervisory staff.

## 115.11 (a)-1

**The agency has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract.**

Yes

[PREA Page 1/Section POLICY:](#)

## 115.11 (a)-2

**The facility has a policy outlining how it will implement the agency's zero-tolerance approach to preventing, detecting, and responding to sexual abuse and sexual harassment.**

Yes

[PREA Page1/Section PURPOSE:](#)

## 115.11 (a)-3

**The policy includes definitions of prohibited behaviors regarding sexual assault and sexual harassment.**

Yes

[PREA Pages 4-5](#)

## 115.11 (a)-4

**The policy includes sanctions for those found to have participated in prohibited behaviors.**

Yes

[PREA Pages 20-21](#)

## 115.11 (a)-5

**The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.**

[PREA Pages 5-6 POLICY](#)

[PROVISIONS](#)

## 115.11 (b)-1

**The agency employs or designates an upper-level, agency-wide PREA coordinator.**

Yes

[AGENCY](#)

[ORGANIZATIONAL CHART](#)

## 115.11 (b)-2

**The PREA coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.**

Yes

## 115.11 (b)-3

**The position of the PREA coordinator in the agency's organizational structure:**

Reports to a Captain

## 115.11 (c)-1

**The facility has designated a PREA compliance manager.**

No

The PREA Coordinator also serves as the Compliance Manager. (Only one facility)

# PREA AUDIT: Final Report

**115.11 (c)-2**

**The PREA compliance manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.**

N/A

**115.11 (c)-3**

**The position of the PREA compliance manager in the agency's organizational structure:**

N/A

**115.11 (c)-4**

**Person to whom the PREA compliance manager reports:**

N/A

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** This standard is not applicable as the agency has no contracts post August 20, 2012.



# PREA AUDIT: Final Report

Standard number: § 115.13 Supervision and monitoring

✓ Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator, corrections supervisors and the Warden. The facility's use of video monitoring was excellent.

**115.13 (a)-1 The agency requires each facility it operates to develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring to protect inmates against abuse.**

Yes

[PREA SECTION XXX  
STAFFING PLAN](#)

**115.13 (a)-2 Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates:**  
**913**

**115.13 (a)-3 Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates on which the staffing plan was predicated:**  
**850**

**115.13 (b)-1 Each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan (enter N/A if no deviations from plan).**  
**N/A**

**115.13 (b)-2 If documented, the six most common reasons for deviating from the staffing plan in the last 12 months:**  
[Agency reports no deviations](#)

**115.13 (c)-1 At least once every year the facility, in collaboration with the PREA coordinator, reviews the staffing plan to see whether adjustments are needed in (a) the staffing plan, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance.**

Yes

[PREA Page 23 SUPERVISION  
AND MONITORING](#)  
[Reviewed documentation of staffing plan review.](#)

**115.13 (d)-1 The facility requires that intermediate-level and higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.**

Yes

[PREA Page 23 SUPERVISION  
AND MONITORING](#)

**115.13 (d)-2 If yes, the facility documents each unannounced round.**  
**Yes**

[Reviewed post log entries](#)

**115.13 (d)-3 If yes, over time the unannounced rounds cover all shifts and all areas of the facility.**

Yes

[PREA Page 23 SUPERVISION AND MONITORING  
SECTOR SERGEANTS](#)

**115.13 (d)-4 If yes, the facility prohibits staff from alerting other staff of the conduct of such rounds.**

Yes

[PREA Page 24 SUPERVISION AND MONITORING](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.14 Youthful inmates](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments: The Agency has not had a youthful offender in the past 12 months.** Reviewed population reports, interviewed staff, supervisors and the Warden.

## 115.14 (a)-1

The facility prohibits placing youthful inmates in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

Yes

[INCARCERATION OF YOUTHFUL OFFENDERS Page](#)

115.14 (a)-2 The facility has housing units to which youthful inmates are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters.

Yes

Reviewed DAILY POPULATION REPORTS FOR THE LAST 12 MONTHS

115.14 (a)-3 The facility places youthful inmates in the SAME HOUSING UNIT as adults.

No

115.14 (a)-4 Youthful inmates who are placed in the SAME HOUSING UNIT as adults have sight, sound, or physical contact with any adult inmate through use of shower area, sleeping quarters, shared dayroom, or other common space.

Yes

[INCARCERATION OF YOUTHFUL OFFENDERS Page 2-3](#)

## 115.14 (a)-5

In the past 12 months, the number of housing units to which youthful inmates are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers, and sleeping quarters:

0

115.14 (a)-6 In the past 12 months, the number of youthful inmates placed in SAME HOUSING UNIT as adults at this facility:

0

115.14 (b)-1 The facility maintains sight, sound, and physical separation between youthful inmates and adult inmates in areas OUTSIDE HOUSING UNITS.

Yes

[INCARCERATION OF YOUTHFUL OFFENDERS Pages 2-3](#)

115.14 (b)-2 The agency always provides direct staff supervision in areas OUTSIDE HOUSING UNITS where youthful inmates have sight, sound, or physical contact with adult inmates.

Yes

[INCARCERATION OF YOUTHFUL OFFENDERS Pages 2-3](#)

115.14 (c)-1 The facility documents the exigent circumstances for each instance in which youthful inmates' access to large-muscle exercise, legally required education services, and other programs and work opportunities was denied.

# PREA AUDIT: Final Report

Yes

**INCARCERATION OF  
YOUTHFUL OFFENDERS Page 3**

**115.14 (c)-2 In the past 12 months, the number of youthful inmates who have been placed in isolation in order to separate them from adult inmates:**

**0**

# PREA AUDIT: Final Report

**Standard number:** § 115.15 Limits to cross-gender viewing and searches

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator, corrections supervisors, the Warden, line staff and inmates. Compliance was also observed during the onsite tour.

**115.15 (a)-1 The facility conducts cross-gender strip and visual body cavity searches of inmates.**

No

[PREA Page 10 Section VIII](#)

**115.15 (a)-2 In the past 12 months, the number of cross-gender strip and visual body cavity searches of inmates:**

0

**115.15 (a)-3 In the past 12, the number of cross-gender strip and visual body cavity searches of inmates that did not involve exigent circumstances and were performed by non-medical staff:**

0

**115.15 (b)-1 The facility does not permit cross-gender pat-down searches of female inmates, absent exigent circumstances (facilities have until August 20, 2015, to comply; or August 20, 2017, if their rated capacity does not exceed 50 inmates).**

[PREA Page 10 Section VIII](#)

**115.15 (b)-2 The facility does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.**

[PREA Page 10 Section VIII](#)

**115.15 (b)-3 Number of pat-down searches of female inmates that were conducted by male staff:**

0

**115.15 (b)-4 Number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstance(s):**

0

**115.15 (c)-1 Facility policy requires that all cross-gender strip searches and cross-gender visual body cavity searches be documented.**

Yes

[PREA Page 10 Section VIII](#)

**115.15 (c)-2 Facility policy requires that all cross-gender pat-down searches of female inmates be documented.**

Yes

[PREA Page 10 Section VIII](#)

**115.15 (d)-1 The facility has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera).**

Yes

[PREA Page 10 Section VIII](#)

All housing areas were observed during the onsite tour and were in compliance with the standard.

**115.15 (d)-2 Policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.**

Yes

[PREA Page 10 Section VIII](#)

Observed during tour

# PREA AUDIT: Final Report

**115.15 (e)-1** The facility has a policy prohibiting staff from searching or physically examining a transgender or intersex inmate for the sole purpose of determining the inmate's genital status.

**Yes**

[LGBTI Page 6 Section III](#)

**115.15 (e)-2** Such searches (described in 115.15(e)-1) occurred in the past 12 months.

**None**

**115.15 (f)-1** Percent of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs:

**100%**

[Search Policy](#)

[TRAINING LOGS](#)

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** Elements to achieve compliance: The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator, corrections supervisors, line staff and inmates.

**115.16 (a)-1 The agency has established procedures to provide disabled inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.**

Yes

[PREA Page 11 Section IX](#)

**115.16 (b)-1 The agency has established procedures to provide inmates with limited English proficiency 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.**

Yes

[PREA Page 10](#)

[INMATES/DETAINEES WITH DISABILITIES](#)

**115.16 (c)-1 Agency policy prohibits use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first response duties under §115.64, or the investigation of the inmate's allegations.**

Yes

[PREA Page 11](#)

[INMATES/DETAINEES WITH DISABILITIES](#)

[Agency has a language line available for translating services](#)

**115.16 (c)-2 If yes, the agency or facility documents the limited circumstances in individual cases where inmate interpreters, readers, or other types of inmate assistants are used.**

Yes

[PREA Page 11](#)

[INMATES/DETAINEES WITH DISABILITIES](#)

[PROOF](#)

**115.16 (c)-3 In the past 12 months, the number of instances where inmate interpreters, readers, or other types of inmate assistants have been used:**

0

# PREA AUDIT: Final Report

Standard number: [§ 115.17 Hiring and promotion decisions](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator and HR.

**115.17 (a)-1 Agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who:**

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

**(2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or**

**(3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.**

[Asked on applications for hire, applications for promotion](#)

**115.17 (b)-1 Agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.**

**Yes**

[PREA Page 6 HIRING AND PROMOTION DECISIONS](#)

**115.17 (c)-1 Agency policy requires that before it hires any new employees who may have contact with inmates, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.**

**Yes**

[PREA Pages 6-7 HIRING AND PROMOTION DECISIONS](#)

**115.17 (c)-2 In the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks:**

[Share point](#)

**36**

**115.17 (d)-1 Agency policy requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with inmates.**

**Yes**

[PREA Page 7 HIRING AND PROMOTION DECISIONS](#)

**115.17 (d)-2 In the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates:**

**70**

**115.17 (e)-1 Agency policy requires that either criminal background record checks be conducted at least every five years for current employees and contractors who may have contact with inmates or that a system is in place for otherwise capturing such information for current employees.**

**Yes**

[PREA Page 7 HIRING AND PROMOTION DECISIONS](#)

**115.17 (g)-1 Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.**

**Yes**

[PREA Page 7 HIRING AND PROMOTION DECISIONS](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.18 Upgrades to facilities and technologies](#)

✓ Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed documents supplied by the agency, observations made by the auditor, interviews with the PREA Coordinator and the Warden.

**115.18 (a)-1 Has the agency/facility acquired any new facilities or made any substantial expansions or modifications of existing facilities since August 20, 2012, or since the last PREA audit, whichever is later?**

No

**115.18 (b)-1 Has the agency/facility 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

[Reviewed documentation of camera upgrades](#)



# PREA AUDIT: Final Report

Standard number: § 115.21 Evidence protocol and forensic medical examinations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency and interviews with the PREA Coordinator, BCI investigator, medical and mental health staff.

**115.21 (a)-1 The agency/facility is responsible for conducting administrative or criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct).**

Yes

**115.21 (a)-2 If another agency has responsibility for conducting either administrative or criminal sexual abuse investigations, name of the agency that has responsibility:**

[PREA Page 19 Section XXII](#)

[MOU w/Bergan County Prosecutor's Office](#)

**115.21 (a)-3 When conducting a sexual abuse investigation, the agency investigators follow a uniform evidence protocol.**

Yes

[UNIFORM EVIDENCE  
PROTOCOL](#)

**115.21 (b)-1 If applicable, the protocol was adapted from or otherwise based on the most recent edition of the DOJ'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.**

Yes

[PREA References](#)

**115.21 (c)-1 The facility offers all victims of sexual abuse access to forensic medical examinations.**

Yes, at an outside facility Forensic medical examinations are offered without financial cost to the victim.

Yes

[PREA Page 18 MEDICAL AND  
MENTAL HEALTH RESPONDER  
DUTIES](#)

**115.21 (c)-3 Examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).**

Yes

**115.21 (c)-4 When SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations.**

Yes

# PREA AUDIT: Final Report

**Standard number:** § 115.22 Policies to ensure referrals of allegations for investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies, documents and investigative reports supplied by the agency and interviews with the PREA Coordinator and the BCI investigator.

**115.22 (a)-1 The agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse or staff sexual misconduct).**

Yes

[PREA Page 19 Section XXII](#)

[MOU w/Bergan County Prosecutor's Office](#)

**115.22 (a)-2 During the past 12 months, number of allegations of sexual abuse and sexual harassment that were received:**

7

**115.22 (a)-3 During the past 12 months, number of allegations resulting in an administrative investigation:**

0

**115.22 (a)-4 During the past 12 months, number of allegations referred for criminal investigation:**

3

**115.22 (a)-5 Referring to allegations received during the past 12 months, all administrative and/or criminal investigations were completed.**

Yes

**115.22 (b)-1**

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

Yes

[PREA Pages 18-19 Section XXI](#)

[MOU w/Bergan County Prosecutor's Office](#)

**115.22 (b)-2 Agency policy regarding the referral of allegations of sexual abuse or sexual harassment for a criminal investigation is published on the agency website or made publicly available via other means.**

Yes

<http://bcsd.us/PDFs/Prea%20Web%20Brochure.pdf>

**115.22 (b)-3 The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation.**

Yes

[PREA Page 19 Section XXI](#)

**115.22 (d)-1 If the agency is not responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another state entity has that responsibility, this other entity has a policy governing how such investigations are conducted.**

Yes

[Evidence and Property](#)

[MOU w/Bergan County Prosecutor's Office](#)

# PREA AUDIT: Final Report

115.22 (e)-1 If the agency is not responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another federal DOJ entity has that responsibility, this other entity has a policy governing how such investigations are conducted.

N/A

# PREA AUDIT: Final Report

**Standard number:** § 115.31 Employee training

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** Elements to achieve compliance: The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews with staff, the PREA Coordinator, supervisors and the Warden.

## 115.31 (a)-1

**The agency trains all employees who have contact with inmates on the following matters (check all that apply and indicate where in training curriculum this information is covered):**

- ✓ Agency's zero-tolerance policy for sexual abuse and sexual harassment. [Slide 2; 26](#)
- ✓ How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. [Slides 27-39](#)
- ✓ The right of inmates to be free from sexual abuse and sexual harassment. [Slide 26](#)
- ✓ The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment. [Slide 41](#)
- ✓ The dynamics of sexual abuse and sexual harassment in confinement. [Slides 10-18](#)
- ✓ The common reactions of sexual abuse and sexual harassment victims. [Slides 10-18](#)
- ✓ How to detect and respond to signs of threatened and actual sexual abuse. [Slides 10-18](#)
- ✓ How to avoid inappropriate relationships with inmates. [Separate power point](#)
- ✓ How to communicate effectively and professionally with inmates, including lesbian, [Separate power point](#) gay, bisexual, transgender, intersex, or gender-nonconforming inmates.
- ✓ How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

[PREA POWERPOINT](#)  
[PREA Policy](#)

**115.31 (b)-1 Training is tailored to the gender of the inmates at the facility.**  
Yes

**115.31 (b)-2 Employees who are reassigned from facilities housing the opposite gender are given additional training.**  
N/A

**115.31 (c)-1 In the past 12 months, the number of employees assigned to the facility who were trained on the PREA requirements enumerated above:**  
35

**115.31 (c)-2 For subsequent audits, the number of employees assigned to the facility who were trained or retrained on the PREA requirements since the last audit:**  
N/A

**115.31 (c)-3 Between trainings the agency provides employees with information about current policies regarding sexual abuse and harassment.**  
Yes

**115.31 (c)-4 How often do employees receive refresher training on PREA requirements?**  
Annually

# PREA AUDIT: Final Report

**115.31 (d)-1 The agency documents that employees understand the training they have received through employee signature or electronic verification.**

Reviewed electronic verification that employees were trained and that they understand the training.

# PREA AUDIT: Final Report

**Standard number:** § 115.32 [Volunteer and contractor training](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** Elements to achieve compliance: The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews with contract staff, the PREA Coordinator and the Warden.

**115.32 (a)-1 All volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response.**

Yes

[PREA Section IV](#)

**115.32 (a)-2 In the past 12 months, the number of volunteers and individual contractors who have been trained in agency's policies and procedures regarding sexual abuse/harassment prevention, detection, and response:**

79

**115.32 (b)-1 The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates.**

Yes

**115.32 (b)-2 All volunteers and contractors who have contact with inmates have at least been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.**

Yes

[PREA POWERPOINT](#)

**115.32 (c)-1 The agency maintains documentation confirming that the volunteers/contractors understand the training they have received.**

[PREA Section IV](#)

[Civilian/Volunteer Orientation Review Form](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.33 Inmate education](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** Elements to achieve compliance: The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews with inmates, staff, the PREA Coordinator, supervisors and the Warden. Compliance was also observed during the onsite tour.

**115.33 (a)-1 Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or harassment.**

Yes

[AGENCY ZEROTOLERANCE POLICY AND PROCEDURES \(SEE 115.11a\)](#)  
[INMATE RULEBOOK](#)

**115.33 (a)-2 Number of inmates admitted during past 12 months who were given this information at intake:**  
8,221

**115.33 (b)-1 The number of those inmates during the past 12 months (whose length of stay in the facility was for 30 days or more) received comprehensive education on their rights to be free from both sexual abuse/harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake:**

8,221

[Inmate Handbook](#)  
[PREA video](#)

**115.33 (c)-1 Number of inmates in the facility on date of audit who were admitted to the facility prior to August 20, 2012, who were so educated (as stated in 115.33(b)-1) by August 20, 2013:**

0

**115.33 (c)-2 Of those who were not educated during this period, all inmates have been educated subsequently.**  
N/A

**115.33 (c)-3 Agency policy requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse/harassment and retaliation for reporting such incidents and on policies and procedures for responding to such incidents to the extent that the policies and procedures of the new facility differ from those of the previous facility.**

N/A

**115.33 (d)-1 Inmate PREA education is available in accessible formats for all inmates including those who are (check all that apply):**

- ✓ Limited English proficient
- ✓ Deaf
- ✓ Visually impaired
- ✓ Otherwise disabled
- ✓ Limited in their reading skills

[PREA Page 8 Section IV](#)

**115.33 (e)-1 The agency maintains documentation of inmate participation in PREA education sessions.**

[PREA Page 8 Section IV](#)

Yes

# PREA AUDIT: Final Report

**115.33 (f)-1 The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.**

**Yes**

[PREA Page 9 Section IV](#)

[Inmate Handbook](#)

[Observed during tour](#)



# PREA AUDIT: Final Report

Standard number: [§ 115.34 Specialized training: Investigations](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews the PREA Coordinator and the BCI investigator. Training is supplemented with the training available through NIC.

**115.34 (a)-1 If the agency conducts its own investigations of allegations of sexual abuse, the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.**

Yes

[PREA Page 9 Section IV  
Training Certificate \(NIC\)](#)

**115.34 (c)-1 If the agency conducts its own investigations of allegations of sexual abuse, the agency maintains documentation showing that investigators have completed the required training.**

Yes

[Training Log](#)

**115.34 (c)-2 Number of investigators currently employed who have completed the required training:**

4

**115.34 (d)-1 If an external state agency or Department of Justice component conducts investigations of allegations of sexual abuse (including inmate-on-inmate sexual and staff sexual misconduct), all agents and investigators are trained in conducting investigations in confinement settings.**

Yes

[PREA Page 9 Section IV](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.35 Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews with medical and mental health staff and the PREA Coordinator.

**115.35 (a)-1 The agency shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:**

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

**PREA Section V**

**Reviewed training records**

**115.35 (a)-2 Number and percent of all medical and mental health care practitioners who work regularly at this facility and received the training required by agency policy:**

**#24**

**%100**

**115.35 (b)-1 Agency medical staff at this facility conducts forensic exams.**

**No**

**115.35 (c)-1 The agency maintains documentation pertaining to the training referenced above.**

**Yes**

**Reviewed training logs**

**115.35 (d)- Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency.**

**Yes**

**Reviewed training logs**

# PREA AUDIT: Final Report

**Standard number:** § 115.41 Screening for risk of victimization and abusiveness

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, observation of the process and interviews with staff, inmates, the PREA Coordinator, supervisors and the Director of Corrections.

The agency screens all inmates within the first few hours after arriving at the facility. All inmates interviewed were able to describe the intake process to include the PREA information posted on the walls and PREA pamphlets given to them.

**115.41 (a)-1 The agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other inmates.**

Yes

[PREA Page 9 Section VI](#)  
[Reviewed screening form](#)

**115.41 (b)-1 The policy requires that inmates be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake.**

Yes

[PREA Page 10 Section VI](#)  
[Screenings are completed during intake](#)

**115.41 (b)-2 Number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility:**

1536

**115.41 (c)-1 Risk assessment is conducted using an objective screening instrument.**

Yes

[INTAKE SCREENING FOR RISK OF VICTIMIZATION AND ABUSIVENESS](#)

**115.41 (f)-1 The policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening.**

Yes

[PREA Page 9 Section VI](#)

**115.41 (f)-2 Number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake:**

4

**115.41 (g)-1 The policy requires that the inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.**

Yes

[PREA Page 10 Section VI](#)

**115.41 (h)-1 The policy prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) the following questions:**

- Whether the inmate has a mental, physical, or developmental disability.
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming.

# PREA AUDIT: Final Report

- Whether the inmate has previously experienced sexual victimization.  
The inmate's own perception of vulnerability.

Yes

[PREA Page 9 Section VI](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.42 Use of screening information](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with intake staff, medical and mental health staff, program staff, the PREA Coordinator and the Warden.

**115.42 (a)-1 The agency/facility uses information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.**

Yes

[PREA Page 9 Section VI](#)

**115.42 (b)-1 The agency/facility makes individualized determinations about how to ensure the safety of each inmate.**

Yes

[LGBTI Page 6 Section VII](#)

**115.42 (c)-1 The agency/facility makes housing and program assignments for transgender or intersex inmates in a facility on a case-by-case basis.**

Yes

[LGBTI Page 6 Section VII](#)

# PREA AUDIT: Final Report

Standard number: § 115.43 Protective custody

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with a transgender inmate, staff, the PREA Coordinator, supervisors and the Warden.

The transgender female interviewed was housed in a regular housing unit. She expressed no fear for her safety and stated that staff was very respectful and allowed her shower after lockdown.

**115.43 (a)-1 The agency has a policy prohibiting the placing of 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

[LGBTI SOP Page 7 Section VIII](#)

**115.43 (a)-2 Number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment:**

0

**115.43 (c)-1 Number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement:**

1

**115.43 (d)-1 From a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, number of case files that include BOTH the following: (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation cannot be arranged:**

1

**115.43 (e)-1 If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.**

Yes

[LGBTI SOP Page 8 Section VIII PROOF](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.51 Inmate reporting](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with inmates, staff, the PREA Coordinator, supervisors and the Warden. During inmate interviews; all inmates stated that they would tell the deputy on duty if they wanted to report sexual abuse or harassment. Written options as well as the use of "Tip Line" numbers provided by the agency were second or third choices.

**115.51 (a)-1 The agency has established procedures allowing for multiple internal ways for inmates to report privately to agency officials about:**

- 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.

Yes

PREA Page 11 Section X

[Reviewed Incident Report](#)

**115.51 (b)-1 The agency provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency.**

Yes

PREA Page 11 Section X

[MOU with YWCA \(provides 24 hour service\)](#)

**115.51 (b)-2 The agency has a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.**

Yes

PREA Page 12 Section X

**115.51 (c)-1 The agency has a policy mandating that staff accept reports of sexual assault and sexual harassment made verbally, in writing, anonymously, and from third parties.**

Yes

PREA Page 12 Section X

**115.51 (c)-2 Staff are required to document verbal reports. If yes, please provide the timeframe required to document the reports.**

Yes, timeframe: Prior to the end of the shift

**115.51 (d)-1 The agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates.**

Yes, can report to any supervisor, BCI, Prosecutor's office or Tip Line.

PREA Page 12 Section X

**115.51 (d)-2 Staff are informed of these procedures in the following ways:  
Policy, training**

[Reviewed training logs](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.52 Exhaustion of administrative remedies

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, and interviews with the PREA Coordinator, supervisors and the Warden.

**115.52 (a)-1 The agency has an administrative procedure for dealing with inmate grievances regarding sexual abuse.**

**Yes**

[PREA Pages 12-13 Section XI](#)  
[Reviewed Incident Report](#)

**115.52 (b)-1 Agency policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have occurred.**

**Yes**

[PREA Page 12 Section XI](#)

**115.52 (b)-2 Agency policy requires an inmate to use an informal grievance process, or otherwise to attempt to resolve with staff, an alleged incident of sexual abuse.**

**No**

[PREA Page 12 Section XI](#)

**115.52 (c)-1 Agency policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint.**

**Yes**

[PREA Page 12 Section XI](#)

**115.52 (c)-2 Agency policy and procedure requires that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.**

**Yes**

[PREA Page 12 Section XI](#)

**115.52 (d)-1 Agency policy and procedure requires that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance.**

**Yes**

[PREA Page 12 Section XI](#)

**115.52 (d)-2 In the past 12 months, number of grievances that were filed that alleged sexual abuse:**

**3**

**115.52 (d)-3 Number of grievances alleging sexual abuse that reached final decision within 90 days after being filed:**

**3**

**115.52 (d)-4 In the past 12 months, number of grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days:**

**0**

**115.52 (d)-5 In cases where the agency requested an extension of the 90-day period to respond to a grievance**



# PREA AUDIT: Final Report

and had reached final decisions by the time of the PREA audit, some grievances took longer than a 70- day extension period to resolve.

No

**115.52 (d)-6** The agency always notifies the inmate in writing when the agency files for an extension, including notice of the date by which a decision will be made.

Yes

**115.52 (e)-1** Agency policy and procedure permits third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates.

Yes

[PREA Page 13 Section XI](#)

**115.52 (e)-2** Agency policy and procedure requires that if the inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate's decision to decline.

Yes

[PREA Page 13 Section XI](#)

**115.52 (e)-3** Number of the grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline:

0

**115.52 (f)-1** The agency has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

Yes

[PREA Page 13 Section XI](#)

**115.52 (f)-2** Agency policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours.

Yes

[PREA Page 13 Section XI](#)

**115.52 (f)-3** Number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months:

0

**115.52 (f)-4** Number of those grievances in 115.52 (e) – 3 that had an initial response within 48 hours:

0

**115.52 (f)-5** Agency policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within five days.

Yes

[PREA Page 13 Section XI](#)

**115.52 (f)-6** Number of the grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within five days:

0

**115.52 (g)-1** The agency has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the inmate filed the grievance in bad faith.

Yes

[PREA Page 13 Section XI](#)

**115.52 (g)-2** In the past 12 months, 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:

0

# PREA AUDIT: Final Report

**Standard number:** § 115.53 Inmate access to outside confidential support services

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, and interviews with inmates, program staff, the PREA Coordinator, supervisors and the Warden.

All inmates interviewed were aware of programs and available services. Information is posted in every housing unit with phone numbers (toll free) and addresses.

**115.53 (a)-1 The facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by doing the following:**

**Gives inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations.**

Yes

**Gives inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil immigration purposes.**

Yes

The facility has two units that house ICE inmates. The information is posted in the unit. Inmates are aware of the information and have access to telephones.

**Enables reasonable communication between inmates and these organizations in as confidential a manner as possible.**

Yes

[PREA Page 18 Section XX](#)  
[INMATE RULEBOOK](#)

**115.53 (b)-1 The facility informs inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored.**

Yes

**115.53 (b)-2 The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law.**

Yes

[PREA Page 19 Section XX](#)

**115.53 (c)-1 The agency or facility maintains memoranda of understanding or other agreements with community service providers that are able to provide inmates with emotional support services related to sexual abuse.**

No

**115.53 (c)-2 If YES to 115.53 (c) - 1, the agency or facility maintains copies of those agreements.**

No

**115.53 (c)-3 If NO to 115.53 (c) - 1, the agency or facility has attempted to enter into MOUs or other agreements with community service providers that are able to provide such services.**

Yes

**115.53 (c)-4 If YES to 115.53 (c) - 3, the agency maintains documentation of the attempts to enter into such agreements.**

Yes

Reviewed e-mail thread and proposed MOU. Agency has made attempt to provide services.

# PREA AUDIT: Final Report

Standard number: § 115.54 [Third-party reporting](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with inmates, staff, the PREA Coordinator and the Warden.  
All inmates interviewed were aware of the agency "Tip Line"

**115.53 (a)-1 The agency or facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment.**

Yes

[Complaints can be made on-line at www.bcsd.us](http://www.bcsd.us)

**115.54 (a)-2 The agency or facility publicly distributes information on how to report inmate sexual abuse or sexual harassment on behalf of inmates.**

Yes

[www.bcsd.us](http://www.bcsd.us)

[INMATE RULEBOOKS](#)

[English](#)

[Spanish](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.61 Staff and agency reporting duties](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with staff, the PREA Coordinator, supervisors and the Warden.

**115.61 (a)-1 The agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency.**

Yes

[PREA Page 13-14 Section XII](#)  
[Reviewed Incident Report](#)

**115.61 (a)-2 The agency requires all staff to report immediately and according to agency policy retaliation against inmates or staff who reported such an incident.**

Yes

[PREA Page 13-14 Section XII](#)

**115.61 (a)-3 The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.**

Yes

[PREA Page 13-14 Section XII](#)

**115.61 (b)-1 Apart from reporting to the designated supervisors or officials and designated state or local services agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.**

Yes

[PREA Page 13-14 Section XII](#)

# PREA AUDIT: Final Report

Standard number: § 115.62 Agency protection duties

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with inmates, staff, the PREA Coordinator, supervisors and the Warden.

**115.62 (a)-1 When the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the inmate (i.e., it takes some action to assess appropriate protective measures without unreasonable delay).**

Yes

[PREA Page 10 Section VII](#)

**115.62 (a)-2 In the past 12 months, the number of times the agency or facility has determined that an inmate was subject to substantial risk of imminent sexual abuse:**

4

**115.62 (a)-3 If the agency or facility made such determinations in the past 12 months, the average amount of time that passed before taking action:**

immediate

**115.62 (a)-4 Longest amount of time before taking action--if not "immediate" (i.e., without unreasonable delay), please explain:**

N/A

# PREA AUDIT: Final Report

**Standard number:** § 115.63 [Reporting to other confinement facilities](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with the PREA Coordinator and BCI.

**115.63 (a)-1 The agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency/facility where sexual abuse is alleged to have occurred.**

**Yes**

[PREA Page 14-15 Section XIV](#)

**115.63 (a)-2 During the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility:**

**0**

**115.63 (b)-1 Agency policy requires the facility head to provide such notification as soon as possible, but no later than 72 hours after receiving the allegation.**

**Yes**

**115.63 (c)-1 The agency/facility documents that it has provided such notification within 72 hours of receiving the allegation.**

**Yes**

**115.63 (d)-1 Agency/facility policy requires that allegations received from other facilities/agencies are investigated.**

**Yes**

[PREA Page 15 Section XIV](#)

**115.63 (d)-2 In the past 12 months, number of allegations of sexual abuse the facility received from other facilities:**

**0**

# PREA AUDIT: Final Report

## Standard number: § 115.64 Staff first responder duties

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, training records and interviews with staff, the PREA Coordinator and BCI.

All staff members interviewed were able accurately describe their first responder responsibilities.

115.64 (a)-1 The agency has a first responder policy for allegations of sexual abuse. If yes, the policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to (check all that apply):

- ✓ (1) Separate the alleged victim and abuser.
- ✓ (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
- ✓ (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- ✓ (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

[PREA Page 16 Section XVI](#)  
[Reviewed Incident reports](#)  
[Staff interviews](#)

**115.64 (a)-2 In the past 12 months, number of allegations that an inmate was sexually abused:**

7

**115.64 (a)-3 Of these allegations, the number of times the first security staff member to respond to and separated the alleged victim and abuser:**

7

**115.64 (a)-4 In the past 12 months, number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence. :**

2

**115.64 (a)-5 Of these allegations, number of times the first security staff member to respond to the report:**

- (1) Preserved and protected any crime scene until appropriate steps could be taken to collect any evidence.  
2
- (2) Requested 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.  
2
- (3) Ensured 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.  
2

**115.64 (b)-1 Agency policy requires that if the first staff responder is not a security staff member, that responder shall be required to (check all that apply):**

- ✓ Request that the alleged victim not take any actions that could destroy physical evidence.
- ✓ (2) Notify security staff.

# PREA AUDIT: Final Report

PREA Page 16 Section XVI

**115.64 (b)-2 Of the allegations that an inmate was sexually abused made in the past 12 months, number of times a non-security staff member was the first responder:**

**0**

**115.64 (b)-3 Of those allegations responded to first by a non-security staff member, number of times that staff member (if collected):**

**(1) Requested that the alleged victim not take any actions that could destroy physical evidence.**

**(2) Notified security staff.**

**N/A**



# PREA AUDIT: Final Report

Standard number: [§ 115.65 Coordinated response](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** Elements to achieve compliance: The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with staff, mental health staff, the PREA Coordinator, supervisors and the Warden.

115.65 (a)-1 The facility developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

Yes

[PREA Page 15 Section XV](#)  
[Reviewed Report](#)

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** **The Agency does not have any collective bargaining agreements.**

**115.65 (a)-1 The agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.**

**No**

# PREA AUDIT: Final Report

Standard number: [§ 115.67 Agency protection against retaliation](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with staff, the PREA Coordinator, supervisors and the Warden.

**115.67 (a)-1 The agency has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff.**

Yes

[PREA Page 15 Section XV](#)

**115.67 (a)-2 The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation.**

Yes

**Staff Name(s): Elaine Pell**

**Staff Title(s): Sergeant**

**Department(s): BCSO**

**115.67 (c)-1**

**Number of times an incident of retaliation occurred in the past 12 months:**

**0**

# PREA AUDIT: Final Report

Standard number: [§ 115.68 Post-allegation protective custody](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interviews with staff, the PREA Coordinator, supervisors and the Warden.

**115.68 (a)- 1 The agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alter-native means of separation from likely abusers.**

**Yes**

[PREA Page 15 Section XV](#)

**115.68 (a)- 2 The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment:**

**115.68 (a)- 3 The number of inmates who allege to have suffered sexual abuse who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement:**

**115.68 (a)- 4 From a review of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged:**

**115.68 (a)- 5 If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.**

[PREA Page 15 Section XV](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.71 [Criminal and administrative agency investigations](#)  
Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, reports, MOU's and interviews with the PREA Coordinator and BCI.

**115.71 (a)-1 [Reviewed uploaded policy related to criminal and administrative agency investigations; Evidence and Property; Criminal Investigations](#)**

**115.71 (h)-1 Substantiated allegations of conduct that appear to be criminal are referred for prosecution.**

Yes

[PREA Page 19 Section XXII](#)

**115.71 (h)-2 Number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later:**

3

[Reviewed Criminal Summons](#)

**115.71 (i)-1 Agency retains all written reports pertaining to administrative or criminal investigation of alleged sexual assault or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.**

Yes

[PREA Page 20 Section XXII](#)

**115.71 (k)-1 Any state entity or Department of Justice component that conducts administrative or criminal investigations of alleged sexual assault or sexual harassment does so pursuant to the requirements of standard 115.71.**

Yes

[Reviewed uploaded documentation confirming that a state entity or DOJ component is aware of requirements of the standard.](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.72 Evidentiary standard for administrative investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with BCI.

**115.72 (a)-1 The agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.**

Yes

[PREA Page 20 Section XXII](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.73 Reporting to inmates](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with BCI.

**115.73 (a)-1 The agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency.**

Yes

[PREA Page 20 Section XXIII](#)

[Reviewed notification letter to inmate](#)

**115.73 (a)-2 Number of investigations of alleged inmate sexual abuse that were completed by the facility in the past 12 months:**

7

**115.73 (a)-3 Of the alleged sexual abuse investigations that were completed in the past 12 months, number of inmates who were notified, verbally or in writing, of the results of the investigation:**

4

**115.73 (b)-1 If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the inmate as to the outcome of the investigation.**

Yes

**115.73 (b)-2 Number of investigations of alleged inmate sexual abuse in the agency's facilities that were completed by an outside agency in the past 12 months**

0

**115.73 (b)-3 Of the outside agency investigations of alleged sexual abuse that were completed in the past 12 months, number of inmates alleging sexual abuse in an agency facility who were notified verbally or in writing of the results of the investigation:**

N/A

**115.73 (c)-1 There has been a substantiated or unsubstantiated complaint (i.e., not unfounded) of sexual abuse committed by a staff member against an inmate in an agency facility in the past 12 months.**

No

**115.73 (c)-2 If yes, in each case the agency subsequently informed the inmate whenever: (a) the staff member was no longer posted within the inmate's unit; (b) the staff member was no longer employed at the facility; (c) the agency learned that the staff member was indicted on a charge related to sexual abuse within the facility; or (d) the agency learned that the staff member was convicted on a charge related to sexual abuse within the facility.**

N/A

**115.73 (d)-1 Following an inmate's allegation that he or she has been sexually abused by another inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.**

Yes

[Reviewed notification letter to inmate](#)

**115.73 (e)-1 The agency has a policy that all notifications to inmates described under this standard are documented.**

Yes

# **PREA AUDIT: Final Report**

**115.73 (e)-2 Number of notifications to inmates that were made pursuant to this standard in the past 12 months:  
N/A**

**115.73 (e)-3 Of those notifications made in the past 12 months, number that were documented:  
N/A**



# PREA AUDIT: Final Report

**Standard number:** § 115.76 Disciplinary sanctions for staff

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with BCI.

**115.76 (a)-1 Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.**

Yes

[PREA Page 21-22 Section XXV](#)

**115.76 (b)-1 In the past 12 months, number of staff (b) from the facility that have violated agency sexual abuse or sexual harassment policies:**

0

**115.76 (b)-2 In the past 12 months, number of staff from the facility that have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies:**

0

**115.76 (c)-1 Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.**

Yes

[PREA Page 21 Section XXV](#)

**115.76 (c)-2 In the past 12 months, number of staff from the facility that have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies:**

0

**115.76 (d)-1 All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.**

Yes

[PREA Page 21 Section XXV](#)

**115.76 (d)-2 In the past 12 months, number of staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies:**

0

# PREA AUDIT: Final Report

**Standard number:** § 115.77 [Corrective action for contractors and volunteers](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with BCI.

**115.77 (a)-1 Agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.**

Yes

[PREA Page 22 Section XXVI](#)

**115.77 (a)-2 Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with inmates.**

Yes

[PREA Page 22 Section XXVI](#)

**115.77 (a)-3 In the past 12 months, contractors or volunteers have been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates.**

0

**115.77 (a)-4 In the past 12 months, the number of contractors/volunteers reported to law enforcement for engaging in sexual abuse of inmates:**

0

**115.77 (b)-1 The facility takes remedial measures and prohibits further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.**

Yes

[PREA Page 22 Section XXVI](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.78 Disciplinary sanctions for inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with the PREA Coordinator.

**115.78 (a)-1 Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse.**

Yes

[PREA Page 21 Section XXIV](#)

**115.78 (a)-2 Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse.**

Yes

**115.78 (a)-3 In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility being audited:**

1

**115.78 (a)-4 In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility being audited:**

0

**115.78 (d)-1 The facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse.**

No

**115.78 (d)-2 If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.**

No

**115.78 (e)-1 The agency disciplines inmates for sexual conduct with staff only upon finding that the staff member did not consent to such contact.**

Yes

[PREA Page 21 Section XXIV](#)

**115.78 (f)-1 The agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.**

Yes

[PREA Page 21 Section XXIV](#)

**115.78 (g)-1 The agency prohibits all sexual activity between inmates.**

Yes

[PREA Page 21 Section XXIV](#)

**115.78 (g)-2 If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.**

Yes

[PREA Page 21 Section XXIV](#)

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with Mental Health.

**115.81 (a)/ (c)-1 All inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner.**

Yes

[RECEIVING SCREENING Page 4 Section III](#)

**115.81 (a)/ (c)-2 If yes, the follow-up meeting was offered within 14 days of the intake screening.**

Yes

**115.81 (a)/ (c)-3 In the past 12 months, the percent of inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner:**

0

**115.81 (a)/ (c)-4 Medical and mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.**

Yes

[RISK ASSESSMENT](#)

**115.81 (b)-1 If this facility is a prison, all prison inmates who have ever previously perpetrated sexual abuse are offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.**

N/A

**115.81 (b)-3 In the past 12 months, the percent of inmates who have previously perpetrated sexual abuse, as indicated during the screening who were offered a follow up meeting with a mental health practitioner:**

0

**115.81 (b)-4 Mental health staff maintain secondary materials (e.g., form, log) documenting compliance with the above required services.**

Yes

**115.81 (d)-1 Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners.**

No

[RECEIVING SCREENING Page 4 Section III](#)

**115.81 (d)-2 If no, the information shared with other staff is strictly limited to informing security and management decisions, including treatment plans, housing, bed, work, education, and program assignments, or as otherwise required by federal, state, or local law.**

Yes

**115.81 (e)-1 Reviewed consent documentation/logs obtained from inmates over age 18 by medical/mental health practitioners before reporting information about prior sexual victimization that did not occur in an institutional setting.**

[RECEIVING SCREENING Page 4 Section III](#)

# PREA AUDIT: Final Report

**Standard number:** § 115.82 [Access to emergency medical and mental health services](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with Mental Health.

**115.82(a)-1 Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.**

**Yes**

[Reviewed documentation from SART team](#)

**115.82(d)-1 Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.**

**Yes**

[PREA Page 18 Section XIX](#)

# PREA AUDIT: Final Report

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with Mental Health.

**115.83 (a)-1 The facility offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.**

Yes

ONGOING MEDICAL & MENTAL HEALTH CARE Page 2 Section I  
Reviewed mental health record

**115.83 (d)-1 Female victims of sexual abuse while incarcerated are offered pregnancy tests.**

Yes

**115.83 (e)-1 If pregnancy results from sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services.**

Yes

**115.83 (f)-1 Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.**

Yes

PREA Page 18 Section XIX

**115.83 (h)-1 The facility attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.**

Yes

ONGOING MEDICAL & MENTAL HEALTH CARE Page 2 Section I

# PREA AUDIT: Final Report

**Standard number:** [§ 115.86 Sexual abuse incident reviews](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with the PREA Coordinator and the Warden.

**115.86 (a)-1** The facility conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.

Yes

[PREA Page 23 Section XXIX](#)

**115.86 (a)-2** Excluding only “unfounded” incidents, in the past 12 months the number of administrative investigations of alleged sexual abuse completed at the facility:

2

**115.86 (b)-1** Sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the investigation.

Yes

[PREA Page 23 Section XXIX](#)

**115.86 (b)-2** Excluding only “unfounded “ incidents, in the past 12 months, the number of administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days:

2

**115.86 (c)-1** The sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

Yes

[PREA Page 23 Section XXIX](#)

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

Yes

[PREA Page 24 Section XXIX](#)

**115.86 (e)-1** The facility implements the recommendations for OR improvement or documents its reasons for not doing so.

Yes

[PREA Page 24 Section XXIX](#)

# PREA AUDIT: Final Report

Standard number: [§ 115.87 Data collection](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with the PREA Coordinator.

**115.87(a) (c)-1** The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

Yes

[PREA Page 25 Section XXXII](#)

[Reviewed PREA data collected](#)

**115.87(a) (c)-2** The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

Yes

[PREA Page 25 Section XXXII](#)

**115.87 (b)-1** The agency aggregates the incident-based sexual abuse data at least annually.

Yes

[PREA Page 25 Section XXXII](#)

**115.87 (d)-1** The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Yes

[PREA Page 25 Section XXXII](#)

**115.87(e)-1** The agency obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Yes

[PREA Page 25 Section XXXI](#)

**115.87 (e)-2** The data from private facilities complies with SSV reporting re: content.

Yes

**115.87 (f)-1** The agency provided Department of Justice data from the previous calendar year upon request.

Yes

[PREA Page 25 Section XXXII](#)



# PREA AUDIT: Final Report

Standard number: § 115.88 [Data review for corrective action](#)

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with the PREA Coordinator.

**115.88 (a)-1 The agency reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including:**

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

Yes

[PREA Pages 25-26 Section XXXIII](#)

**115.88 (b)-1 The annual report includes a comparison of the current year's data and corrective actions with those from prior years.**

Yes

**115.88 (b)-1 The annual report provides an assessment of the agency's progress in addressing sexual abuse.**

Yes

**115.88 (c)-1 The agency makes its annual report readily available to the public at least annually through its website.**

Yes

[www.bcsd.us](http://www.bcsd.us)

**115.88 (c)-2 If no, the agency makes it available through other means.**

N/A

**115.88 (c)-3 The annual reports are approved by the agency head.**

Yes

**115.88 (d)-1 When the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility.**

Yes

**115.88 (d)-2 The agency indicates the nature of material redacted.**

Yes

# PREA AUDIT: Final Report

**Standard number:** § 115.89 Data storage, publication, and destruction

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

**Auditor comments:** The agency has met all requirements of the standard. Determination was made following a review of the below listed policies and documents supplied by the agency, interview with the PREA Coordinator.

**115.89 (a)-1 The agency ensures that the incident-based and aggregate data are securely retained.**

Yes

[PREA Page 26 Section XXXIV](#)

**115.89 (b)-1 Agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.**

Yes

[PREA Page 26 Section XXXIV](#)

**115.89 (b)-2 If NO, the agency makes it available through other means.**

N/A

**115.89 (c)-1 Before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers.**

Yes

**115.89 (c)-2 The agency maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise.**

Yes

# PREA AUDIT: Final Report

## AUDITOR CERTIFICATION:

I certify that the contents of this report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review.

*Gerald F. Grogan* 09/30/2014

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Auditor Signature      Date

**Coastal Virginia Correctional Consulting LLC**