

# PREA Facility Audit Report: Final

**Name of Facility:** Edna Mahan Correctional Facility for Women

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** 03/15/2022

**Date Final Report Submitted:** 09/22/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Sonya C Love	<b>Date of Signature:</b> 09/22/2022

AUDITOR INFORMATION	
<b>Auditor name:</b>	Love, Sonya
<b>Email:</b>	sonya.love57@outlook.com
<b>Start Date of On-Site Audit:</b>	08/31/2021
<b>End Date of On-Site Audit:</b>	09/02/2021

FACILITY INFORMATION	
<b>Facility name:</b>	Edna Mahan Correctional Facility for Women
<b>Facility physical address:</b>	30 Country Road 513, Clinton, New Jersey - 08809
<b>Facility mailing address:</b>	

Primary Contact	
<b>Name:</b>	Crystal Raupp
<b>Email Address:</b>	Crystal.Raupp@doc.nj.gov
<b>Telephone Number:</b>	908-735-3603

Warden/Jail Administrator/Sheriff/Director	
<b>Name:</b>	Patricia McGill
<b>Email Address:</b>	Patricia.McGill@doc.nj.gov
<b>Telephone Number:</b>	908-735-3600

Facility PREA Compliance Manager	
<b>Name:</b>	Crystal Raupp
<b>Email Address:</b>	crystal.raupp@doc.nj.gov
<b>Telephone Number:</b>	O: 908-735-3603

Facility Health Service Administrator On-site	
<b>Name:</b>	Dr. Sandra Braimbridge
<b>Email Address:</b>	Braimbs1@ubhc.rutgers.edu
<b>Telephone Number:</b>	908-735-7111 x 3429

Facility Characteristics	
<b>Designed facility capacity:</b>	852
<b>Current population of facility:</b>	365
<b>Average daily population for the past 12 months:</b>	425
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>Which population(s) does the facility hold?</b>	Females
<b>Age range of population:</b>	19 - 76 years
<b>Facility security levels/inmate custody levels:</b>	Max, Medium, Gang Minimum, Full Minimum, Close
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	489
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	7
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	0

AGENCY INFORMATION	
<b>Name of agency:</b>	New Jersey Department of Corrections
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	Whittlesey Road, PO Box 863, Trenton, New Jersey - 08625
<b>Mailing Address:</b>	
<b>Telephone number:</b>	6092924036

Agency Chief Executive Officer Information:	
<b>Name:</b>	Victoria L. Kuhn, Esq.
<b>Email Address:</b>	Victoria.Kuhn@doc.nj.gov
<b>Telephone Number:</b>	609-292-4036-5656

Agency-Wide PREA Coordinator Information	
<b>Name:</b>	Jennifer Malinowski
<b>Email Address:</b>	jennifer.malinowski@doc.nj.gov

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
<b>Number of standards exceeded:</b>	
0	
<b>Number of standards met:</b>	
42	
<b>Number of standards not met:</b>	
3	<ul style="list-style-type: none"> <li>• 115.42 - Use of screening information</li> <li>• 115.67 - Agency protection against retaliation</li> <li>• 115.71 - Criminal and administrative agency investigations</li> </ul>

# POST-AUDIT REPORTING INFORMATION

## GENERAL AUDIT INFORMATION

### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2021-08-31
2. End date of the onsite portion of the audit:	2021-09-02

### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Reached out to a local victim advocacy organization several times with no response.

## AUDITED FACILITY INFORMATION

14. Designated facility capacity:	852
15. Average daily population for the past 12 months:	425
16. Number of inmate/resident/detainee housing units:	24
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	359
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	7
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	8
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	19
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	143
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	NJDOC did not track some post-audit reporting statistical information regarding the characteristics of specific populations.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	485
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	50
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	NJDOC did not track some post-audit reporting statistical information regarding the characteristics of specific populations.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	

53. Enter the total number of <b>RANDOM INMATES/RESIDENTS/DETAINEES</b> who were interviewed:	13
54. Select which characteristics you considered when you selected <b>RANDOM INMATE/RESIDENT/DETAINEE</b> interviewees: (select all that apply)	<input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of <b>RANDOM INMATE/RESIDENT/DETAINEE</b> interviewees was geographically diverse?	Inmate roster.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	<ol style="list-style-type: none"> <li>1. Covid</li> <li>2. transgender-women population</li> </ol>
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
58. Enter the total number of <b>TARGETED INMATES/RESIDENTS/DETAINEES</b> who were interviewed:	18
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1

<p><b>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>During both facility tours, this Writer informally inquired regarding inmates blind or with low vision. Moreover, this Writer also asked about certain groups of targeted inmates. The Lead and Associate Auditors conducted informal conversations during two facility tours to identify targeted categories. Likewise, the Lead Auditor queried facility administrators regarding the required number of targeted inmates.</p>
<p><b>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>0</p>
<p><b>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>During both facility tours, this Writer informally inquired regarding inmates who were deaf or hard-of-hearing.</p>
<p><b>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b></p>	<p>2</p>
<p><b>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>9</p>
<p><b>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b></p>	<p>5</p>
<p><b>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b></p>	<p>1</p>

68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	7
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.  <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	During two facility tours, one conducted by the Associate Auditor and the second facility tour conducted by both the Lead Auditor and the Associate. In addition, the Auditors conducted cell-to-cell informal conversations with the occupants. Edna Mahan housed zero inmates in segregation due to the risk of victimization.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	The transgender population was oversampled. As sampling began, members from the transgender (women) population congregated in the dayroom and requested to speak with an Auditor.
<b>Staff, Volunteer, and Contractor Interviews</b>	
<b>Random Staff Interviews</b>	
71. Enter the total number of RANDOM STAFF who were interviewed:	20
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes  <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.

## Specialized Staff, Volunteers, and Contractor Interviews

Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.

<b>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b>	16
<b>76. Were you able to interview the Agency Head?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>78. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>79. Were you able to interview the PREA Compliance Manager?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

<p><b>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Agency contract administrator</li> <li><input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment</li> <li><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</li> <li><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</li> <li><input checked="" type="checkbox"/> Medical staff</li> <li><input checked="" type="checkbox"/> Mental health staff</li> <li><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</li> <li><input checked="" type="checkbox"/> Administrative (human resources) staff</li> <li><input checked="" type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</li> <li><input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations</li> <li><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</li> <li><input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</li> <li><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</li> <li><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</li> <li><input checked="" type="checkbox"/> First responders, both security and non-security staff</li> <li><input checked="" type="checkbox"/> Intake staff</li> <li><input checked="" type="checkbox"/> Other</li> </ul>
<p><b>If "Other," provide additional specialized staff roles interviewed:</b></p>	<p>Members of the Sexual Assault Advisory Council, Hunterdon County Prosecutors Office,</p>
<p><b>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p><b>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>a. Enter the total number of CONTRACTORS who were interviewed:</b></p>	<p>2</p>

<p><b>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input checked="" type="checkbox"/> Other</p>
<p><b>83. Provide any additional comments regarding selecting or interviewing specialized staff.</b></p>	<p>Mental Health</p>

## SITE REVIEW AND DOCUMENTATION SAMPLING

### Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

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

<p><b>85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>88. Informal conversations with staff during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p><b>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b></p>	<p>The Auditor conducted two facility tours during the onsite portion of this audit. One tour was conducted by the Associate Auditor of the entire facility. The Lead and Associate Auditors conducted the second facility tour on the night shift, focusing on areas such as the reception, segregation, and MAX units. Phones were operational. The inmates were in their cells. PREA signage was visible near the telephones. Both Auditors' conducted informal conversations with inmates throughout specific living units. Several inmates asked to be placed on the interview roster.</p>
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**Documentation Sampling**

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

<p><b>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p><b>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<ol style="list-style-type: none"> <li>1. Retaliation monitoring</li> <li>2. JPAY request - PREA related</li> <li>3. Transgender reassessments</li> <li>4. Transgender request</li> <li>5. Investigations</li> <li>6. Classification</li> <li>7. Housing unit locations versus transgender placement</li> <li>8. Staffing report</li> <li>9. Incident report reviews after the completion of an investigation (e.g., substantiated/unsubstantiated)</li> <li>10. Reassessments</li> </ol>
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**SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY**

**Sexual Abuse and Sexual Harassment Allegations and Investigations Overview**

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual abuse</b>	8	0	8	0
<b>Staff-on-inmate sexual abuse</b>	18	0	18	0
<b>Total</b>	26	0	26	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual harassment</b>	11	0	11	0
<b>Staff-on-inmate sexual harassment</b>	4	0	4	0
<b>Total</b>	15	0	15	0

**Sexual Abuse and Sexual Harassment Investigation Outcomes**

**Sexual Abuse Investigation Outcomes**

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	3	0	5	0
<b>Staff-on-inmate sexual abuse</b>	12	1	5	0
<b>Total</b>	15	1	10	0

**Sexual Harassment Investigation Outcomes**

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	3	1	7	0
Staff-on-inmate sexual harassment	2	0	2	0
<b>Total</b>	5	1	9	0

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

**Sexual Abuse Investigation Files Selected for Review**

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	8
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

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

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	8
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

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

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	8
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	5
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
<b>Inmate-on-inmate sexual harassment investigation files</b>	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	3
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>Staff-on-inmate sexual harassment investigation files</b>	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	2

<p>112. Did your sample of <b>STAFF-ON-INMATE SEXUAL HARASSMENT</b> investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of <b>STAFF-ON-INMATE SEXUAL HARASSMENT</b> investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>Some investigations are still pending. Edna Mahan has multiple methods of reporting a PREA-related incident. During this audit period, the clearinghouse for processing investigations was inconsistent. Some investigations were closed by administrative staff but not trained investigators. PREA-related allegations addressed by administrative staff include report types such as sexual harassment, inmate intimidation, placement in RHU after filing a PREA report, retaliation, and opposite-gender failure to knock and announce. Other investigations proceeded through the formal investigative process. Interviews with investigators and administrative staff suggested that an email or phone call initiated a SID investigation after an inmate filed a PREA report using the JPAY system. Problematic was that conflicting interviews regarding the notification process led to significantly more inconsistencies regarding initiating an investigation that originated through the JPAY system.</p>

## SUPPORT STAFF INFORMATION

### DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any <b>DOJ-CERTIFIED PREA AUDITORS</b> at any point during this audit? <b>REMEMBER:</b> the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the <b>TOTAL NUMBER OF DOJ-CERTIFIED PREA AUDITORS</b> who provided assistance at any point during this audit:</p>	<p>1</p>

### Non-certified Support Staff

<p>116. Did you receive assistance from any <b>NON-CERTIFIED SUPPORT STAFF</b> at any point during this audit? <b>REMEMBER:</b> the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the <b>TOTAL NUMBER OF NON-CERTIFIED SUPPORT</b> who provided assistance at any point during this audit:</p>	<p>40</p>

## AUDITING ARRANGEMENTS AND COMPENSATION

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

## Standards

### Auditor Overall Determination Definitions

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

### Auditor Discussion Instructions

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

115.11	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator. New Jersey Department of Corrections (NJDOC) policies address Standard 115.11.

115.11 (a) New Jersey Department of Corrections has a written policy mandating a zero-tolerance policy against all forms of sexual abuse and sexual harassment. Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault and PCS .001.008 Prevention, Detection and Response of Sexual Abuse and Harassment specifically outline NJDOC's approach to preventing, detecting, and responding to such conduct as outlined in Standard 115.11.

115.11 (b) The NJDOC Commissioner designated the position of agency PREA Coordinator. Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault by the NJDOC Commissioner. The Director of the Office of Public and Planning, Legislative Services/Administrative Rules Unit/PREA is designated as the agency PREA Coordinator. The Director of the Office of Public and Planning, Legislative Services/Administrative Rules Unit/PREA is a direct report to the NJDOC Chief of Staff, a member of executive management. The NJDOC position of Chief of Staff is a direct report to the NJDOC Commissioner. According to Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, the agency PREA Coordinator coordinates and guides the agency and individual facility implementation of a zero-tolerance approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The designated acting PREA Coordinator was reassigned to Edna Mahan as an Associate Administrator, leaving this critical position unfilled. During the audit and corrective action period, the SAAC, the managing oversight committee, was without leadership to guide the NJDOC's approach to preventing, detecting, and responding to conduct as outlined in Standard 115.11. The position of PREA Coordinator did not have sufficient time and authority to develop, implement, and oversee the agency's efforts to comply with PREA standards in all of its facilities. NJDOC implemented a corrective action due in part to this audit and a DOJ Settlement Agreement.

NJDOC has received authorization from the Civil Service to create, interview, and hire a full-time agency PREA Coordinator. The new position is solely designed to manage all PREA-related duties. During her interview, the NJDOC Commissioner indicated that the agency had posted the position of PREA Coordinator. The interview process will be scheduled in the coming weeks. By creating a position, singularly committed and dedicated to focusing on all facets of PREA with sufficient time and authority to develop, implement, and oversee the agency's efforts to comply with PREA standards in all its facilities increases sexual safety for inmates and staff.

115.11 (c) NJDOC operates multiple adult facilities; according to the PREA Coordinator, each facility has a designated PREA Compliance Manager. Policy PC.001.008, each NJDOC correctional facility has a designated PREA Compliance Manager (PCM) who is Assistant Superintendent or higher. The PCM coordinates and supervises PREA compliance at the facility level. The position of PREA Compliance Manager at Edna Mahan is a role with numerous duties other than PREA. During this audit period, the individual responsible for coordinating and supervising PREA compliance at the facility level has changed multiple times. The changes in the individual responsible for PREA at Edna Mahan had an adverse negative effect on the facility's ability to manage PREA-related duties such as Retaliation Monitoring and facility incident reviews. As a result, the agency created a dedicated PREA Compliance Manager position at Edna Mahan. NJDOC implemented a corrective action due in part to this audit and a DOJ Settlement Agreement.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- PCS 011.000 Office of Community Programs Mission, Goals, and Objectives
- PCS .001.008 Prevention, Detection, and Response of Sexual Abuse and Harassment
- Agency Organizational Chart: PREA Coordinator
- Edna Mahan Correctional Facility for Women Organizational Chart: Institutional PREA Compliance Manager
- Interview with the Superintendent/Warden (10/14/2021)
- Interview with the NJDOC Commissioner
- PREA Cycle Interview Conducted by Donald Chadwick, PREA Auditor: Acting PREA Coordinator
- Interview with the PREA Compliance Manager, Assistant Superintendent (10/14/21)

115.12	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1492 595">NJDOC reported having contracts (13) for the confinement of inmates that the agency entered into or renewed with private entities or other government agencies on or after August 20, 2012, or since the last PREA audit. The facility uploaded a few contracts that are reportedly applicable to Edna Mahan. All contracts are written in the same format with identical content. The contracts, in section 1.11 entitled "Compliance with All Applicable Laws Required," do not specifically require compliance with PREA standards but require compliance with the legal requirements outlined in the contract and any other applicable law, regulations, or codes. The contracts state that the listed laws, rules, and codes cited are available for review at the State Library. A memo from the NJDOC Office of Compliance, Policy, and Strategic Planning, NJDOC contracts office should include specific PREA language in all future contracts. The Auditor requested contracts executed within the last 12 months to determine if the PREA language is included in all applicable written contractual agreements for community Residential Placement Programs for inmates.</p> <p data-bbox="242 629 1492 954">In an interagency memo from NJDOC dated April 15, 2019, the Office of Community Programs contracts section was advised by the Office of Compliance, Policy, and Strategic Planning that NJDOC contracts should include specific PREA language included in future Requests for Proposals. Re-bids for contracts in effect under RFP Bid No. PCS-2016 and ending June 30, 2019, would be required to have PREA compliance language. The development of the RCRP Request for Proposals under PCS-2019 would need the contractor's administrative responsibilities to comply with PREA. The PCS- 2019 also covered any new contractors' obligation to become PREA compliant by January 1, 2021. NJDOC monitoring requires the contractor to provide PREA audit results to the Office of Community Programs. Annually, the contractor must meet NJDOC monitoring requirements for PREA compliance. Bidders who are RCRP contractors at the time the RFP is issued (Current Contractors) are required to maintain PREA compliance for the RCRP throughout the term of the Contract.</p>

115.13	<b>Supervision and monitoring</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1493 331">NJDOC Post Trick Analysis/Baseline Custody Staffing Policy 3301; 2018 Internal PREA Audit; CUS 001.CRP (camera review procedures), CUS.001.011, and IMM 001.004 address the requirements of PREA standard 115.13.</p> <p data-bbox="242 360 1489 555">115.13 (a) The previous PREA Compliance Manager completed an Internal PREA Audit on December 2, 2020. However, the Internal PREA Audit is insufficient evidence of compliance with this standard, specifically Standard 115.13 (a, b, and c). For example, the Auditor could not determine if, in the past 12 months, Edna Mahan Correctional Facility for Women, in consultation with the agency acting PREA Coordinator, assessed, determined, and documented whether adjustments are needed to the Edna Mahan staffing plan established according to Standard 115.13 (a) and (c) or if the facility has the necessary resources available to commit to ensuring adherence to the staffing plan.</p> <p data-bbox="242 584 1465 779">After corrective action, Edna Mahan provided this Auditor with a documented staffing plan to comply with Standard 115.13. In calculating adequate staffing levels and determining the need for video monitoring, the staffing plan considered factors such as Generally accepted detention and disciplinary practices, any judicial findings of inadequacy, any findings of inadequacy from Federal investigative agencies, findings of inadequacy from internal or external oversight bodies, inmate population, blind spots, placement and number of supervisory staff on every shift, institutional programs occurring on a particular shift and the prevalence of substantiated and unsubstantiated incidents of sexual abuse.</p> <p data-bbox="242 808 1481 902">115.13 (b) According to the Shift Supervisor, the facility would document and justify all deviations from the plan if the staffing plan is not complied with. In addition, the Auditor interviewed the facility Superintendent/Warden during the onsite portion of the audit.</p> <p data-bbox="242 931 1453 1025">115.13 (c) In the past 12 months, in consultation with the agency PREA Coordinator, Edna Mahan assessed, determined, and documented whether adjustments are needed to the revised staffing plan. In addition, Edna Mahan submitted a Post-Trick Analysis to demonstrate compliance with this standard.</p> <p data-bbox="242 1055 1489 1216">115.13 (d) The facility has implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. In addition, custody managers document unannounced rounds in the Edna Mahan Correctional Facility General Housing Daily Logbook. During the facility tour, the Lead Auditor reviewed a sample of logbooks to determine if unannounced rounds occurred every shift, weekend, and holiday.</p> <p data-bbox="242 1245 1493 1507">The facility operates 24 hours per day. Random unannounced rounds were selected and reviewed by the Auditor. From the log sheets, the Auditor determined that intermediate-level or higher-level supervisors on duty conducted PREA Unannounced Tours and notated the time of each round. Supervisors sampled during the audit denied alerting staff of the intention to conduct unannounced rounds. The supervisor indicated his movement around the facility is random as he monitors inmate and staff movement and observes the level of staff supervision during his shift. During the facility tour, inmates were engaged informally regarding opposite-gender announcements and how some transgender-woman and cisgender inmates manipulate or weaponize PREA for personal gain. The lead Auditor added several inmates to the interview roster to meet with the Auditor the following day.</p> <p data-bbox="242 1597 887 1626"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1655 1246 2141" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse</li> <li>• Policy CUS.001.SEA.001 Searches of Inmates and Correctional Facilities</li> <li>• Policy CUS.001.SEA.011 Searches of Inmates and Correctional Facilities</li> <li>• Policy CUS.001.CRP.01 Camera Review Procedures</li> <li>• Memorandum: Post Trick Analysis, dated December 20, 1990, regarding staffing calculations</li> <li>• Edna Mahan Correctional Facility for Women Internal Audit: dated December 2, 2021</li> <li>• Auditor review of unannounced, dated May 15, 2021, 2nd shift, 1705 hours</li> </ul>

- Auditor review of unannounced, dated May 15, 2021, 2nd shift, 2030 hours
- Auditor review of unannounced, dated May 15, 2021, 3rd shift, 2320 hours
- Auditor review of unannounced, dated May 15, 2021, 3rd shift, 0518 hours
- Auditor review of unannounced, dated May 15, 2021, 2nd shift, 1705 hours
- Auditor review of unannounced, dated May 15, 2021, 2nd shift, 2036 hours
- Auditor review of unannounced, dated June 1, 2021, 1st shift, 1325 hours
- Auditor review of unannounced, dated June 1, 2021, 2nd shift, 1735 hours
- Auditor review of unannounced, dated June 7, 2021, 1st shift, 1325 hours
- Auditor review of unannounced, dated June 12, 2021, 1st shift, 1015 hours
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager
- Interview with senior staff who conduct unannounced rounds
- Interview with the Superintendent/Warden

**Corrective action:**

Edna Mahan revised the facility staffing plan to address all factors outlined in Standard 115.13. In accordance with Standard 115.13 (b), the facility will document and justify all deviations from the staffing plan. In consultation with the agency PREA Coordinator, the facility will assess, determine, and document whether adjustments are needed to the staffing plan established according to Standard 115.13. Edna Mahan Correctional Facility for Women will provide the Auditor with evidence the facility consulted with the Acting PREA Coordinator regarding the establishment of a staffing plan for Edna Mahan Correctional Facility Women on the development of a staffing plan, document any deviations from the staffing plan, and considered all other factors related to this standard.

<b>115.14</b>	<b>Youthful inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	According to the Acting PREA Coordinator and a review of the Pre-Audit Questionnaire (PAQ), Edna Mahan does not house inmates identified as "youthful inmates."

115.15	<b>Limits to cross-gender viewing and searches</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1477 528">Policy CUS.001.SEA.001 Searches of Inmates and Correctional Facilities, Policy CUS.001.SEA.011 Searches of Inmates and Correctional Facilities, Policy CUS.001.GRC.001 Gender Restriction of Custody Post, Policy PCS.001.TGI.01 Transgender and Intersex Inmates, New Jersey Administrative Code (NJAC), Title 10 A: 3-5.6, Corrections, Chapter 3, Security and Control, Subchapter 5, Searches of Inmates and Facilities, April 2019, regarding Pat Searches, New Jersey Administrative Code (NJAC), Title 10 A:3-5.7, Corrections, Chapter 3, Security and Control, Subchapter 5, Searches of Inmates and Facilities, April 2019, regarding Strip Searches as well as Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault and Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse all address Standard 115.15 Limits to cross-gender viewing and searches.</p> <p data-bbox="240 562 1066 589">115.13 (a) Edna Mahan Correctional Facility is an adult female correctional facility.</p> <p data-bbox="240 622 1490 981">115.13 (b) NJDOC/Edna Mahan policy does not permit cross-gender pat-down searches of female inmates absent exigent circumstances. The Edna Mahan rated capacity exceeds 50 inmates. Informal conversations with staff and persons confined in the facility regarding search procedures (e.g., limits to cross-gender viewing and supervision of searches) were conducted. Custody staff interviewed denies restricting programs and other out-of-cell opportunities to comply with this provision. The Auditor interviewed random and targeted inmates, including transgender women, and zero indicated being denied access to programming or other out-of-cell opportunities to comply with this part of Standard 115.15 (b) - 2. Further, the facility PAQ supports statements provided by the inmate sample of participants and random staff sampled during the onsite portion of the audit. In the past 12 months, the number of pat-down searches of female inmates conducted by male staff that did not involve exigent circumstance(s) was zero, as confirmed by Edna Mahan. Likewise, investigative reports sampled indicate allegations of staff involved pat-down searches or strip searches of female inmates by male staff absent exigent circumstance(s) was zero in the past 12 months.</p> <p data-bbox="240 1014 1477 1205">115.13 (c) According to the acting PCM, NJDOC, and, by extension, Edna Mahan requires the facility to document all cross-gender strip and visual body cavity searches. Further, NJDOC has developed specific policies provided in paragraph one above that provide facilities with guidance regarding the issue of cross-gender strip or cross-gender visual body cavity searches of inmates. During the facility tours, the Auditors observed all areas where inmates could be undressed, like the shower, using the toilet, and/or changing their clothes. Examples of other areas of observation Auditors visited during the tours include medical, segregation, and the intake unit; this list is not exhaustive.</p> <p data-bbox="240 1238 1477 1664">115.13 (d) For example, Policy CUS.001.GRC.001 Gender Restriction of Custody Post, Post Assignments indicates when two (2) or more officers are assigned to a housing unit, post, or detail (which requires the inmate(s) to be strip-searched), at least one (1) of the officers must be of the same sex as the inmates residing on the unit or working on the detail. When such requirements are present, each facility will specify through job code which post or detail position, and relief position, if applicable, are gender restricted. This practice ensures that the remaining position(s) can always be posted without gender restriction. All additional officers assigned to the unit or detail may be done without gender restriction. When only one (1) officer is assigned to a post that requires strip searching of inmates, that officer will be of the same sex as the inmates being strip searched. When a post is a one (1) officer position and does not require strip-searching inmates, the assigned officer, and relief, may be an officer of the opposite gender to the inmate population on site. The only exception is where there exist elements where gender-specific staffing is required and has been approved by the agency 002 Committee for Gender Restricted designation. The 002 Committee is a committee unit under the Division of Operations with the primary function of providing a comprehensive analysis for each work unit to ensure adequate staffing is maintained and posts are filled daily according to the approved institutional post-trick analysis.</p> <p data-bbox="240 1697 1490 1989">More, NJDOC and, by extension Edna Mahan have policies and procedures that mandate staff of the opposite gender to announce their presence when entering an inmate housing unit. Random and targeted inmates sampled during the onsite portion of the audit confirmed a sense of privacy from most opposite-gender staff during shower time. The Auditor determined by examination that Edna Mahan staff made opposite gender announcements during the facility tour. Opposite-gender announcements made during the facility tour confirmed practices and procedures are in place that enables inmates to shower, perform bodily functions, and change clothing without a nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. During the night facility tour, the Auditors conducted informal conversations with inmates regarding this standard. Most inmates indicated that most opposite-gender staff make announcements before entering the unit.</p> <p data-bbox="240 2022 1449 2145">More, inmate searches are conducted per NJAC 10A:3-5 Pat Searches and NJAC 10A:3-5.6 Strip Search policies. Policy PCS.001.TGI.01 Transgender and Intersex Inmates provide facilities with guidance for searching a vulnerable group of inmates with a degree of respect and professionalism. According to random (custody) staff interviewed during the audit, NJDOC mandates that custody staff of like or opposite gender may be assigned to conduct metal detector searches of</p>

inmates regardless of the gender of the inmate. According to the Superintendent, custody staff of the same gender identity as the inmate being searched will conduct the strip search of an inmate unless otherwise requested or during exigent circumstances. No member of the opposite gender shall conduct and/or be present during a strip search, except under emergent conditions as ordered by the facility Superintendent/Warden, Associate Administrator Assistant Superintendent or the highest-ranking custody supervisor on duty.

Policy CUS.001.011, Searches of Inmates and Correctional Facilities, directs custody staff to conduct a strip search of a transgender or intersex inmate as mandated in the policy. The auditing strategy included interviews with a sample group of targeted inmates who self-identified as transgender women, transgender men, gay or bisexual, all of which denied being strip-searched or physically examined in an unprofessional manner or being strip-searched for the sole purpose of determining their genital status. More, the Auditor interviewed random and other targeted inmates during the onsite portion of the audit and determined that inmates sampled (100%) denied being searched for any reason by an opposite gender staff in the past 12- month period as inappropriate.

115.13 (f) Random staff sampled during this audit detailed the facility's policy and procedures regarding opposite-gender searches. In addition, the Lead Auditor examined random staff training files to confirm that all staff sampled received training that prohibits cross-gender strip searches, visual body cavity searches, and cross-gender pat-down searches from being conducted except in exigent circumstances or by a medical practitioner. Further, random staff samples provided the Auditor with specific examples of what would represent an exigent circumstance, such as a life-threatening emergency transport to the hospital or a natural disaster that would require the search of an inmate before being transported outside the facility. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of an inmate, as confirmed by the PREA Compliance Manager and the PAQ, was zero.

Random custody staff confirmed that the cross-gender strip searches, cross-gender training, and NJDOC PAT Search Training included training on how to conduct a pat-down search and strip searches professionally, respectfully, and in the least intrusive manner possible, consistent with security needs. Further, the same training curriculum includes a module for training custody staff on conducting searches of transgender and intersex inmates professionally, respectfully, and in the least intrusive manner possible, consistent with security needs. The facility Pre-audit questionnaire (PAQ) indicates zero cross-gender strip searches or visual body cavity searches of any kind in the past 12 months, as confirmed by the acting PREA Compliance Manager.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse
- Policy CUS.001.SEA.001 Searches of Inmates and Correctional Facilities
- Policy CUS.001.SEA.011 Searches of Inmates and Correctional Facilities
- Policy CUS.001.GRC.001 Gender Restriction of Custody Post
- Policy PCS.001.TGI.01 Transgender and Intersex Inmates
- New Jersey Administrative Code (NJAC), Title 10 A: 3-5.6, Corrections, Chapter 3, Security and Control, Subchapter 5, Searches of Inmates and Facilities, April 2019, regarding Pat Searches
- New Jersey Administrative Code (NJAC), Title 10 A:3-5.7, Corrections, Chapter 3, Security and Control, Subchapter 5, Searches of Inmates and Facilities, April 2019, regarding Strip Searches
- Interoffice Communication: Regarding Standard 115.15, Knock and Announce from the PREA Coordinator, dated May 15, 2015
- Interview with the Superintendent/Warden
- Interview with the PREA Compliance Manager
- Interview with random staff
- Interview with random inmates
- Interview with transgender inmates



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

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy SUP.004.001 Limited English Proficient (LEP) Language Assistance Bilingual Staff and Use of the Language Line, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy PCS.001.DFH.01 Deaf/Hard of Hearing Inmates, Policy IMM.002.003 Americans With Disabilities Act (ADA) and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates collectively address the policy requirements of Standard 115.16.

According to the Institutional PREA Compliance Manager, NJDOC and Edna Mahan 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. More, the agency takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient.

Policy SUP.004.001 Limited English Proficient (LEP) Language Assistance Bilingual Staff and Use of the Language Line provides facilities with guidelines to help with limited English proficient (LEP) inmates within the NJDOC correctional facilities, programs, and activities. Language Line Services is an over-the-phone telephone interpretation system that permits the oral transmission of a message from one language into another language for those inmates who are LEP.

Language interpretive assistance provided at Edna Mahan includes aid such as: Use of bi-lingual staff, use of the language line services, use of a TDD phone, use of sign language, verbal communication, and other reasonable disability accommodations in accordance with Standard 115.16 (a & b). The Auditor noted during the facility tour that Edna Mahan displayed PREA education and victim advocacy posters in Spanish and English. Further, NJDOC Policy IMM.002.003 Americans With Disabilities Act and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates dictates that the agency shall ensure that inmates with disabilities shall have equal opportunity to participate in or benefit from the Department of Correction's efforts to prevent, detect, and respond to sexual abuse and sexual harassment in accordance with the standards of the Federal Prison Rape Elimination Act of 2003. This PREA Auditor interviewed one (1) LEP inmates during the onsite portion of the audit with the assistance of an onsite interpreter. Zero LEP inmates indicated language barriers which prevented their understanding of the Prison Rape Elimination Act (PREA). All LEP inmates interviewed confirmed being educated regarding PREA in a language they understood. Likewise, each LEP inmate interviewed understood how to report PREA using multiple methods to report. All LEP inmates understood their right to be free from sexual abuse, sexual harassment, and retaliation for reporting an incident.

Edna Mahan Correctional Facility for Women intake staff and Case Managers sampled during the audit confirmed that PREA education is provided in verbal and written formats. The Auditor determined by examination that NJDOC takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment of inmates who are limited English proficient (LEP).

During random staff interviews (100%) of participants sampled confirmed that they always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations.

According to SAAC agency administrators confirmed that in the last 12 months Edna Mahan did not rely inmate interpreters, readers, or other types on inmate assistance involving PREA cases or investigations. During the onsite portion of the audit the Auditor confirmed with the SAAC agency administrators PREA Compliance Manager that statistical data relevant to this standard was unchanged since the development of the PAQ. During inmate interviews Edna Mahan staff performed the role of Spanish Interpreter for an LEP inmate. Edna Mahan Correctional Facility for Women met the requirements of Standard 115.16.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse
- Supplemental Policy SUP.004.001 Limited English Proficient (LEP) Language Assistance: Bilingual Staff and Use of the Language Line
- Policy PCS.001.DFH.01 Deaf/Hard of Hearing Inmates

- Policy IMM.002.003 Americans With Disabilities Act (ADA) and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates
- Sample: ADA Form Grievance Form 100
- Sample: Deaf and Hearing Wavier Form for Hearing Loss Identification
- Sample: Preferred Method of Communications for Deaf and Hard of Hearing Inmates
- Sample: Deaf and Hearing Wavier for the Universal Symbol of Hearing Loss Placement on Cell Door
- Sample: TDD Phone Call Form
- Facility tour: Associate PREA Auditor
- Interview with the Institutional PREA Compliance Manager
- Interview with the Superintendent
- Facility tour: Associate Auditor
- Facility tour (night shift): Lead and Associate Auditor
- Interview with inmates (random and targeted)
- Interview with (random and specialized) staff
- Interview with the Acting PREA Coordinator as the designated agency head

115.17	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1489 495">According to the Human Resource representative, the agency has a process in place to examine potential applicants for hire. The examination process addresses Standard 115.17. NJDOC Procedure Internal Management PSM.SSP.003 Panel Reviews, the Human Resource Manager (HR) is designated by NJDOC to develop a “Résumé Review Criteria” form which includes a PREA eligibility check for all applicants. The form is utilized during the interview process to make clear to all applicants that NJDOC prohibits the hiring or promotion of anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates, who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997).</p> <p data-bbox="240 528 1489 786">During her interview the Superintendent of Edna Mahan Correctional Facility for Women, confirmed that NJDOC prohibits the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, prohibits the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse, and the agency prohibits the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity PREA related misbehavior.</p> <p data-bbox="240 819 1489 1178">More, NJDOC policies require criminal background records checks be conducted at least every five years on current employees and contractors who may have contact with inmates. Volunteerism was suspended in early 2020 due to Covid-19 concerns. NJDOC mandates that extensive, computerized, criminal background checks are to be conducted on all individuals who are being considered for employment, whether permanent, temporary or contract positions, or to be volunteers within the agency. All potential employees and volunteers are required to complete an Application for Clearance and Issuance form for an agency issued identification card. This form is utilized to conduct background checks. The background checks are conducted by the Special Investigations Division (SID) and the results of the background check determines if a potential applicant is suitable for employment and/or performing volunteer services for the agency. All approved applicants are fingerprinted and NJDOC ID cards, specific to the employment/volunteer position, will be issued to the new employees/volunteers. The agency considers material omissions regarding such misconduct, or the provision of materially false information, grounds for termination.</p> <p data-bbox="240 1211 1489 1671">The Acting PREA Coordinator confirmed during his interview that the agency asks all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this standard. Furthermore, the Acting PREA Coordinator, the HR representative and Institutional PREA Compliance Manager all acknowledged that NJDOC imposes upon employees a continuing affirmative duty to disclose any such misconduct. More, Policy PSM.001.001 The Reporting of Summons, Arrests, Incarcerations: The Confiscation of Firearms and/or Suspension of Firearms Privileges of New Jersey Department of Corrections Employees, NJDOC mandates that any employee who is arrested, incarcerated, or issued a summons because of a crime or an offense as defined by N.J.S.A. 2C:1-1, et seq., must advise his/her superior immediately, if possible, or prior to reporting for the next scheduled shift, but no later than 48 hours from the time of the incident. In addition, any employee who is issued a summons resulting from a motor vehicle violation, while assigned a state vehicle, that results in his/her arrest under Title 39 (Motor Vehicle code) shall report such summons immediately, if possible, or prior to reporting for the next scheduled shift, but no later than 48 hours from issuance. The same reporting requirements apply to matters that occur outside the jurisdiction of the State of New Jersey when the crime or offense meets the criteria defined in N.J.S.A. 2C, Criminal Justice Code of New Jersey or where the motor vehicle summons may result in the loss of driving privileges in any state or jurisdiction.</p> <p data-bbox="240 1704 1489 1861">The Institutional PREA Compliance Manager confirmed that Edna Mahan has hired employees and contractors in the last 12 months who may have contact with inmates who completed criminal background checks. Files of personnel hired in the past 12 months examined by the Auditor to determine that the agency has completed checks consistent with 115.17(c).The Auditor reviewed a copy of current background checks of staff sampled during the onsite portion of the audit. Edna Mahan met the requirements of Standard 115.17.</p> <p data-bbox="240 1895 879 1921"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1955 1078 2152" style="list-style-type: none"> <li data-bbox="240 1955 536 1982">• Pre-Audit Questionnaire</li> <li data-bbox="240 2011 1038 2038">• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse</li> <li data-bbox="240 2067 927 2094">• Procedure Internal Management PSM.SSP.003 Panel Reviews</li> <li data-bbox="240 2123 1078 2150">• Procedure Internal Management PSM.001.011 Staff Selection and Promotions</li> </ul>

- Policy ADM.006.007 Pre-Employment and ID Card Renewal Background Checks: Issuance of Employee/Volunteer ID Cards
- Policy PSM.001.001 The Reporting of Summons, Arrests, Incarcerations: The Confiscation of Firearms and/or Suspension of Firearms Privileges of New Jersey Department of Corrections Employees
- State of New Jersey ADM.006.007 Pre-employment Background check and Identification Card
- Sample: Resume Review Criteria
- Sample: Panel Interview Candidate Rating Form
- Executive Order: Governor Brendan Byrne regarding maintaining public records dated 2/14/14
- Sample: Volunteer Rules and Responsibilities
- Criminal background checks Edna Mahan Correctional Facility for Women staff
- Interviews with staff (random and specialized)
- Interview with the administrative Human Resources representative
- Interview with the Acting PREA Coordinator
- Interview with the acting Institutional PREA Compliance Manager

115.18	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="229 192 1509 255"><b>Auditor Discussion</b></p> <p data-bbox="229 255 1509 539">Policy SUP.001.000 Capital Planning and Construction addresses this standard. According to the Pre-Audit Questionnaire (PAQ), Edna Mahan Correctional Facility has updated and installed an enhanced electronic video monitoring technology. According to the Superintendent/Warden, the purpose and placement of any new enhanced monitoring technology would be to maintain or improve sexual safety safeguards, protect inmates from sexual abuse, and eliminate blind spots in and around the facility. The acting Institutional PREA Compliance Manager confirmed for the Auditor that information contained in the facility PAQ remains accurate to date. PREA Audit camera afford the facility with multiple angle views. It should be mentioned that during the onsite audit, the Lead Auditor observed construction being staged in preparation for onsite construction at the facility.</p> <p data-bbox="229 539 1509 602"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="229 602 1509 1005" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy SUP.001.000 Capital Planning and Construction: Mission, Goals and Objectives</li> <li>• Internal Management Procedure CUS.001.CRP.01</li> <li>• Observations of the Auditor during the onsite tour</li> <li>• Interviews with the acting Institutional PREA Compliance Manager</li> <li>• Interview with the Acting PREA Coordinator/designated agency head</li> <li>• Interview with the Superintendent/Warden</li> </ul>

115.21	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1485 528">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Internal Management Procedure ADM.SID.035, Internal Management Procedure CUS.0010CSM.01 Crime Scene Management, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, Internal Management Procedure MED.MLI.005 Forensic Specimen Collection, Internal Management Procedure MED.MLI.007 Sexual Assault, Internal Management Procedure 014 Procedures for Sexual Offenses, Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault, Sample: Sexual Assault Victim’s Bill of Rights, N.J. Stat. Ann. 52:4B-60.1 et seq., New Jersey Statutes, Title: 52, State Government, Department and Officers, Chapter 4B: Section: 52:4B-50: Findings, declarations relative to Sexual Assault Nurse Examiner Program collectively address Standard 115.21.</p> <p data-bbox="242 562 1477 786">New Jersey Department of Corrections/Edna Mahan SID is responsible for conducting administrative and criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). Specifically, the NJDOC/Edna Mahan Correctional Facility SID is responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). Edna Mahan Correctional Facility houses no youthful inmates. Standard 115.21 (b)-1 is not applicable. Edna Mahan Correctional Facility is an adult female facility. When necessary, Edna Mahan Correctional Facility SID would notify the Office of the Hunterdon County Prosecutor of a sexual abuse allegation to request guidance in the investigation.</p> <p data-bbox="242 819 1485 1043">The total number of investigators employed by the agency and/or facility who are responsible for conducting Criminal investigations into allegations of sexual abuse is five (5). Each agency and regional PREA investigator (3) interviewed during this cycle confirmed that the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution. The protocol adopted by NJDOC, as appropriate, was adapted from or otherwise based on the most recent edition of the U.S. Department of Justice’s Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” or similarly comprehensive and authoritative protocols developed after 2011.</p> <p data-bbox="242 1077 1485 1402">According to medical and mental health practitioners interviewed during the onsite portion of the audit, Edna Mahan offers all inmates who experience sexual abuse access to forensic medical examinations as mandated in Internal Management Procedure MED.MLI.007 Sexual Assault. Standard 115.21(c), the financial cost is addressed in MED.IMHC.010 Co-Pay for Eligible Health and Dental Care, confirmed that emergency services are excluded from the co-pay requirement by the agency. Standard 115.21(c), the financial cost is also addressed in Policy PCS.001.008 Prevention, Detection and Response of Sexual. More, the Auditor examined the New Jersey Sexual Assault Victims Bill of Rights further to confirm that NJ State mandates “when applicable, PREA related incidences of sexual abuse or sexual assault will experience a no-cost access to the services of a sexual assault response team comprised of: A certified forensic sexual assault examiner, a confidential sexual violence advocate, and law enforcement officials as provided in accordance with the Attorney General’s Standards for Providing Services to Victims of Sexual Assault, and the choice to opt into or out of any of the teams’ services.”</p> <p data-bbox="242 1435 1485 1760">Upon notification of an incident of sexual abuse, the facility mental health practitioners would triage the inmate victim, provide supportive counseling, and consult psychiatry when appropriate. In New Jersey, N.J.S.A. 52:4B-50 et seq. mandates every county prosecutor’s office to establish a Sexual Assault Response Team (SART) and a SART Advisory Board. An inmate victim of sexual assault is eligible for SART services when the following criteria are met: The victim is 13 years of age or older; the assault occurred within the past five days, and the inmate victim consents to SART involvement. The sexual Assault Response Team (SART) is comprised of a law enforcement officer, a rape care advocate, and a sexual assault nurse examiner (SANE). For PREA allegations at NJDOC, the Special Investigations Division (SID) would contact the Hunterdon County Prosecutor’s Office and then mobilize the SART team. Services offered by the SART team include victim advocacy, emotional support, and crisis counseling. The Auditor contacted the Hunterdon County Prosecutor’s Office and spoke to a representative in the office who took a message.</p> <p data-bbox="242 1794 1485 2051">Edna Mahan/NJDOC documents its efforts to secure services from rape crisis centers/SART in the investigative file related to the sexual abuse incident. During his interview, the Acting Institutional PREA Compliance Manager confirmed that if requested by the inmate victim, an advocate or qualified agency staff member would accompany and support the inmate victim through a forensic medical examination process, investigatory interviews provide counseling, emotional support, crisis intervention and make referrals as necessary. Medical practitioners working at Edna Mahan are qualified mental health providers screened by NJDOC. SART team members are screened for appropriateness and qualifications by the prosecutor’s office to serve in this role and received education concerning sexual assault and forensic examination issues in general.</p> <p data-bbox="242 2085 1461 2141">The medical practitioner interviewed during the audit indicated that Edna Mahan where possible would transport an inmate victim of sexual abuse to a hospital for a forensic examination with a Sexual Assault Forensic Examiner (SAFE) or Sexual</p>

Assault Nurse Examiner (SANE). Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, mandates that all inmates under its authority have access to emergency mental health services which includes counseling services for victims of PREA-related incidences of sexual abuse or sexual assault.

The Auditor determined compliance with Standard 115.21 (c) by examination of five (5) PREA-related investigative incident reports. The number of forensic examinations conducted during the past 12 months was five (5) as confirmed by agency SAAC staff. The number of exams performed by a medical practitioner from Edna Mahan was zero as confirmed by investigative reports. One (1) inmate interviewed who reported sexual abuse indicated that she declined to be examined but the facility offered follow-up services.

The Hunterdon County Prosecutor's Office declined to pursue the matter. The substantiated finding dealt with employing the NJDOC inmate disciplinary code. When applicable, for those victims of sexual abuse, the agency attempts to make available to the victim a victim advocate from a rape crisis center. Random and targeted inmates interviewed during the audit detailed general information about services provided by a victim advocacy organization for victims of sexual abuse, but they could not provide any specific information to the Auditor.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse
- Internal Management Procedure ADM.SID.035 Investigation Procedure
- Internal Management Procedure CUS.0010CSM.01 Crime Scene Management
- Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services
- Internal Management Procedure MED.MLI.005 Forensic Specimen Collection
- Internal Management Procedure MED.MLI.007 Sexual Assault
- Internal Management Procedure 014 Procedures for Sexual Offenses
- Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault
- Sample: Sexual Assault Victim's Bill of Rights, N.J. Stat. Ann. 52:4B-60.1 et seq.
- New Jersey Statutes, Title: 52, State Government, Department and Officers, Chapter 4B: Section: 52:4B-50: Findings, declarations relative to Sexual Assault Nurse Examiner Program
- Interview with an inmate victim of sexual abuse
- Interviews with staff (random and specialized)
- Communication: Hunterdon County Prosecutor's Office
- Interview with the Acting Institutional PREA Compliance Manager
- New Jersey Crime Victim's Bill of Rights, P.L.1985, c.249 regarding the protection of the rights of crime victims and survivors
- SART Brochure: Supporting Victims of Sexual Assault, Understanding the Services Available to Sexual Assault Victims in New Jersey
- Interview with the Acting PREA Coordinator

**115.22 Policies to ensure referrals of allegations for investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Internal Management Procedure ADM.SID.035 Investigation Procedure, Internal Management Procedure CUS.0010CSM.01 Crime Scene Management, Policy ADM.006.011 Investigations by the Special Investigations Division, Internal Management Procedure MED.MLI.007 Sexual Assault, New Jersey Statutes, Title: 52, State Government, Department and Officers, Chapter 4B: Section: 52:4B-50: Findings, declarations relative to Sexual Assault Nurse Examiner Program collectively address Standard 115.22

Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Internal Management Procedure ADM.SID.035 Investigation Procedure, Internal Management Procedure CUS.0010CSM.01 Crime Scene Management, Policy ADM.006.011 Investigations by the Special Investigations Division, Internal Management Procedure MED.MLI.007 Sexual Assault, New Jersey Statutes, Title: 52, State Government, Department and Officers, Chapter 4B: Section: 52:4B-50: Findings, declarations relative to Sexual Assault Nurse Examiner Program collectively address Standard 115.22.

Standard 115.22 (a), NJDOC has a policy and practice to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. The New Jersey Department of Corrections assigns the responsibility of investigating violations of the laws of the State of New Jersey, as well as violations of the New Jersey Administrative Code (10A) and NJDOC and procedures by inmates, employees, and other individuals who visit NJDOC facilities to the Special Investigations Division (SID).

115.22 (b) As mentioned above, NJDOC has a policy and practice to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. NJDOC has published such a policy on its website.

115.22 (c) N/A. NJDOC/Edna Mahan is responsible for criminal investigations.

115.22 (d) The Auditor is not required to audit this provision.

115.22 (e) The Auditor is not required to audit this provision.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy ADM.010.004 Standard of Conduct: Staff/Inmate Over Familiarity
- Internal Management Procedure ADM.SID.035 Investigation Procedure
- Internal Management Procedure ADM.006.SID. 002 Arrest Procedures
- Internal Management Procedure CUS.0010CSM.01 Crime Scene Management
- Policy ADM.006.011 Investigations by the Special Investigations Division
- New Jersey Statutes, Title: 52, State Government, Department and Officers, Chapter 4B: Section: 52:4B-50: Findings, declarations relative to Sexual Assault Nurse Examiner Program address this standard
- Internal Management Procedure MED.MLI.007 Sexual Assault
- Review of investigative files
- Example: PREA investigator’s training curriculum
- Example: PREA training handouts
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager

- Interview with an investigator from the Office of Investigation and Intelligence
- Interviews with staff (random)

115.31

**Employee training**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy ADM.010.004 Standards of Professional Conduct: Staff/Inmate Over Familiarity, NJDOC PREA brochure, New Jersey Training Plan/On the Job Training Session/Security Skills Evaluations/Learning Plan Transcript/Acknowledgment of Receipt,

NJDOC Basic Course and In-service for Correctional Staff Employees Policy 02-01-115, Sexual Abuse Prevention and Policy 01-05-101 Staff Development and Training, the PREA Presentation Guide, Training Records and Training Acknowledgement Sheets collectively address the policy requirement of Standard 115.31.

Edna Mahan is an adult female correctional facility. NJDOC training curriculums is gender neutral but tailored to the needs and attributes of the inmates in the facility. Furthermore, the training curriculum included topics such as: Inmate on inmate' right to be free from sexual abuse and sexual harassment, common reactions of sexual abuse and sexual harassment victims, how to avoid inappropriate relationships with inmates, and how to communicate effectively and professionally with inmates, including gay, bisexual, transgender, intersex, or gender nonconforming inmates.

NJDOC has a written acknowledgement that documents on a specific date an employee received training (and understand said training) from the New Jersey Department of Correction regarding the Prison Rape Elimination Act (PREA) and Department of Corrections, each employee is issued a copy of the Department of Corrections Brochure, Sexual Assault Prevention, and a copy of specific PREA staff brochures and documents relating to sexual abuse prevention and mandatory reporting of sexual abuse and sexual harassment. NJDOC provides staff with a comprehensive education on the Prison Rape Elimination Act (PREA) that was confirmed in Edna Mahan staff training transcripts, training curriculum, and specialty-specific training as outlined in Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse and Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault.

Random and specialized training files were sampled for compliance with this standard. The Auditor examined PREA-related training sign-out attendance sheets on all shifts which also included SID, for compliance with Standard 115.31. Specifically training included subjects such as: Inmates' rights to be free from sexual abuse and sexual harassment, How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; Light Suppression Evacuation, LEP, Use of Force, Searches of Persons, Suicide, ISO800.161 PREA In-Service Training and Correctional Employee Unfamiliarity Policy and trauma information. Those employees requiring refresher training received training at least every two years. The training curriculums provided by the facility were reviewed by the Auditor. New employees receive PREA education as part of the onboarding process for new employees.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy ADM.010.004 Standards of Professional Conduct: Staff/Inmate Over Familiarity
- NJDOC PREA brochure
- New Jersey Training Plan/On the Job Training Session/Security Skills Evaluations/Learning Plan Transcript/Acknowledgment of Receipt
- NJDOC Basic Course and In-service for Correctional Staff Employees
- Mandatory ISO800.161 PREA In-Service Training Attendance Documents
- NJDOC Office of training Sign-Office Attendance Form 1/01/19 -- 12/31/19 (Non-Custody)
- NJDOC Office of training Sign-Office Attendance Form 1/01/19 -- 12/31/19 (Custody)
- NJDOC Office of training Sign-Office Attendance Form 1/01/19 – 12/31/19 (SID)
- Michael Dalrymple Attendance Form 12/13/19 Special Investigations Division
- Russell Holman Attendance Form 12/13/19 Special Investigations Division

- Renee Carr-Foster Attendance Form 12/13/19 Special Investigations Division
- Auditor review of employee sample participants training files civilian 1/01/2019 – 12/31/2019
- NJDOC Office of training Sign-Office Attendance Form 1/4/21 -- 1/31/21
- NJDOC Office of training Sign-Office Attendance Form 2/5/21 -- 2/26/21
- NJDOC Office of training Sign-Office Attendance Form 3/1/21 -- 3/18/21
- Rebecca Carolus Attendance Form Special Correctional Officer (SCPO) 2/24/21
- Michael Horton Attendance Form Special Correctional Officer (SCPO) 2/24/21
- Samuel Cesare Attendance Form Special Correctional Officer (SCPO) 2/25/21
- Bryan Fusaro Attendance Form Special Correctional Officer (SCPO) 2/25/21
- Alnisa Campbell Attendance Form Special Correctional Officer (SCPO) 3/17/21
- Auditor review of PREA Script 12.15 document
- Interviews with staff (random and specialized)
- Interview with the Institutional PREA Compliance Manager

115.32	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1461 329">Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault and Internal Management Procedure PCS.001.VOL.001 Volunteer Services address Standard 115.32.</p> <p data-bbox="240 360 1493 521">New Jersey Department of Corrections ensures that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The agency maintains documentation confirming that volunteers and contractors understand the training they have received. During the audit Edna Mahan had zero active volunteers, 127 inactive volunteers and contractors for services who may have contact with inmates.</p> <p data-bbox="240 553 1485 779">In 2020, volunteerism was suspended out of an abundance of caution for the Corona virus pandemic. Prior to the suspension of volunteer services, all volunteers and contractors who have contact with inmates were trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention and detection. NJDOC has developed a training brochure for sexual abuse prevention and reporting targeting: Staff, Contractors and Volunteer information. The NJDOC PREA quick reference guide, contains topics such as: PREA definitions, types of sexual abuse and sexual harassment, methods for reporting sexual abuse and sexual harassment, potential signs of sexual victimization, NJDOC zero tolerance policy, prevention and how to recognize signs of sexual assault.</p> <p data-bbox="240 810 1474 936">The PREA training curriculum provides multi-types of training platforms that are determined based on the services provided by the volunteer or contractor and contact they have with inmates. Moreover, the curriculum also covers the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informs contractors and volunteers how to report such incidents.</p> <p data-bbox="240 967 879 994"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1025 1433 1397" style="list-style-type: none"> <li data-bbox="240 1025 544 1052">• Pre-Audit Questionnaire</li> <li data-bbox="240 1084 951 1111">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li data-bbox="240 1142 1007 1169">• Internal Management Procedure PCS.001.VOL.001 Volunteer Services</li> <li data-bbox="240 1200 738 1227">• 2020 NJDOC PREA Quick Reference Guide</li> <li data-bbox="240 1258 1433 1285">• Sample examination of acknowledgment of receipt of training contractors/volunteers, SSCF PREA Non-DOC Staff</li> <li data-bbox="240 1317 1241 1344">• NJDOC Office of training Sign-Office Attendance Form 2019 (Contract Staff) 7/15/19 -- 8/27/19</li> <li data-bbox="240 1375 1110 1402">• Interviews with contract specialized staff (medical and mental health practitioners)</li> </ul>

115.33

**Inmate education**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy Number SUP.004.001 Limited English Proficient (LEP) Language Assistance: Bilingual Staff and Use of the Language Line addresses the requirements of Standard 115.33.

115.33 (a) During intake, inmates receive information explaining the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment. In a random sample of inmates, each confirmed receiving PREA-related education during the intake process. Likewise, the same sample of inmates confirmed receiving information explaining how to report incidents or suspicions of sexual abuse or sexual harassment in the form of a PREA brochure, PREA Video, and printed PREA-related information.

115.33 (b) According to the intake staff, within 30 days of intake, NJDOC provides a comprehensive education to inmates either in person or through video regarding Their rights to be free from sexual abuse and sexual harassment, their rights to be free from retaliation for reporting such incidents, and the Edna Mahan policies and procedures for responding to an incident of sexual abuse, sexual harassment, or retaliation.

NJDOC/Edna Mahan documents inmate education in institutional and clinical files. The Auditor examined inmate institutional and clinical files to confirm inmates received information explaining the agency’s zero-tolerance policy toward sexual abuse and sexual harassment. In addition, inmates (random and targeted) sampled were knowledgeable of their rights. Each provided the Auditor with at least one method of inmate reporting an incident of sexual abuse, sexual harassment, or retaliation. NJDOC Policy 001.008, Prevention, Detection and Response to Sexual Abuse and Harassment, mandates that all inmates entering the facility must participate in PREA-related education, review facility policies and practices, and sign an acknowledgment of training.

115.33 (c) According to intake staff, all inmates received the comprehensive education referenced in 115.33(b), including inmates transferring from another facility to the extent that the policies and procedures of the inmate’s new facility differ from those of the previous facility.

115.33 (d) NJDOC provides inmate education in formats accessible to all inmates, including those with limited English proficiency. NJDOC has established a practice that aids limited English proficient (LEP) inmates within the agency. The practice extends to inmates with other debilitating disorders such as visual impairment, hearing loss, and limited reading skills. The random and targeted sample of inmates included limited English proficient inmates. Each (LEP) inmate interviewed required a Spanish interpreter. Both Spanish-speaking inmates confirmed their participation in PREA-related education in a language they understood. Further, each Spanish-speaking inmate also confirmed receiving educational hand-outs, facility policy, and practices in Spanish. Edna Mahan provides the use of bi-lingual staff and an established contractual agreement with a language line service.

Within 72 hours of intake, NJDOC/Edna Mahan provides an age-appropriate comprehensive education to inmates in person regarding their right to be free from sexual abuse and sexual harassment and their right to be free from retaliation for reporting such incidents. Inmate education also includes a PREA video. Educational material is provided in two languages, English and Spanish. Inmates requiring other languages are communicated through a language line or staff who speak the language. The Auditor verified documentation by reviewing institutional and applicable clinical files.

115.33 (e) NJDOC maintains documentation of inmate participation in PREA-related education and review of applicable policies and practices.

115.33 (f) In addition to providing such education, the agency ensures that crucial information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats. In addition to providing general PREA education to inmates, Edna Mahan Correctional Facility for Women ensures that crucial information is continuously and readily available or visible to inmates through posters, inmate handbooks, and electronic tablets. PREA informational posters were displayed in Spanish and English. The Auditor noted the facility display of PREA-related posters and victim advocacy information was posted throughout each living unit and in common areas visited by inmates. Inmates (random and targeted) sampled all confirmed being educated on the grievance process and PREA. Moreover, the PCM confirmed that in the last twelve (12) months, the inmates were admitted to the facility, and all received PREA education and information.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse

- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy Number SUP.004.001 Limited English Proficient (LEP) Language Assistance: Bilingual Staff and Use of the Language Line
- Auditor review of inmate PREA education materials/Inmate Report Quad fold brochure
- 21-5-13 English NJDOC PREA: Zero Tolerance and How to Report Sexual Abuse and Sexual Harassment or Retaliation at NJDOC
- 21-5-13 Spanish NJDOC PREA: Zero Tolerance and How to Report Sexual Abuse and Sexual Harassment or Retaliation at NJDOC
- Supplemental Policy SUP.004.001 Limited English Proficient (LEP) Language Assistance:
- Bilingual Staff and Use of the Language Line
- Policy PCS.001.DFH.01 Deaf/Hard of Hearing Inmates
- Policy IMM.002.003 Americans With Disabilities Act (ADA) and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates
- Sample: ADA Form Grievance Form 100
- Sample: Deaf and hearing Wavier Form for Hearing Loss Identification
- Sample: Preferred Method of Communications for Deaf and Hard of Hearing Inmates
- Sample: Deaf and Hearing Wavier for the Universal Symbol of Hearing Loss Placement on Cell Door
- Sample: TDD Phone Call Form
- Inmate (random and targeted) acknowledgment forms
- 21-05-11 PREA English Overview
- Interviews with staff (random and specialized)
- Interviews with inmates (random and targeted)
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager

<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1477 331">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, and Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, address the NJDOC's approach to Standard 115.34.</p> <p data-bbox="240 360 1458 488">115.34 (a) In addition to the general training provided to all employees pursuant to §115.31, NJDOC ensures that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings. During his interview the retired Director of the Special Investigations Division (SID) confirmed that investigative staff complete specialized investigatory training in accordance with Standard 115.34.</p> <p data-bbox="240 517 1485 745">115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims. The Special Investigations Division (SID) responsible for conducting investigations of alleged misconduct by staff and offenders and assisting in maintaining safety and security in the agency's facilities. The examination of the training curriculum to train investigative staff provides evidence to confirmed that the training lesson plan includes the proper use of Miranda and Garrity warnings, evidence collection in confinement settings, the criteria and evidence required to substantiate a case for administrative action or prosecution referral as mandated in Standard 115.34. Further, training rosters also provide evidence to support a finding that investigators sampled completed the requires specialized training.</p> <p data-bbox="240 775 1406 835">115.34 (c) The review of sample training sign-in sheets confirmed that NJDOC maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p data-bbox="240 864 842 893">115.34 (d) The Auditor is not required to audit this provision.</p> <p data-bbox="240 922 887 952"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="240 981 1445 1525" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure</li> <li>• Inservice Training: Special Investigations Division, PREA Crime Scene Preservation, PowerPoint Presentation (PP)</li> <li>• Inservice Training: Special Investigations Division, Reporting and Handling of Sexual Assault Incidents (PP)</li> <li>• Inservice Training: Special Investigations Division, PREA participants handout, PREA Definitions (PP)</li> <li>• Inservice Training: Special Investigations Division, 10.19 Prison Rape Elimination Act Training (PP)</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Interview with the Institutional PREA Compliance Manager</li> <li>• Interview with the Superintendent/Warden</li> <li>• Interview with a PREA Investigators (3)</li> </ul>

115.35	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, and Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services and Policy Number MED.002.004 Mental Health Services Staff address the policy requirements for Standard 115.35.</p> <p>NJDOC Policy Number MED.002.004 Medical and Mental Health Service practitioners' mandates that all full-and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment. For mental health care services to be provided by a practitioner to the inmate population, NJDOC requires that a licensed and certified mental health care staff possess all applicable State and federal licensure, certification, or registration requirements. Verification of Medical and Mental Health Service practitioners state licenses and/or certifications are maintained on file by NJDOC and a semi-annual review of all licenses and certifications is conducted by the agency to ensure continued compliance. All Medical and Mental Health Service practitioners' duties and responsibilities are governed by a written job and performance descriptions that has been approved by the responsible health authority.</p> <p>The medical staff at Edna Mahan Correctional Facility does not conduct forensic medical exams. Inmates are transported to a local hospital for SANE or SAFE forensic examinations. NJDOC maintains documentation that medical and mental health practitioners have received the required specialized and general PREA training referenced in this standard. A sample of training documents for medical and mental health practitioners was examined for compliance with this standard. The documentation indicates that training was conducted, and that specialized staff are re-trained at least yearly on the Prison Rape Elimination Act, and related NJDOC policies and practices.</p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services</li> <li>• Policy Number MED.002.004 Mental Health Services Staff</li> <li>• Memorandum: Regarding Specialized Training for Medical and Mental Health Practitioners, from Mechele Morris, PhD, Director of Training, Rutgers Health, dated April 2019</li> <li>• Non-Custody PREA Specialized Medical and Mental Health Training</li> <li>• Interviews with Medical and Mental Health Practitioners</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Interview with the Institutional PREA Compliance Manager</li> </ul>

115.41	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1476 432">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, and Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, Policy Number MED.002.004 Mental Health Services Staff, Policy PCS.001.TGI.01 Transgender and Intersex Inmates, Policy MED.001.012 Inmate Medical/Health Care Services, Internal Management Procedure MED.IMA.005 Intra-system Transfers and Internal Management Procedure MED.IMA.001 Health Appraisals at Reception address this standard.</p> <p data-bbox="240 461 1458 589">115.41 (a) Collectively, the policies above mandate that all inmates be assessed during an intake process for risk of being sexually abused (vulnerable) or sexually abusiveness toward other inmates. In addition, NJDOC policy prohibits inmates from being disciplined for refusing to answer screening questions about completing any portion of the victimization and abuse screening instrument or for any material omissions.</p> <p data-bbox="240 618 1458 779">115.41 (b) Intake screenings ordinarily occur within 72 hours of arrival at the facility. Medical Practitioners complete intake screenings for all inmates entering Edna Mahan, including transfers, utilizing electronic data points programmed in the electronic medical record or EMR. Specialized staff, specifically Medical Practitioners sampled during the onsite portion of the audit, described their level of responsibility as outlined in agency policies. During the intake assessment, Medical Practitioners sampled confirmed an affirmative duty to inquire regarding an inmate's gender identity.</p> <p data-bbox="240 808 1481 969">115.41 (c) All PREA screening assessments are conducted using an objective instrument. Specialized staff (Medical Practitioners) sampled during the onsite portion of the audit confirmed a responsibility to complete the sexual victimization/abusiveness screening assessment to determine an inmate's risk level for being sexually abused or conversely at risk for being sexually abusive toward other inmates. Further, intake staff detailed the intake process, requiring all inmates to undergo an initial assessment within 72 hours of admission, including transfers.</p> <p data-bbox="240 999 1485 1193">Mental Health Practitioners sampled during the audit indicated that health appraisals for new admissions will ordinarily occur within 72 hours but generally within 24 hours after arrival at the facility. More, intake, medical, and mental health practitioners interviewed during the audit also confirmed that all inmates are assessed to include transfers, using an intake screening instrument (Multidimensional Sexual Victimization and Abusiveness Risk Assessment Checklist) for their risk of being sexually abused by other inmates or sexually abusive toward other inmates, in-person as a part of the intake and health appraisal process.</p> <p data-bbox="240 1223 1481 1585">115.41 (d) By examination, the Edna Mahan intake screening instrument assesses inmates for risk of sexual victimization or abusiveness and includes the following factors to be included in the objective risk-screening determinations for risk of victimization: (1) Whether the inmate has a mental, physical, or developmental disability; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes. See 28 C.F.R. § 115.41(d). In addition, an objective screening instrument must consider: "prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive." See 28 C.F.R. § 115.41(e).</p> <p data-bbox="240 1615 1485 1742">115.41 (e) NJDOC screening instrument assesses inmates for risk of being sexually abused and includes consideration for prior acts of sexual abuse, prior violent offenses, and any history of previous institutional violence or sexual abuse, according to Medical Practitioners sampled during the onsite portion of this audit and as confirmed by examination of risk assessment in a sample population of inmates randomly selected from the at-large population.</p> <p data-bbox="240 1771 1485 2101">115.41 (f) Within a set time not more than 30 days from the inmate's arrival at the facility, NJDOC/Edna Mahan omitted to conduct the facility reassessment of the inmates for risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. Therefore, this subsection of Standard 115.41 did not meet the standard. Based on Frequently Asked Question (FAQ), dated August 2, 2019, requires reassessing the inmate's risk of victimization or abusiveness based on any additional, relevant information received by the facility since the intake process and that the reassessment occurs no more than 30 days after intake. The FAQ clarifies a requirement for EVERY inmate to be reassessed within 30 days of arrival. Additionally, any new information received should also be captured in a reassessment. Problematic, in a sample of intake screening instruments, the Auditor determined that Edna Mahan inconsistently completed reassessment within the prescribed timeframe as outlined in this standard. This substandard requires corrective action.</p> <p data-bbox="240 2130 1485 2161">115.41 (g) Facility reassessing an inmate's level of victimization or abusiveness due to an inmate's risk level when warranted</p>

due to a referral, a request, due to an incident of sexual abuse or when warranted due to an incident of sexual abuse or when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness was applied inconsistently. This substandard required corrective action.

115.41 (h) In a sample of random and targeted inmates interviewed during the audit (100%) denied ever being disciplined for refusing to answer or for not disclosing complete information in response to questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section.

115.41 (i) NJDOC/Edna Mahan has implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse
- Policy CLS.002.001 Classification Intake Process
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy MED.001.012 Inmate Medical/Health Care Services
- Policy PCS.001.TGI.01 Transgender and Intersex Inmates
- Internal Management Procedure MED.IMA.001 Health Appraisals at Reception
- Internal Management Procedure MED.IMA.005 Intra-system Transfers Internal Management
- Internal Management Procedure CLS.002.INT.001 Classification Intake Procedures
- Observations made during the onsite portion of the audit
- Interviews with specialized staff
- Interviews with inmates (random and targeted)
- Interview with the Acting PREA Coordinator
- Sample risk screenings (Nursing)
- Sample risk screenings (Physicians)

**Corrective Action:**

Reassessments for risk of victimization or abusiveness did not occur regularly as required in this standard. The facility will be retrained staff. The retraining will be documented by the facility, and the Auditor will be provided evidence of the training. The Auditor will select the second set of risk assessments of incoming inmates to determine compliance with this standard.

115.42	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Does Not Meet Standard
	<p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1461 398">NJAC 10A:9-3, IMM.001.004, PCS.001.006, CLS.002.INT and CLS.005.001 address the requirements of Standard 115.42. 115.42 (a) Does NJDOC use information from the risk screening required by § 115.41 to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive to inform: Housing, bed, work, education, and program assignments.</p> <p data-bbox="240 427 1490 689">An audit of the NJDOC housing assignments of cisgender, transgender, intersex, and non-binary inmates shows that eleven (11) transgender females have been transferred to Edna Mahan as of the writing of this report. PREA Standard 115.42 (a) requires a risk screening to protect inmates at high risk of being sexually victimized from those at high risk of being sexually abused in housing, bed, work, education, and program assignments. Although NJDOC staff conducted the required screening in deciding to transfer eleven (11) transgender females to the Edna Mahan facility, the decision relied solely on the provisions of a settlement agreement, hereinafter referred to as "agreement," between the ACLU (American Civil Liberties Union) and NJDOC, that required a presumptive placement based on the inmate's gender identification. Edna Mahan houses twenty-two (22) transgender males assigned to the facility during this reporting period.</p> <p data-bbox="240 719 1490 846"><b>The agreement between ACLU and NJDOC results from a lawsuit filed by the ACLU challenging the housing assignments of transgender and intersex inmates. As part of the agreement, NJDOC agreed to amend its Internal Management Procedure for Transgender, Intersex, and Non-Binary Inmates to allow a presumptive placement based on the inmates' gender identification. The procedure states:</b></p> <p data-bbox="240 875 1490 1003">Once the NJDOC learns and confirms the gender identity of an inmate using the procedures laid out in this document, it shall determine the inmate's facility and housing unit assignment. The PREA Accommodation Committee (PAC) may deviate from the presumption of placement after an individualized determination and upon written certification that the placement would jeopardize the inmate's health and safety.</p> <p data-bbox="240 1032 1490 1196">A review of the housing assignments of transgender females at Edna Mahan reveals that the decision to transfer the inmates to Edna Mahan was based solely on their presumptive gender identity. There is no evidence that the NJDOC gave any consideration to keeping inmates at high risk of being sexually victimized from inmates at high risk of being sexually abusive. During the corrective action period, NJDOC considered all factors outlined in this standard, including the purpose of protecting such inmates and security management and safety problems.</p> <p data-bbox="240 1225 1490 1823">115.42 (b) of Standard 115.42 requires NJDOC staff to conduct an individualized determination about how to ensure the safety of each inmate. The audit findings confirmed that the NJDOC staff transferred the sample of transgender females to Edna Mahan based solely on the inmates' gender identity and that NJDOC did not make an individualized determination about how to keep them safe was not made. A presumptive placement posits that NJDOC will house inmates consistent with their gender identity rather than their sex assigned at birth or other considerations. This Auditor applauds stipulations outlined in the ACLU Doe V. NJDOC Agreement for the added transparency as it pertains to procedural protections for inmates regarding housing decisions, a right to participate in housing reviews, a right to question housing decisions, a right to request a written record of the decision-making, and providing inmates upon request with undergarments based on their gender identity. Deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates and making other housing and programming assignments also requires an agency to consider all inmates under review on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement aligns with Standard 115.42. Standard 115.42 requires NJDOC staff to conduct an individualized determination about how to ensure the safety of each inmate. The audit findings confirmed that the NJDOC staff transferred the sample of transgender females to Edna Mahan based solely on the inmates' gender identity and that NJDOC did not make an individualized determination about how best to keep them safe. Revisions to current policy are underway between the agency, the Attorney General's Office, and the ACLU. By examination, the Auditor determined during corrective action, NJDOC now makes individualized determinations on how best to ensure the safety of each inmate under review and considers all factors associated with compliance with Standards 115.41 and 115.42.</p> <p data-bbox="240 1852 1474 2011">A sample PREA Accommodation Committee (PAC) Gender Identity-Based Housing Decision Forms documents the committees' decisions were based on factors such as the housing accommodation request, vulnerability based on gender identity, perception of safety, gender identity, or expression of the inmate in question, History of Gender Dysphoria, medical conditions, history of gender-affirming surgery, medical treatment associated with gender identity, the inmate's own views and any housing accommodations made during prior incarcerations.</p> <p data-bbox="240 2040 1490 2136">115.42 (c) When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, the agency shall now consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety and whether a placement would present management or security problems. If an agency by policy or practice assigns inmates to</p>

a male or female facility based on anatomy alone, that agency does not comply with this standard. Conversely, if an agency assigns an inmate to a facility based on gender identity alone, that agency does not comply with this standard. Moreover, Paragraph C of Standard 115.42 states that in deciding whether to assign a transgender or intersex inmate to a facility for males or female inmates and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety and whether the placement would present management or security problems. The NJDOC failed to meet this standard as there is no evidence that the transfer of the transgender females to Edna Mahan was made case-by-case and for protection purposes.

115.42 (d) The Auditor examined a sample of placement and programming assignment reviews for transgender or intersex inmates. The Auditor determined that Edna Mahan's transgender and intersex inmates were reassessed at least twice each year to review any threats to safety experienced by the inmate. The Lead Auditor interviewed several transgender from this sample of targeted inmates during the onsite portion of this audit. The sample participants' entry date into Edna Mahan varied. **Paragraph D of Standard 115.42** requires NJDOC to reassess the placement and programming assignments for each transgender or intersex inmate at least twice a year to determine any threats to safety experienced by the inmate.

115.42 (e) A transgender or intersex inmate's views concerning his or her safety shall be considered seriously by the agency. During the review period and partly due to a policy change, the Auditor determined that NJDOC met this substandard during the corrective action period. Transgender inmates sampled confirmed participating in a reassessment and being given the option to be a party to the PAC meeting.

115.42 (f) Paragraph F of Standard 115.42 requires transgender and intersex inmates to be given the opportunity to shower separately from other inmates. Transgender inmates sampled confirmed the opportunity to shower separately from other inmates. However, one (1) transgender female alleges a custody staff member was taking photos of her while she was in the shower. At the writing of this report, the incident was under investigation.

115.42 (g) Paragraph G of Standard 115.42 states that the agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely based on such identification or status unless such placement is in a dedicated facility unit, or wing established in connection with a consent decree, legal settlement, or legal judgment to protect such inmates. NJDOC did not comply with this standard since the transfer of the transgender females to the Edna Mahan facility was based solely on the inmates' gender identification without showing that the transfer was for protection purposes.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- PREA screen document
- PREA movement notice
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse and Harassment
- Policy CLS.005.001 Review of Inmates by Classification and Review Committees
- Internal Management Procedure PCS.001.TGI.01
- Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault
- Internal Management Procedure MED.IMA.005 Intra-system Transfers
- Internal Management Procedure CLS.002.INT.001 Classification
- Internal Management Procedure MED.IMA.001 Health Appraisals at Reception
- Interview with the PREA Coordinator
- Interview with the Warden
- Interview with the PREA Compliance Manager
- Interviews with staff responsible for risk screening
- Interviews with inmates (targeted) (transgender)
- Auditor observations
- Review of facility schematics

- Documentation of housing assignments of inmates identified to be lesbian, gay, bisexual, transgender, or intersex for compliance with the standard

**Corrective action:** Potential revisions to the current policy are under review by the agency, and the Attorney General's Office. By examination, the Auditor determined during corrective action, NJDOC now makes individualized determinations on how best to ensure the safety of each inmate under review and considers all factors associated with compliance with Standards 115.41 and 115.42. The agency will allow the Auditor sufficient time to determine if the policies and practices align with Standard 115.42 and if the agency has institutionalized the corrective action.

115.43	<b>Protective Custody</b>
<b>Auditor Overall Determination:</b> Meets Standard	
<b>Auditor Discussion</b>	
<p>Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy IMM.002.003 Americans With Disabilities Act (ADA) and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates, Internal Management Procedure CLS.002.INT.001 Classification Intake Procedures, Policy ADM.019.003 Close Custody Units, Internal Management Procedure ADM.019.003.IHU Investigative Housing Unit, Internal Management Procedure ADM.019.003.TAH Temporary Administrative Housing and Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services address Standard 115.43.</p> <p>NJDOC has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there are no available alternative means of separation from likely abusers. Policy ADM.019.003 Close Custody Unit Housing is designed to support a safe and productive environment for facility staff and inmates assigned to the general population, as well as to create a path for inmates assigned to the units to successfully transition to a less restrictive setting, according to the Institutional PREA Compliance Manager.</p> <p>The Acting PREA Coordinator indicated during his interview that Close Custody Housing is a form of housing for inmates whose continued presence in the general population would pose a serious threat to life, property, self, staff, or other inmates, or to the security or orderly operation of the facility. According to the acting Institutional PREA Compliance Manager, Edna Mahan, always refrains from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination confirms that there are no other available alternative means of separation from likely abusers.</p> <p>The New Jersey Department of Corrections mandates that housing units designated as “Close Custody Units” be maintained in certain correctional facilities throughout the state, where appropriate. Whenever it becomes necessary to administratively limit an inmate’s activities and contacts with others on a short-term basis, pending the completion of an investigation, the inmate shall be placed into Investigative Housing Unit status to provide for the safety and security of staff, inmates, and the institutions, when circumstances suggest potential harm to the inmate or an inmate is engaged in, or planning to be engaged in, a serious violation of correctional facility rules or regulations. The placement cannot exceed a period of 72 hours, less exigent circumstances. Exigent circumstances must receive administrative authorization from the Administrator, designee, or upper management. Exigent circumstances and reasoning behind such a decision will be documented by the facility.</p> <p>However, for PREA-related reasons, an inmate identified as vulnerable is prohibited from being placed in the Investigative Housing Unit (IHU). In accordance with Standard 115.43 (a), if a facility cannot conduct such an assessment immediately, the facility will hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. NJDOC mandates holding an inmate in segregation status in the Emergency Confinement Unit for a period not to exceed 20 consecutive hours, according to the agency SAAC staff member. Further, a vulnerable inmate could elect to be housed in protective custody or a less restrictive housing unit. Any such protective custody status related to PREA would clearly document the basis for the facility’s concern for the inmate’s safety; and the reason why no alternative means of separation can be made. Any inmate placed in protective custody or restrictive status housing for a PREA-related purpose will have access to programs, privileges, and education. Potential work assignments would be very limited but allowable to the extent possible without compromising sound security management practices and procedures. Should any such programs be restricted, the acting PREA Compliance Manager indicated that the facility would document the circumstance, the opportunities that have been limited, the duration of the limitation, and the reasons for such limitations. The number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero, as confirmed by an examination of investigative reports. Random and targeted inmates sampled during the audit denied being placed in protective custody, or involuntary segregation status because of a potential high risk of sexual victimization.</p> <p>The Auditor interviewed the acting PREA Compliance Manager to confirm the information contained in the PAQ relative to Standard 115.43. She confirmed the correctness of information submitted to the Auditor regarding this standard. Likewise, the Auditor interviewed a supervisor from segregated housing. The custody supervisor confirmed that victims of sexual abuse placed in segregated housing would have access to programs, education, and privileges to the extent possible by the facility. For this standard, the Auditor relied upon the facility tour of administrative segregated housing and face-to-face informal conversations with inmates, random and targeted interviews, and unit logbook entries. In the past 12 months, the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement was zero. During the onsite portion of this audit, zero inmates were in protective custody for PREA relative reasons.</p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p>	

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse,
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault,
- Policy IMM.002.003 Americans With Disabilities Act (ADA) and New Jersey Law Against Discrimination – Reasonable Accommodations for Inmates, Internal Management Procedure
- Policy ADM.019.003 Close Custody Units
- Policy CLS.002.INT.001 Classification Intake Procedures
- Internal Management Procedures MED.MHS.002.001 Emergency Mental health Services
- Internal Management Procedure ADM.019.003.IHU Investigative Housing Unit,
- Internal Management Procedure ADM.019.003.TAH Temporary Administrative Housing
- Facility tour: Making observations and asking questions
- Staff who supervise inmates in protective custody
- Interview with the acting Institutional PREA Compliance Manager
- Interview with the Acting PREA Coordinator
- Interviews with random and targeted inmates

115.51	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1442 365">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy IMM.002.001 Inmate Remedy System, Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System, Internal Management</p> <p data-bbox="242 396 1474 490">Procedure IMM.002.JPG.001 JPAY Guidelines, and Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment and Retaliation Reported to the Office of the Ombudsman address the requirements of Standard 115.51.</p> <p data-bbox="242 521 1466 616">115.51 (a) NJDOC provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment. By examination of investigative reports this Auditor determined that inmates have multiple methods to privately report sexual abuse, sexual harassment, retaliation, and staff neglect or violation of responsibilities.</p> <p data-bbox="242 647 1485 705">Specifically, Edna Mahan educates inmates on internal ways to privately report sexual abuse, sexual harassment, retaliation, and staff neglect or violation of responsibilities methods include:</p> <ol data-bbox="242 736 1442 1137" style="list-style-type: none"> <li>1. Verbally telling or writing a trusted staff person</li> <li>2. Contacting the Institutional PREA Compliance Manager</li> <li>3. Employing JPAY Kiosk Inmate Remedy to report an incident and seek relief (grievance)</li> <li>4. Contacting Special Investigative Division (SID) in writing</li> <li>5. Dialing *SID# from the inmate telephone</li> <li>6. Inmate PREA telephone system number (555) 555-5555</li> <li>7. Third-Party (New Jersey Office of the Ombudsman), writing the Office of the Corrections Ombudsman, PO Box 855, Trenton, NJ, 08625, phone number (609) 633-2596.</li> </ol> <p data-bbox="242 1169 1469 1294">The Auditor tested the telephone system throughout the facility living units. The inmate NJDOC PREA brochure and inmate PREA handout puts inmates on notice and gives specific directions if they desire for their calls to remain confidential. Random and targeted inmates (100%) confirmed during interviews that the facility provides multiple ways to report sexual abuse or sexual harassment.</p> <p data-bbox="242 1326 1434 1420">Moreover, during inmate interviews (random and targeted) inmates were able to detail multiple ways of reporting sexual abuse or sexual harassment to include contacting the Institutional PREA Compliance Manager, telling a trusted custody supervisor, or contacting the Office of the Ombudsman Bureau.</p> <p data-bbox="242 1451 1485 1612">115.51 (b) NJDOC also has at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency. The Office of the Ombudsman Bureau confirmed that the agency accepts all inmate correspondence or calls and will immediately forward any reports of sexual abuse or sexual harassment to the proper agency officials. The Office of the Ombudsman Bureau indicated that they would allow an inmate to remain anonymous if requested.</p> <p data-bbox="242 1644 1493 1872">The Ombudsman Bureau receives, accepts, and forwards inmate reports of sexual abuse and sexual harassment to agency officials. Problematic, the external public entity (Office of the Ombudsman Bureau) used for reporting outside of NJDOC does not have the ability or has not implemented a method to immediately forward inmate reports of sexual abuse and sexual harassment to NJDOC officials. The Office of the Ombudsman Bureau is an agency operational Monday-Friday during established business hours. The agency is closed on some traditional holidays. In consultation with the PREA Resource Center, the Auditor established that the hours of operation for the Office of the Ombudsman Bureau as outlined above met the requirements of this standard.</p> <p data-bbox="242 1904 1453 1998">115.51 (c) Random staff were sampled during the onsite portion of this audit. All (100%) random staff sampled confirmed they would accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties and immediately document the incidence of reported sexual abuse or sexual harassment and notify a supervisor.</p> <p data-bbox="242 2029 1493 2154">115.51 (d) NJDOC provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff, inmate family members or other third-party individuals on behalf of an inmate may report sexual abuse/sexual harassment via email, the PREA hotline, by telephone or writing SID. During random interviews of custody staff, each staff person provided one method of communicating with a supervisor to report sexual abuse and sexual harassment of inmates.</p>

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse,
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault,
- Policy IMM.002.001 Inmate Remedy System
- Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System,
- Internal Management Procedure IMM.002.JPG.001 JPAY Guidelines
- Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment, and Retaliation Reported to the Office of the Ombudsman New Jersey Ombudsman Bureau
- Sample: Inmate Report PREA Quad-fold Brochure (English/Spanish)
- Agency Inmate Universal Flyer (English/Spanish)
- PREA-related informational posters (English/Spanish)
- Facility tour review signage
- Review of the investigative reports
- Auditor review of forms and reporting documentation
- Interviews with inmates (random and targeted)
- Interviews with staff (random and specialized)
- Interview with the Institutional PREA Compliance Manager
- Interview with the Acting PREA Coordinator

115.52	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1485 465">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy IMM.002.001 Inmate Remedy System, Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System and Internal Management. Procedure IMM.002.JPG.001 JPay Guidelines collectively address Standard 115.52. NJDOC is not exempt from Standard 115.52. NJDOC has an administrative procedure for dealing with inmate grievances regarding sexual abuse. NJDOC 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.</p> <p data-bbox="240 499 1485 689">The procedures for the utilization of the inmate request and remedy process are presented in the NJDOC Level I Internal Management Procedures: Inmate Remedy System, IMM.002.IRS.001 correctional facility department heads (intermediate level supervisors) shall ensure that they provide both detailed and general instructions to their staff members through a Level III Internal Management Procedure to ensure compliance with the Level 1 Internal Management Procedure. If a third-party file's a request for remedy on behalf on an inmate, the inmate may decline to have the request processed on his or her behalf, at which time NJDOC would document the inmate's decision.</p> <p data-bbox="240 723 1485 880">Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System and Internal Management Procedure indicates that in accordance with the Prison Rape Elimination Act of 2003, inmates may use the inmate remedy system as one means to report an allegation of sexual abuse. All remedy forms filed that are related to sexual abuse are to be immediately forwarded to SID and the facility Superintendent/Warden. The NJDOC's policy and procedures allow an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint.</p> <p data-bbox="240 913 1485 1238">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse indicates that the agency permits inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits and always refraining from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. The same policy mandates the issuance a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. If for any reason NJDOC claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time for response is insufficient to make an appropriate decision, NJDOC mandates that the inmate is made aware of the time extension in writing and provide a date by which a decision will be made by the agency. Further, at any level of the administrative remedy grievance process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, an inmate may consider the absence of a response to be a denial at that level.</p> <p data-bbox="240 1272 1485 1529">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse outlines the agency procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. All remedy forms filed to include emergency filings are immediately forwarded to the Edna Mahan Superintendent/Warden and the Special Investigations Division for immediate action. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse. According to the SID investigators (3) interviewed during the onsite portion of this audit, the agency would provide an initial response to the emergency remedy/grievance within 48 hours, a final decision on the merit of the emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse within 5 calendar days, then document the agency's decisions at every level of review and response to the emergency filing.</p> <p data-bbox="240 1563 1485 1854">In the past 12 months, the number of grievances filed that alleged sexual abuse listed in the PAQ was 12. Likewise, in the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was also 12. According to the acting Institutional PREA Compliance Manager, the number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance was zero. Emergency grievances filed alleging substantial risk of imminent sexual abuse that were filed in the past 12 months was zero as confirmed by examination of investigative reports. As confirmed by inmate interviews (random and targeted) in the past 12 months, the 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 was zero. The acting Institutional PREA Compliance Manager confirmed that Edna Mahan does not discipline an inmate for filing a grievance related to alleged sexual abuse in good faith.</p> <p data-bbox="240 1888 879 1915"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1944 1078 2145" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Policy IMM.002.001 Inmate Remedy System</li> <li>• Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System</li> </ul>

- Internal Management Procedure IMM.002.JPG.001 JPay Guidelines
- Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment and Retaliation Reported to the Office of the Ombudsman New Jersey Ombudsman Bureau
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse
- Agency Inmate Universal Flyer (English/Spanish)
- PREA related informational posters (English/Spanish)
- Facility tour
- Review of the investigative reports
- Auditor review of forms and reporting documentation
- Interviews with inmates (random and targeted)
- Interviews with staff (random and specialized)
- Sample: Inmate Report PREA Quad-fold Brochure (English/Spanish)
- Grievances (12)

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, collectively address Standard addresses the requirements of Standard 115.53. This facility never detains inmates solely for civil immigration purposes therefore the Auditor considers Edna Mahan Correctional Facility for Women exempt from Standard 115.53 (a) as it pertains civil detention.

Edna Mahan provides inmates with access to outside victim advocates for emotional support services related to sexual abuse. The Auditor noted the posting included a toll-free hotline number. Further, inmates are provided brochures containing the same contact information during the intake process in English and Spanish. The Domestic Abuse and Sexual Assault Crisis Center of Warren County (DASACC) calls for victim support number can be accessed from the living unit by dialing:\*PREA#. Inmates are placed on notice that the support line is free, and the limits to confidentiality if an inmate communicates a threat of imminent harm against self or others. Calls to the hotline are considered classified and confidential. The hours of operation are from 7:00 am - 10:00 pm, 7 days per week. Likewise, inmates at this correctional facility may also request external sexual abuse emotional support services/information on a non-recorded toll-free hotline.

**SEXUAL ABUSE EMOTIONAL SUPPORT SERVICES**

The Domestic Abuse and Sexual Assault Crisis Center of Warren County (DASACC) Services

or by writing to:

**SEXUAL ABUSE SURVIVOR INFORMATION PACKET**

Just Detention International (JDI)

3325 Wilshire Blvd., Suite 340

Los Angeles, CA 90010

During interviews, the inmates (100%) (random and targeted) from each group sampled confirmed telephone calling access for emotional support from each living unit at the facility. The PREA Auditor noted that all inmates sampled were able to describe for the Auditor at least one method of reporting a PREA incident, in contrast over 50% of the same inmates sampled did not know if there were services available outside of the facility for inmates dealing with sexual abuse if they need it. It should be mentioned that the inmate NJDOC PREA brochure and inmate PREA handout both provide information regarding the availability of community services outside the facility. During the facility tour the Auditor noted that the facility displayed information regarding sexual abuse emotional services and PREA reporting on each living unit.

NJDOC maintains copies of a Memorandum of Understanding with The Domestic Abuse and Sexual Assault Crisis Center of Warren County (DASACC). Edna Mahan is in Hunterdon County. The Auditor examined the contractual agreement as evidence of compliance with Standard 115.53, to provide inmate victims of sexual abuse with access to confidential support services, was dated March 8, 2021. The facility in turn agrees to inform inmates, prior to giving them access, of the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. The agreement remains in effect from January 1, 2021, through December 31, 2021.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse
- MOU: The Domestic Abuse and Sexual Assault Crisis Center of Warren County (DASACC) Services, Hunterdon County PREA Emotional Hotline Service
- Emotional Support: The Domestic Abuse and Sexual Assault Crisis Center of Warren County (DASACC) Services (English/Spanish)

Emotional Support: Just Detention International, SEXUAL ABUSE SURVIVOR INFORMATION PACKET

- Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment and Retaliation Reported to the Office of the Ombudsman, New Jersey Ombudsman Bureau

- PREA related informational posters (English/Spanish)
- Facility tour
- Interviews with inmates (random and targeted)
- Interviews with staff (random and specialized)
- Sample: Inmate Report PREA Quad-fold Brochure (English/Spanish)
- Interview with the acting Institutional PREA Compliance Manager

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy IMM.002.001 Inmate Remedy System, Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System, Internal Management Procedure IMM.002.JPG.001 JPay Guidelines, and Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment and Retaliation Reported to the Office of the Ombudsman collectively address Standard addresses the requirements of Standard 115.53. This facility never detains inmates solely for civil immigration purposes therefore the Auditor considers Edna Mahan exempt from Standard 115.53 (a) as it pertains civil detention. addresses the requirements of Standard 115.54.

NJDOC/South State Prison accepts all third-party reports of inmate sexual abuse or sexual harassment. NJDOC has established a method to receive third-party reports of sexual abuse and sexual harassment that can be found on the agency's website. NJDOC distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate on their website. The NJDOC website provides contact information as well as whom the third-party reporter will speak to when communicating with the agency.

NJDOC Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault PREA posters, PREA brochure, NJDOC Corrections Ombudsman Bureau, service agreement and the Victim Advocacy agreement with the Both policies, brochures, advocacy contact information along with other PREA related service agreements all address Standard 115.54.

The NJDOC established a method to receive third-party reports of sexual abuse and sexual harassment. The agency has distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate. The Auditor examined the contact information on the agency website during an internet search.

**NJDOC SEXUAL ABUSE AND SEXUAL HARASSMENT REPORTS (Outside Entity)**

Contacting the Corrections Ombudsman (Confidential. Anonymous upon request): Office of the Corrections Ombudsman, PO Box # 855 Trenton, NJ 08625, Inmate Telephone System Number 1-555-555-5555 (Confidential/free call). Edna Mahan Correctional met the requirement of Standard 115.54.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse
- Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault,
- Policy IMM.002.001 Inmate Remedy System
- Internal Management Procedure, IMM.002.IRS.001 Inmate Remedy System,
- Internal Management Procedure IMM.002.JPG.001 JPay Guidelines
- Internal Management Procedure PCS.001.PREA.OMB Allegations of Sexual Abuse, Assault, Harassment and Retaliation, Office of the NJ Ombudsman's Bureau
- Sample: Inmate Report PREA Quad-fold Brochure (English/Spanish)
- Agency Inmate Universal Flyer (English/Spanish)
- PREA related informational posters (English/Spanish)
- Facility tour
- Review of the investigative reports
- Auditor review of forms and reporting documentation
- Interviews with inmates (random and targeted)
- Interviews with staff (random and specialized)
- Internet search: New Jersey Department of Correction website

- Email Communication: New Jersey Ombudsman Bureau
- Internet search: New Jersey Ombudsman Bureau 2020 Report
- Interview with the acting Institutional PREA Coordinator

115.61	<b>Staff and agency reporting duties</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1469 365">Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, and Internal Management Procedure PCS.001.VOL.001 Volunteer Services collectively address the requirements of Standard 115.61.</p> <p data-bbox="242 394 1493 622">Edna Mahan is an adult female facility. The facility does not house youthful inmates under the age of 18. NJDOC requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse, sexual harassment, retaliation, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation that occurred in a facility, whether it is part of the agency. NJDOC staff, volunteers, and contractors are prohibited from revealing any information related to a sexual abuse report to anyone other than those necessary for investigative, treatment, and security/management procedures.</p> <p data-bbox="242 651 1469 813">By examination and through interviews, the Auditor determined that New Jersey Department of Corrections staff/volunteers and contractors are mandated reporters and are required by policy to immediately report any knowledge, suspicion, or information they receive regarding sexual abuse and harassment, retaliation against inmates or staff who report any incidents, and any staff neglect or violation of responsibilities that may have contributed to an incident of retaliation. In addition, NJDOC suspended volunteerism early in January 2020 due to Covid.</p> <p data-bbox="242 842 1477 969">Interviews with staff (random and specialized) support compliance with this standard. Random and specialized staff (100%) confirmed that the agency requires all staff to report immediately and according to agency policy, any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation.</p> <p data-bbox="242 999 1453 1126">A review of the PREA training curriculum also confirms that the agency informs all staff, volunteers, and contractors to immediately report any PREA-related incident or suspicion of an incident to a supervisor. In addition, specialized staff sampled, medical and mental health practitioners confirmed their duty to inform inmates of the practitioner's duty to report and the limitations of confidentiality at the initiation of services.</p> <p data-bbox="242 1155 1490 1249">By sampling the targeted inmate population and reviewing the inmate's electronic medical records, the Auditor confirmed that during their initial visit with a medical or mental health practitioner, inmates are informed of their duty to report PREA-related incidents or suspicion of an incident and the limitations of confidentiality.</p> <p data-bbox="242 1279 1453 1413">The Auditor also interviewed the acting PREA Compliance Manager and SID Investigators (3) during separate interviews, and each confirmed during their respective interviews an understanding of their role and responsibility that upon receiving any allegation of sexual abuse, to promptly report the allegation to the appropriate NJDOC office. Interviews with staff (random and specialized) support compliance with Standard 115.61.</p> <p data-bbox="242 1442 887 1471"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1500 1046 2040" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault,</li> <li>• Internal Management Procedure PCS.001.VOL.001 Volunteer Services</li> <li>• Examination of PREA education training</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Interview with the acting Institutional PREA Compliance Manager</li> <li>• Inmate interviews: random and targeted group</li> <li>• Review of investigative files</li> </ul>

115.62	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1469 360">PCS.001.008 PREA Compliance; ADM.019.003 Close Custody Units; ADM.019.003.IHU Investigative Housing Unit; ADM.019.003.TAH Temporary Administrative Housing; and IMM.001.004 Zero Tolerance Prison Sexual Assault addresses the requirements of Standard 115.62.</p> <p data-bbox="242 396 1490 555">NJDOC and by extension Edna Mahan policies and procedures related to PREA mandates that when staff, volunteers or contractors learn that an inmate is subject to a substantial risk of imminent sexual abuse, immediate action is taken to protect the inmate victim (e.g., appropriate, and immediate protective measures). Interviews with random staff and custody line staff and custody supervisors collectively all affirmed a duty to report, prevent and immediately respond to an inmate in imminent danger of sexual abusive predatory behavior, then document the incident.</p> <p data-bbox="242 591 1490 779">Further, during the same interviews Edna Mahan staff affirmed an obligated duty and commitment to ensuring the protection of victims of sexual abuse and a readiness to employ multiple measures, including but not limited to, housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or harassment or for cooperating with SID as mandated by agency policies and procedures. Staff and contractors interviewed (100%) indicated that they would also notify medical and mental health staff and advise the IPCM and SID.</p> <p data-bbox="242 815 1490 1003">Moreover, the same sample of random staff confirmed they were all aware of their responsibilities if they become aware or suspect that an inmate is being or had been sexually abused or sexually harassed to immediately take action to safeguard the inmate victim, protect the crime scene and activate the PREA protocol based upon presenting circumstances to include a forensic exam if appropriate. In the past 12 months, the number of times the agency or facility determined that an inmate was subject to a substantial risk of imminent sexual abuse was zero according to the PAQ and as confirmed by the agency SAAC staff person and Acting PREA Coordinator/designated head as of the first day of the onsite audit.</p> <p data-bbox="242 1039 879 1066"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1102 1155 1525" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Policy ADM.019.003 Close Custody Units</li> <li>• Internal Management Procedure ADM.019.003.IHU Investigative Housing Unit</li> <li>• Internal Management Procedure ADM.019.003.TAH Temporary Administrative Housing</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the Acting PREA Coordinator/agency head designee</li> </ul>

115.63	<b>Reporting to other confinement facilities</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1433 331">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, address the requirement of Standard 115.63.</p> <p data-bbox="242 360 1484 521">The policy requires: When a Warden/Superintendent or designee receives an allegation that an offender was sexually abused at another facility, the Warden/Superintendent or designee receiving the allegation shall notify the head of the facility where the alleged abuse occurred within seventy-two (72) hours of receiving the allegation and document he/she has provided such information. The Warden/Superintendent that receives such notification shall ensure that the allegation is investigated in accordance with this policy and administrative procedure.</p> <p data-bbox="242 551 1493 680">The Auditor interviewed the newly appointed Warden for this standard on 10/14/21. Warden Stem detailed her responsibility under Standard 115.63. Further, the Warden explained that if she received an allegation that an inmate was sexually abused at another facility, the notification process requires that she notify the head of the facility where the alleged abuse occurred within seventy-two (72) hours of receiving the allegation and the incident would be documented.</p> <p data-bbox="242 710 1474 904">According to the PAQ and confirmed by the acting Institutional PREA Compliance Manager and agency SAAC staff, during the past 12 months, there were zero allegations received that an inmate was abused while confined to another facility. NJDOC/Edna Mahan would document that it has provided such notification within 72 hours of receiving the allegation. Further, the Superintendent/Warden Stem confirmed during her interview with the Auditor that if she received such a notification, she would ensure that the allegation is investigated in accordance with Standard 115.63. Edna Mahan Correctional Facility for Women met the requirements of Standard 115.63.</p> <p data-bbox="242 934 879 963"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 992 1169 1420" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Examined a sample of investigative reports from the past 12 months</li> <li>• Interview with the Assistant Warden/Institutional PREA Compliance Manager (10/14/21)</li> <li>• Interview with new Superintendent/Warden (10/14/21)</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Interview with the Agency Head: By PREA Auditor Donald Chadwick</li> </ul>

115.64	<b>Staff first responder duties</b>
	<p data-bbox="240 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1493 398">PCS.001.008 PREA Compliance; ADM.SID.035 Investigation Procedures; CUS.001.CSM.01 Crime Scene Management; and IMM.001.004 Zero Tolerance Prison Sexual Assault, Internal Management Procedure ADM.SID.035 Investigation Procedures, Internal Management Procedure MED.MLI.007 Sexual Assault and Policy ADM.006.011 Investigations by the Special Investigations Division address the requirements of Standard 115.64.</p> <p data-bbox="240 427 1493 591">115.64 (a) Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report is required to: Separate the alleged victim and abuser. A sample of custody interviews confirmed during the onsite portion of the audit a duty upon learning of an allegation that an inmate was sexually abused to preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, request that the alleged victim not take any actions that could destroy physical evidence, not take any actions that could destroy physical evidence.</p> <p data-bbox="240 620 1493 779">115.64 (b) A sample of specialized staff were interviewed during the onsite portion of the audit. All specialized staff sampled confirmed a duty as the first staff responder (non-security) to alert custody managers, request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. Additionally, first responders (security and non-security) sampled each confirmed a duty to protect the victim, alert security managers, and preserve and protect the crime scene.</p> <p data-bbox="240 808 887 837"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="240 866 1493 1644" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse•</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Examined a sample of investigative reports from the past 12 months</li> <li>• Internal Management Procedure ADM.SID.035 Investigation Procedures</li> <li>• Internal Management Procedure MED.MLI.007 Sexual Assault</li> <li>• Policy ADM.006.011 Investigations by the Special Investigations</li> <li>• CUS.001.CSM.01 Crime Scene Management</li> <li>• Interviews with staff (random and specialized)</li> <li>• Interview with the Institutional PREA Compliance Manager</li> <li>• Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013</li> <li>• Interview First Responder (non-security)</li> <li>• Interview First Responder (security)</li> </ul>

115.65	<b>Coordinated response</b>
	<p data-bbox="240 143 740 172"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1474 495">PCS.001.008 PREA Compliance, ADM.SID.035 Investigation Procedures; CUS.001.CSM.01 Crime Scene Management; and IMM.001.004 Zero Tolerance Prison Sexual Assault, Internal Management Procedure ADM.SID.035 Investigation Procedures, Internal Management Procedure MED.MLI.007 Sexual Assault, and Policy ADM.006.011 Investigations by the Special Investigations Division, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault, Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services and Edna Mahan Directive Level III IMO SWSP.CUS 511 Zero Tolerance Sexual Assaults, addresses the requirement of Standard 115.65.</p> <p data-bbox="240 528 1490 786">The Acting Institutional PREA Compliance Manager and agency SAAC discussed the facility coordinated response to sexual abuse/sexual assault with the Auditor. Edna Mahan has a PREA Coordinated Response Plan, Directive Level III IMO SWSP.CUS 511 Zero Tolerance Sexual Assaults. The coordinated response plan is a written plan that coordinates actions to be taken in response to an incident of sexual assault among staff first responders, medical and mental health care practitioners, and facility leadership. Moreover, the coordinated response plan synchronizes actions at the facility level to a response to an incident of sexual abuse among staff first responders. The plan was reviewed by the Auditor. Edna Mahan PREA Coordinated Response supports the NJDOC PCS.001.008 PREA Compliance, IMM.001.004 Zero Tolerance Prison Sexual Assault and Standard 115.65.</p> <p data-bbox="240 819 1437 909">Further, interviews with a sample of specialized staff confirmed for the Auditor that each staff member sampled was knowledgeable of their duties in response to an allegation of sexual abuse and they were also knowledgeable regarding Edna Mahan Coordinated Response plan.</p> <p data-bbox="240 943 887 972"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1005 1437 1955" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• PCS.001.008 PREA Compliance</li> <li>• ADM.SID.035 Investigation Procedures</li> <li>• CUS.001.CSM.01 Crime Scene Management</li> <li>• IMM.001.004 Zero Tolerance Prison Sexual Assault</li> <li>• Internal Management Procedure ADM.SID.035 Investigation Procedures</li> <li>• Internal Management Procedure MED.MLI.007 Sexual Assault</li> <li>• Policy ADM.006.011 Investigations by the Special Investigations Division</li> <li>• Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services</li> <li>• Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault</li> <li>• Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services</li> <li>• Edna Mahan Correctional Facility Directive Level III IMO SCSF.IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013</li> <li>• Interview with the Acting Institutional PREA Compliance Manager</li> <li>• Interview with specialized staff (medical and mental health practitioners)</li> <li>• Interview with a first responder (custody) (non-custody)</li> </ul>

115.66	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 210 453 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1490 566">Final Agreement Local 30 15-19K; International Federation of Professional and Technical Engineers (IFPTE) Contract 7-1-15 to 6-30-19; New Jersey Law Enforcement Commanding Officers Association (NJLECOA) contract settlement; New Jersey Law Enforcement Supervisors Association (NJLESA) Contract 7-1- 15 to 6-30-19; New Jersey Superior Officers Law Enforcement Association (NJSOLEA) 2015 - 2019 MOA (002); New Jersey State Policemen's Benevolent Association Law Enforcement Unit Local No. 105 (PBA) Local 105 Memorandum of Agreement (MOA) 2015-2019; and New Jersey Special Investigators Association affiliated with New Jersey State Fraternal Order of Police as Lodge 174 (SID) Agreement 7-1-15 - 6-30-19 are the collective bargaining agreements in effect for applicable NJ DOC employees. Agency Policy PCS.001.008 PREA Compliance and IMM.001.004 Zero Tolerance Prison Sexual Assault, support the removal of staff alleged to have committed sexual abuse pending the outcome of the investigative process.</p> <p data-bbox="240 595 1497 992">The agency is responsible for collective bargaining. Collective Bargaining Agreements between the NJDOC and at least seven employee unions were reviewed confirmed by the Auditor. The collective bargaining agreements do not limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a finding of whether and to what extent discipline is warranted. During his interview this PREA reporting cycle with Associate Auditor Donald Chadwick, the Acting PREA Coordinator confirmed that neither the agency nor any other governmental entity responsible for collective bargaining on the agency's behalf shall enter or renew any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. Likewise, the Acting PREA Coordinator confirmed that neither the agency nor any other governmental entity responsible for collective bargaining on the agency's behalf shall enter or renew any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p data-bbox="240 1028 879 1057"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1095 798 1756" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 PREA Compliance</li> <li>• IMM.001.004 Zero Tolerance Prison Sexual Assault</li> <li>• Final Agreement Local 30 15-19K</li> <li>• IFPTE Contract 7-1-15 to 6-30-19</li> <li>• NJLECOA contract settlement</li> <li>• NJLESA Contract 7-1- 15 to 6-30-19</li> <li>• NJSOLEA 2015 - 2019 MOA (002)</li> <li>• PBA Local 105 MOA 2015-2019</li> <li>• SID Agreement 7-1-15 - 6-30-19</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Acting Institutional PREA Compliance Manager</li> </ul>

115.67	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Does Not Meet Standard
	<p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1461 329">Agency Policy PCS.001.008 PREA Compliance and IMM.001.004 Zero Tolerance Prison Sexual Assault Policy 02-01-115 Sexual Abuse Prevention and Policy 00-01-103 collectively address the policy requirements of Standard 115.67.</p> <p data-bbox="240 360 1485 418">115.67 (a) NJDOC has established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff.</p> <p data-bbox="240 450 1474 645">NJDOC has designated the Edna Mahan facility PREA Compliance Manager as the designated staff member charged with monitoring retaliation. The position of PCM now solely focuses on PREA-related duties at Edna Mahan. NJDOC has established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. NJDOC Policy PCS.001.008 PREA Compliance and IMM.001.004 Zero Tolerance Prison Sexual Assault to protect inmates and staff who have reported sexual abuse or sexual harassment or who have cooperated in sexual abuse or sexual harassment investigation.</p> <p data-bbox="240 676 1437 768">115.67 (b) NJDOC employs multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</p> <p data-bbox="240 799 1489 1261">115.67 (c) Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, the PREA Compliance Manager will monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff. Policy PCS.001.008 requires that the retaliation monitor interview inmates who previously alleged sexual victimization within 45 days of the allegation to ensure they have not experienced retaliation because of their allegation(s). For at least 90 days following a report of sexual assault or harassment allegation, designated staff will monitor the alleged victim or witness through periodic status checks using the NJDOC PREA Retaliation Monitoring Form (FORM-PREA.AC Retaliation). While reviewing retaliation monitoring documents, the Lead Auditor noted one (1) allegation of sexual harassment under investigation where the victim alleged fear of retaliation after making a PREA report. Contact with the then PCM was face-to-face. The victim alleged sexual harassment by the accused and her peers. More, the previous PCM noted the facility would investigate the allegations of retaliation. The Lead Auditor found no evidence that NJDOC/Edna Mahan launched an investigation into the inmates' allegation of retaliation. Edna Mahan contacted the victim who made the allegation of retaliation to conduct a welfare check. According to the previous PCM, the inmate in question denied experiencing any more problems with retaliation.</p> <p data-bbox="240 1292 1474 1655">115.67 (d) In the case of inmates and by examination, the Auditor determined that monitoring included (2) face-to-face periodic status checks and (2) document reviews such as disciplinary reports, housing changes, and program changes. It is problematic that some status checks pre-date the employment date for the newly appointed PREA Compliance Manager. Likewise, the Auditor interviewed the newly appointed PREA Compliance Manager. This PCM confirmed that as the Edna Mahan Retaliation Monitor, she monitors the conduct and treatment of inmates or staff who reported sexual abuse and inmates who reported to have suffered sexual abuse to see if any changes may suggest retaliation by inmates or staff. Further, the PCM explained her role and responsibility as the Retaliation Monitor; she acts promptly to remedy any signs of retaliation. Minimally, for at least 90 days following the report of sexual abuse allegation, the PREA Compliance Manager monitors the inmate for signs of retaliation by conducting periodic status checks using an NJDOC PREA Retaliation Monitoring Form (FORM-PREA.AC Retaliation). Further, the PCM indicated that in rare instances, retaliation monitoring could extend beyond 90 days if monitoring were deemed necessary (115.67 (d)).</p> <p data-bbox="240 1686 1479 1812">115.67 (e) The PCM confirmed that monitoring could extend to other individuals who cooperate with an investigation and expresses a fear of retaliation; Edna Mahan would take appropriate measures to protect that individual against retaliation by monitoring work schedule, disciplinary history, and making contact with the individual on a random basis. In addition, the Auditor examined a sample of incident reports from the past 12-month period.</p> <p data-bbox="240 1843 887 1870"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1901 836 2157" style="list-style-type: none"> <li data-bbox="240 1901 539 1928">• Pre-Audit Questionnaire</li> <li data-bbox="240 1960 643 1986">• PREA Retaliation Monitoring Form</li> <li data-bbox="240 2018 836 2045">• Interview with the current PREA Compliance Manager</li> <li data-bbox="240 2076 627 2103">• Interview with previous PCMs (2)</li> <li data-bbox="240 2134 732 2161">• Interview with the Acting PREA Coordinator</li> </ul>

- Interview with the Superintendent/Warden

**Corrective Action:**

The PREA Compliance Manager will review Standard 115.67. NJDOC/SAAC will document the retraining of the PCM. In the future facility audits of this standard, the PCM will denote that an audit was conducted, corrective action was taken, and refrain from backdated documents.

115.68	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="240 208 451 232"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1414 360">PCS.001.008 PREA Compliance, ADM.019.003 Close Custody Units, ADM.019.003.IHU Investigative Housing Unit, ADM.019.003.TAH Temporary Administrative Housing, and ADM.019.003.PCS Protective Custody Status collectively address the requirements of Standard 115.68.</p> <p data-bbox="240 396 1469 486">The agency has several policies that jointly prohibit 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 alternative means of separation from likely abusers.</p> <p data-bbox="240 521 1493 779">NJDOC dictates that housing units are designated as “Close Custody Units” in certain NJDOC secure facilities, where appropriate. According to the Acting PREA Coordinator, “Close Custody Units” to include “Temporary Closed Custody” (TCC) are necessary from a security management perspective to administratively limit an inmate’s activities and contact with some inmate aggressors on a short-term basis, to enhance security and observation measures or pending the completion of an investigation, an inmate can be assigned to TCC. More, a TCC designation placement can also be utilized in circumstances that suggest potential harm to an inmate, or if an inmate has engaged, is engaging in, or planning to engage in, a serious violation of correctional rules or regulations. Placement in TCC requires administrative approval by upper management on a case-by-case basis. Placement in TCC, is limited to a period not to exceed 72 hours, unless exigent reasons exist.</p> <p data-bbox="240 815 1485 1037">Further, NJDOC/Edna Mahan will only restrict an inmate to a room as a last measure to keep an inmate who alleges sexual abuse safe and then only until an alternative means for keeping the inmate safe can be arranged. The Acting Institutional PREA Compliance Manager confirmed that the facility has not placed an inmate who alleged to have suffered sexual abuse in an involuntary segregation unit (TCC) in the past 12 months for one to 24 hours awaiting completion of a risk assessment. The Auditor interviewed random and targeted inmates during this audit. Each inmate sampled believed if their sexual safety were at issue, they would be protected from harm in a protective custody status until transferred to another facility or other options were made available.</p> <p data-bbox="240 1072 1493 1263">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 was zero, as confirmed by the Acting IPCM. 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 was zero, as confirmed by the Acting IPCM. The Auditor also reviewed a sample of investigative reports from the past 12 months to confirmed or negate information provided by the Acting IPCM regarding this standard.</p> <p data-bbox="240 1299 879 1323"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1352 948 2011" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• PCS.001.008 PREA Compliance</li> <li>• ADM.019.003 Close Custody Units</li> <li>• ADM.019.003.IHU Investigative Housing Unit</li> <li>• ADM.019.003.TAH Temporary Administrative Housing</li> <li>• ADM.019.003.PCS Protective Custody Status</li> <li>• Policy 02-01-107 (The Use and Operation of Protective Custody)</li> <li>• Inmates (random and targeted)</li> <li>• Interview with the Acting Institutional PREA Compliance Manager</li> <li>• Interview with staff who supervise segregation</li> <li>• Facility tour of the restrictive unit</li> <li>• Informal conversation with inmates in restrictive housing unit</li> </ul>

115.71	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Does Not Meet Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1481 495">Policy Number PCS.001.008 Prevention, Detection, and Response of Sexual Abuse and Harassment, Internal Management Procedure ADM.SID.035 Investigation Procedures, Internal Management Procedure ADM.006.SID. 002 Arrest Procedures, Policy ADM.006.011 Investigations by the Special Investigations Division, Internal Management Procedure CUS.0010CSM.01 Crime Scene Management, Internal Management Procedure MED.MLI.005 Forensic Specimen Collection, Internal Management Procedure MED.MLI.007 Sexual Assault, Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives, and Organizational Structure collectively address the requirements of Standard 115.71.</p> <p data-bbox="242 528 1445 618">115.71 (a) When the agency conducts its investigations into sexual abuse and sexual harassment allegations, it does so promptly, thoroughly, and objectively. Problematic, omitted from the evidence of compliance were investigations from the review period from 4/1/21-8/3/21. See corrective action item #1.</p> <p data-bbox="242 651 1474 976">115.71 (b) Where sexual abuse is alleged, the standard requires the agency to use investigators who have received specialized training in sexual abuse investigations. However, Edna Mahan's support staff administratively addressed numerous PREA-related case reports. The Auditor found no evidence suggesting that the same support staff received the required specialized training. Some documents examined indicated support staff received direction from the then PREA Compliance Manager on addressing a PREA-related JPAY grievance. For example, some JPAY grievances include allegations of discrimination based on gender identity, inmate-on-inmate sexual harassment, safety threats, Weaponizing of PREA, and SID's failure to follow up on a concern initiated in JPAY. In other instances, a JPAY PREA-related entry was marked as urgent. Edna Mahan did not expedite urgent JPAY entries to determine if the entry met the litmus test as an emergency grievance and forwarded it to a level of review. At that time, Edna Mahan would take corrective action per standard 115.52.</p> <p data-bbox="242 1010 1485 1267">115.71 (c) Investigator(s) interviewed confirmed that in their role, they would gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data, interview alleged victims, suspected perpetrators, and witnesses, and review prior reports and complaints of sexual abuse involving the suspected perpetrator. When the quality of evidence appears to support a criminal prosecution, NJDOC investigators would only conduct compelling interviews in conjunction with local prosecutors after determining whether compelled interviews may be an obstacle for subsequent criminal prosecution. The agency ensures that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation. The Auditor found no evidence of using a polygraph examination or other truth-telling device in the reports sampled for this audit.</p> <p data-bbox="242 1301 1436 1458">115.71 (d) When the quality of evidence appears to support a criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors on whether compelled interviews may be an obstacle for subsequent criminal prosecution. All substantiated allegations of conduct reviewed by the Auditor and appeared to be criminal were referred for prosecution. However, in some instances of substantiated allegations referred to the Hunterdon County Prosecutor's Office, the office declined to bring evidence before a Grand Jury.</p> <p data-bbox="242 1491 1477 1581">115.71 (e) Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not based on that individual's status as an inmate or staff. Determining compliance with this substandard requires access to sample all investigative reports from this review period. This requires corrective action. See corrective action item #1.</p> <p data-bbox="242 1615 1481 1704">115.71 (f) Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? Determining compliance with this substandard requires access to sample all investigative reports from this review period. I</p> <p data-bbox="242 1738 1485 1827">115.71 (g) Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. For example, Edna Mahan's investigative report reviews from the year 2020 were documented in a written report.</p> <p data-bbox="242 1861 1445 1951">115.71 (h) Are all substantiated allegations of conduct that appears to be criminal referred for prosecution? The Auditor determined that NJDOC referred substantiated investigations of conduct that appeared to be criminal to the prosecutor's office in the county.</p> <p data-bbox="242 1984 1465 2074">115.71 (i) Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. Determining compliance with this substandard requires access to review sample investigative reports from this review period. This requires corrective action.</p> <p data-bbox="242 2107 1457 2141">115.71 (j) Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the</p>

agency does not provide a basis for terminating an investigation. Determining compliance with this substandard requires access to sample investigative reports from this review period.

115.71 (k) Auditor is not required to audit this provision

115.71 (l) When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? This substandard does not apply to Edna Mahan, an outside agency does not conduct administrative or criminal sexual abuse investigations for the facility.

**Policy, Materials, Interviews, and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy Number PCS.001.008 Prevention, Detection, and Response of Sexual Abuse and Harassment Internal Management Procedure 014 Procedures for Sexual Offenses,
- Internal Management Procedure ADM.SID.035 Investigation Procedures
- Internal Management Procedure ADM.006.SID. 002 Arrest Procedures
- Policy ADM.006.011 Investigations by the Special Investigations Division
- Internal Management Procedure CUS.0010CSM.01 Crime Scene Management,
- Internal Management Procedure MED.MLI.005 Forensic Specimen Collection,
- Internal Management Procedure MED.MLI.007 Sexual Assault,
- Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure
- Interview with the Investigators (3)
- Interview with the Institutional PREA Compliance Manager
- Interview with the Superintendent/Warden
- Evidence of required specialized investigative training
- Evidence of required general PREA training (most recent)
- Review of investigative reports and prosecutors' recommendations

**Corrective action**

1. Edna Mahan will gather and provide investigative reports from 4/1/21 to 8/3/21 for review by the Auditor to determine compliance with Standard 115.71. After receipt of all investigative reports for this reporting period, the Auditor will review each investigation for compliance with Standard 115.71. NJDOC/SAAC/Edna Mahan provided the investigative requested during the corrective action period. Completed
2. Standard 115.71 (b) Edna Mahan will provide the missing training documentation to include general and specialized training for all investigators (administrative and criminal). NJDOC provided the requested training documents. Edna Completed
3. Based on the evidence in totality, the Auditor will determine if further corrective action is necessary. Managing investigation from multiple reporting methods dictates an organized manner to account for all reports. The process remained inconsistent. To improve compliance, Edna Mahan should devise a plan to account for all PREA-related allegations, such as centralizing the multiple reporting methods (JPAY, written, verbal, SID, and Ombudsman's Office) before distribution (e.g., SID, administrative, criminal) for investigation) to enhance and improve accountability.

115.72	<b>Evidentiary standard for administrative investigations</b>
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Policy Number PCS.001.008 Prevention, Detection and Response of Sexual Abuse and Harassment, Internal Management Procedure ADM.SID.035 Investigation Procedures, Internal Management Procedure ADM.006.SID. 002 Arrest Procedures, Policy ADM.006.011 Investigations by the Special Investigations Division, Internal Management Procedure CUS.0010CSM.01 Crime Scene Management, Internal Management Procedure MED.MLI.005 Forensic Specimen Collection, Internal Management Procedure MED.MLI.007 Sexual Assault, Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure, collectively address the requirements of Standard addresses Standard 115.72.

The agency has established the standard for substantiation of an investigative incident of sexual abuse or sexual harassment as preponderance of evidence. According to the agency PREA Investigators (3) who was interviewed during the audit process at South Woods State Prison, when evidence supports criminal prosecution, the agency consults with the prosecutor's office prior to moving forward in the investigative process and conducting compelled interviews. Likewise, the same investigators affirmed that the standard threshold for evidence when determining whether allegations are substantiated is preponderance of evidence. Further, the Auditor conducted a follow-up interview with Principal Investigator for Edna Mahan 10/15/21.

For purposes of compliance with this standard the overarching issue with compliance with Standard 115.72, is has the agency and by extension Edna Mahan Correctional Facility for Women imposed a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated in the past 12 months. Problematic, Edna Mahan omitted the inclusion of 2021 investigations reported before the first day of the onsite audit date of 8/3/2021. To determine compliance with this standard requires a full review of investigative reports from this review period. This standard requires corrective action.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy Number PCS.001.008 Prevention, Detection and Response of Sexual Abuse and Harassment
- Internal Management Procedure 014 Procedures for Sexual Offenses,
- Internal Management Procedure ADM.SID.035 Investigation Procedures
- Internal Management Procedure ADM.006.SID. 002 Arrest Procedures
- Policy ADM.006.011 Investigations by the Special Investigations Division
- Internal Management Procedure CUS.0010CSM.01 Crime Scene Management,
- Internal Management Procedure MED.MLI.005 Forensic Specimen Collection,
- Internal Management Procedure MED.MLI.007 Sexual Assault,
- Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure
- Interview with the PREA Compliance Manager (10/14/2021)
- Interview with the Assistant Warden (10/14/2021)
- Interview with the Investigators (3)
- Interview with Principal Investigator Chyme Jones (10/15/21)
- Examination of investigative reports from the past 12-month period

**Corrective Action**

1. Edna Mahan will gather and provide investigative reports from 4/1/21 to 8/3/21 for review by the Auditor to determine compliance with Standard 115.72. After receipt of all investigative reports for this reporting period, the Auditor will review each investigation for compliance with Standard 115.72.
2. Based on the totality of the evidence, the Auditor will determine if further corrective action is deemed necessary.

115.73	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1485 396">Policy Number PCS.001.008 Prevention, Detection and Response of Sexual Abuse and Harassment, Internal Management Procedure ADM.SID.035 Investigation Procedures, Internal Management Procedure ADM.006.SID. 002 Arrest Procedures, Procedure MED.MLI.007 Sexual Assault, Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure both address the requirement of Standard 115.73.</p> <p data-bbox="242 427 1485 822">“The purpose of this standard is to instill a confidence in the inmate PREA reporting system thereby increasing the likelihood that inmates will report incidents of sexual abuse, by ensuring their reports will be taken seriously.” The Auditor reviewed NJDOC PREA Sexual Investigation Disposition Reports and the companion investigative reports to determine that Edna Mahan informs inmates of the outcome of investigations determined to be unfounded, unsubstantiated, or substantiated. The maximum number of documented calendar days Edna Mahan used before informing an inmate of the outcome of an investigation was 208 days, the minimum number of days was one day. Typically, Edna Mahan notification system averaged 75 calendar days from the closure of an investigation to the notification of the inmate. It should be noted that an inmate’s level of confidence in the inmate PREA reporting system is directly correlated with good communication and the inmate receiving timely information about the status of a reported incident. This standard does not mandate a time-period for an inmate to be notified of the outcome of an investigation, the indictment or a finding of guilt related to a PREA related incident in a facility. A timely notification would increase confidence levels within the inmate population regarding the PREA reporting system in place at Edna Mahan.</p> <p data-bbox="242 853 1442 947">115.73 (a) NJDOC has a policy requiring that any inmate who alleges 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.</p> <p data-bbox="242 978 1453 1005">115.73 (b) is not applicable. NJDOC/Edna Mahan is responsible for conducting administrative and criminal investigations.</p> <p data-bbox="242 1037 1474 1131">115.73 (c) Following an inmate reporting an allegation that a staff member has committed sexual abuse against the inmate, unless the allegation is unfounded, or unless the inmate has been released from custody, NJDOC mandates that the facility informs the inmate whenever: The staff member is no longer posted within the inmate’s unit.</p> <p data-bbox="242 1162 1474 1422">115.73 (d) Following an inmate’s allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility. In an interview (10/14/21) with the newly appointed IPCM she confirmed that NJDOC/Edna Mahan would inform the inmate that an alleged abuser was indicted or convicted on a PREA related charge associated with sexual abuse within the facility. Further, the Auditor interviewed (10/14/21) the newly appointed Warden of the facility. She confirmed following an inmate’s allegation that an inmate was sexually abuse by another inmate her role would be to inform the victim that the inmate was indicted or found guilty on a PREA related charge associated with sexual abuse within the facility.</p> <p data-bbox="242 1453 1469 1547">115.73 (e) Does the agency document all such notifications or attempted notifications. Of the eighteen (18) NJDOC PREA Sexual Investigation Disposition Reports examined, five (5) inmates were either discharged from custody or out-of-custody. Written evidence of documenting inmates out-of-custody or those who discharged was well documented.</p> <p data-bbox="242 1579 842 1606">115.73 (f) The Auditor is not required to audit this provision.</p> <p data-bbox="242 1637 879 1664"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1695 999 2130" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy Number PCS.001.008 Prevention</li> <li>• Detection and Response of Sexual Abuse and Harassment</li> <li>• Internal Management Procedure ADM.SID.035 Investigation Procedures</li> <li>• Internal Management Procedure ADM.006.SID. 002 Arrest Procedures</li> <li>• Procedure MED.MLI.007 Sexual Assault</li> <li>• Policy ADM.006.000 Special Investigations Division Mission</li> <li>• Goals and Objectives and Organizational Structure</li> </ul>

- Review of investigative files
- Review of NJDOC PREA Sexual Investigation Disposition Reports
- Interview with the Institutional PREA Compliance Manager
- PREA inmate notifications
- Interview with the Warden
- Interview with investigative staff

115.76	<b>Disciplinary sanctions for staff</b>
	<p data-bbox="240 143 740 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="240 268 1433 329">PCS.001.008 PREA Compliance; and IMM.001.004 Zero Tolerance Prison Sexual Assault address the requirements of standard 115.76.</p> <p data-bbox="240 360 1489 654">115.76 (a) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. When NJDOC investigates sexual abuse between a staff member and an inmate, the Hunterdon County Prosecutor's Office is contacted for possible criminal investigation and prosecution. Edna Mahan staff are subject to disciplinary sanctions including prosecution by the Hunterdon County Prosecutor's Office. A report prepared by the Department of Justice assigned Federal Monitor dated 8/24/2021 to 2/24/2022 suggests that as of February 24, 2022, that Edna Mahan has employees out of work because they were being investigated. It should be mentioned that those who face criminal charges because of sexual assault are all considered innocent until found guilty by a court of law. This example illustrates that Edna Mahan staff are subject to disciplinary sanctions including prosecution by the Hunterdon County Prosecutor's Office.</p> <p data-bbox="240 685 1453 745">115.76 (b) In an interview with the acting PREA Coordinator, he confirmed that termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse in NJDOC/Edna Mahan.</p> <p data-bbox="240 777 1461 938">Any staff who is terminated for a violation of the zero-tolerance prison sexual assault policy is reported to law enforcement agencies unless the activity was clearly not criminal, and to any relevant licensing bodies, according to the Superintendent/Warden. An employee, contractor, or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete, or untruthful information with the intent to alter a report, may face disciplinary charges, up to and including dismissal, even on a first offense.</p> <p data-bbox="240 969 1469 1095">115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than 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 according to the Superintendent/Warden.</p> <p data-bbox="240 1126 1493 1218">115.76 (d) Any terminations for violations of NJDOC sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to Law enforcement agencies or relevant licensing body (unless the activity was clearly not criminal), according to the PREA Coordinator.</p> <p data-bbox="240 1249 1428 1344">All employees are subject to administrative disciplinary sanctions for violating agency sexual abuse/sexual harassment policies. The Collective Bargaining Agreements with NJDOC allow for disciplinary sanctions against staff, including termination, for the sexual abuse/sexual harassment of an inmate.</p> <p data-bbox="240 1375 887 1402"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1433 932 1803" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 PREA Compliance</li> <li>• Policy IMM.001.004 Zero Tolerance Prison Sexual Assault</li> <li>• Edna Mahan Correctional Facility for Women investigative reports</li> <li>• Interview with the Institutional PREA Compliance Manager</li> <li>• Interview with the PREA Coordinator</li> <li>• Interview with the Superintendent/Warden</li> </ul>

115.77	<p><b>Corrective action for contractors and volunteers</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>PCS.001.008 PREA Compliance, IMM.001.004 Zero Tolerance Prison Sexual Assault and Internal Management Procedure PCS.001.VOL.001 Volunteer Services collectively address and outline the agency's disciplinary response related to violations of PREA policies by staff in support of compliance with Standard 115.77.</p> <p>NJDOC policies indicate that any contractor or volunteer who engages in sexual abuse/sexual harassment would be prohibited from contact with inmates and would be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. A contractor or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete, or untruthful information with the intent to alter a report, may face disciplinary charges, up to and including dismissal, even on a first offense. In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, the facility would take appropriate remedial measures and consider whether to prohibit further contact with inmates.</p> <p>Further, disciplinary sanctions for violations of NJDOC policies relating to sexual abuse or sexual harassment (other than engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories according to the same policies.</p> <p>NJDOC takes a firm policy position on employees, volunteers and contractors receive training on their duties and responsibilities under the NJDOC's zero-tolerance policy and are informed that they are required to immediately report any incident or allegation of sexual abuse and sexual harassment. NJDOC policy makes a resolute declaration that inmates can never consent to a sexual relationship with a staff member, contractor, or volunteer, as such, it is against the law.</p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 PREA Compliance</li> <li>• IMM.001.004 Zero Tolerance Prison Sexual Assault</li> <li>• Internal Management Procedure Policy PCS.001.VOL.001 Volunteer Services</li> <li>• Examined a sample of investigative report for the past 12 months</li> </ul>
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**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

PCS.001.008 PREA Compliance; IMM.001.004 Zero Tolerance Prison Sexual Assault; ADM.008.000 Inmate Disciplinary Hearing Program Mission, Goal and Objective (MGO); and Inmate Handbook on Discipline Updated 5 13 2021: and NJAC Title 10A, Chapter 4 relates to inmate discipline in the NJDOC. NJAC Title 10A Chapter 12 Subchapter 12 and Policy IMM.001.004, collectively address Standard 115.78

NJAC Title 10A, Chapter 4 includes misbehaviors outlined in the PREA standards. Prohibited acts or misbehaviors include unauthorized physical contact with a person that was not initiated by staff, sexual assault, engaging in sexual acts, making sexual proposals, and indecent exposure. While not a PREA sexual assault issue, consensual sex or sexual harassment of any nature is prohibited and will result in discipline.

NJDOC/Edna Mahan mandates that inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse/harassment or following a criminal finding of guilt for inmate-on-inmate sexual abuse/harassment. Any inmate who violates the NJDOC's policies of zero-tolerance of sexual abuse/sexual harassment shall be subject to inmate discipline in accordance with NJAC 10A:4 Inmate Discipline.

More, pursuant to N.J.A.C. Title 10A:4-4.2, all prohibited acts that may constitute crimes of the first (including aggravated sexual assault), second (including sexual assault), third or fourth degree under the Criminal Code of the State of New Jersey (N.J.S.A. 2C:1-1 et seq.) shall be referred to the prosecutor of the county in which the correctional facility is located. Such discipline is applied via a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse/harassment or following a criminal finding of guilt for inmate-on-inmate sexual abuse/harassment. NJDOC disciplinary sanctions include a range of severity based on the category of the sexual offense charge. The disciplinary process also has built-in, a referral process for mental health intervention throughout the disciplinary process.

Inmates cannot legally consent to sexual contact with a staff member, contractor, or volunteer. It is against the law for any staff member, contractor, or volunteer and an inmate to have a sexual relationship of any kind. Inmates are not disciplined for sexual contact with staff, contractors, or volunteers unless it is determined that the staff member did not consent to the contact. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish sufficient evidence to substantiate the allegation.

Interviews with medical and mental health practitioners during the audit confirmed that the facility offers therapy, counseling, or other interventions designed to address the emotional trauma resulting from an incident of sexual abuse or sexual harassment. The same sample of medical and mental health practitioners confirmed that Edna Mahan also offers therapy, counseling, or other interventions to the sexual aggressor, to correct underlying reasons or motivations for the abuse. The Auditor found no evidence to support this aspect of the standard in investigative reports sampled. Inmates sampled during the audit denied that therapy, counseling, or other interventions are only offered as a condition to access other program offerings or inmate incentives or benefits. The facility tour included an inspection of the restricted housing unit. Inmates housed in segregation confirmed rounds were conducted on a consistent basis by medical and mental health practitioners.

The facility prohibits all sexual activity between inmates and may discipline inmates for such activity. According to the Acting PREA Coordinator, and NJDOC policy the facility will not deem unauthorized consensual sexual activity to constitute sexual abuse if it determines that the activity was not coerced. Inmate on inmate consensual sex is prohibited conduct at NJDOC facilities and is subject to discipline in accordance with NJAC Title 10:A Chapter 4 Inmate Discipline.

In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility was zero during this audit period. Interviews with the SID Principal Investigator and the Acting IPCM, a review of investigative files confirmed there were zero cases of inmate-on-inmate nonconsensual sexual activity that were determined to be sexual abuse. In the past 12 months, the number of criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility was zero.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 PREA Compliance
- Policy IMM.001.004 Zero Tolerance Prison Sexual Assault
- Policy ADM.008.000 Inmate Disciplinary Hearing Program Mission, Goal and Objective

- Inmate Handbook on Discipline Updated 5/13/2021
- NJDOC, NJAC Title 10A, Chapter 4 Inmate Discipline
- NJDOC. NJAC Title 10A Chapter 12 Subchapter 12
- Policy IMM.001.004 Zero Prison Sexual Assault
- Interview with the Institutional PREA Compliance Manager
- Facility tour: Edna Mahan Correctional Facility
- Review of investigative reports sampled from the past 12 months

115.81	<b>Medical and mental health screenings; history of sexual abuse</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1461 360">Policy PCS.001.008 PREA Compliance, MED.IMA.001 Health Appraisals at Reception, MED.MHS.001.002, and the Multidimensional Sexual Victimization and Abusiveness Risk Assessment Checklist address the requirements of Standard 115.81.</p> <p data-bbox="242 394 1473 622">NJDOC has an automated electronic comprehensive system for collecting medical and mental health information relative to PREA related concerns during the intake health appraisal or subsequently as needed. The same system can also provide continued re-assessment and document follow-up services as needed. Health appraisal information is maintained in the inmate electronic medical record (EMR). Screening for any condition relevant to the Prison Rape Elimination Act of 2003 (PREA) and documentation of those findings can be found in the electronic health records system. Edna Mahan ensures that inmates are offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p data-bbox="242 656 1485 813">The EMR is password protected with limited accessibility. Internal Management Procedure MED.IMA.001 The EMR Multidimensional Sexual Victimization and Abusiveness Risk Assessment Checklist mandates that if screening indicates that an inmate has experienced prior victimization or perpetrated abusiveness, whether, in an institutional setting or the community, healthcare staff will ensure the inmate is seen for a follow- up mental health meeting within 14 days of the screening</p> <p data-bbox="242 846 1481 1003">All inmates who disclose prior sexual victimization or who disclose previously perpetrating sexual abuse during an intake screening are offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening, according to medical and mental health practitioners interviewed during the onsite portion of this audit. The facility obtains informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting.</p> <p data-bbox="242 1037 1473 1126">The Auditor noted that the informed consent information is contained on page two of the PREA risk screening instrument of the inmate EMR. The Auditor interviewed targeted inmates who confirmed being advised of the limits to confidentiality by medical and mental health practitioners at the initiation of service. Edna Mahan houses zero inmates under the age of 18.</p> <p data-bbox="242 1160 1477 1485">The Auditor sampled case files of initial PREA risk screenings of inmates transferred to Edna Mahan. Inmates who previously declared a history of prior victimization/abusiveness was captured in the electronic medical record in a section termed "Receiving Chart Review Section". Included in the same section was a question regarding the need for a 14-day follow-up. As confirmed by medical and mental health practitioners interviewed during the audit, a follow-up review was determined by inmate history, a perception of vulnerability, mental illness, disability, and a desire to address a history of sexual victimization or sexual abusive behavior. More, medical and mental health practitioners interviewed during the audit also confirmed that a risk assessment review is required based on a current assessment of victimization/abusiveness risk. The Auditor by examination determined that all cases were screened for the need of applicable PREA related follow-up with a medical or mental health practitioner. Information dissemination instructions as well as the appropriate use of such are included in the EMR screening module. Staff interviews confirmed compliance with this policy.</p> <p data-bbox="242 1518 1406 1574">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 was 100%.</p> <p data-bbox="242 1608 879 1637"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1671 1469 1984" style="list-style-type: none"> <li data-bbox="242 1671 523 1700">• Pre-Audit Questionnaire</li> <li data-bbox="242 1727 675 1756">• Policy PCS.001.008 PREA Compliance</li> <li data-bbox="242 1783 804 1812">• Policy MED.IMA.001 Health Appraisals at Reception</li> <li data-bbox="242 1839 1469 1868">• Policy MED.MHS.001.002, and the Multidimensional Sexual Victimization and Abusiveness Risk Assessment Checklist</li> <li data-bbox="242 1895 1110 1924">• Examination of the electronic medical record for informed consent and MH referrals</li> <li data-bbox="242 1951 951 1980">• Interviews with a sample of medical and mental health practitioners</li> </ul>

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

Policy PCS.001.008 PREA Compliance, MED.IMA.001 Health Appraisals at Reception, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services, Internal Management Procedure MED.MLI.007 Sexual Assault, Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault, Internal Management Procedure MED.MLI.007 Sexual Assault, Internal Management Procedure MED.MHS.002.007 Psychiatry Services and Internal Management Procedure MED.IMHC.010, N.J.A.C.10A:16-2.10 Emergency medical treatment, Emergency Response. MED.MLI.007 Sexual Assault and Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care collectively address Standard 115.82.

The NJDOC mandates that medical and health care services be available in all Operational Units which houses inmates. All inmates' individuals under the jurisdiction of the NJDOC have access to 24-hour emergency mental health services to ensure provisions of care in the event of an unexpected or acute mental health problem or a crisis that cannot be deferred to the next available scheduled service. A physician will be available twenty-four hours a day, seven days a week for consultation. On-call physician's schedules with pager/telephone numbers and pertinent names and telephone numbers of local emergency medical services to be used will be accessible to the medical staff. The policy requires accurate, timely reporting, investigation, and notification of appropriate staff and family of all critical illnesses, injuries, or deaths. Emergency cardiopulmonary resuscitation (CPR) will be available from trained custody and healthcare staff. Properly trained custody and healthcare staff will carry out emergency medical transfer procedures.

Edna Mahan medical practitioners do not conduct forensic examinations unless the care is necessary to stabilize the inmate victim of sexual abuse/assault before being transported to a local emergency room. As codified at N.J.A.C.10A:16-2.10 Emergency medical treatment, indicates that emergency medical care shall be available to inmates 24 hours per day, seven days per week. General emergency response procedures for all medical emergencies are outlined within the NJDOC. Emergency Response. MED.MLI.007 Sexual Assault, which establishes specific procedures to ensure that NJDOC medical practitioners can respond immediately and appropriately to allegations of prison sexual assault or abuse. Medical practitioners/healthcare staff interviewed during the audit confirmed that they are required to follow the facility's written plan for responding to allegations of sexual assault or abuse of an inmate. Each medical practitioners/healthcare staff interviewed also confirmed and understanding of their role and responsibilities in the advent of an incident of sexual abuse/sexual assault and the PREA response protocol is activated.

Before being transported to a local hospital for a forensic examination and treatment of injuries related to a sexual abuse/sexual assault trauma, a mental health practitioner would triage the inmate victim level of suicide risk, ability to undergo a SANE/SAFE forensic examination and determine the desire for continued emotional support at the hospital, follow-up appointments or interviews regarding the incident. They also provide supportive counseling and may consult psychiatry if that is needed according to Internal Management Procedure MED.MHS.002.007 Psychiatry Services. The agency and Edna Mahan by extension require timely and unimpeded access to emergency medical treatment, crisis intervention and victim advocacy services. Specialized medical practitioners confirmed that Edna Mahan Correctional offers inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. Furthermore, the same practitioners confirmed that the nature and scope of service provided to the inmate population is based according to their professional judgment. Treatment services are provided to every inmate victim of sexual abuse/assault without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident according to Internal Management Procedure MED.IMHC.010 (Co-Pay) and confirmed by the Acting Institutional PREA Compliance Manager.

**Policy, Materials, Interviews and Other Evidence Reviewed:**

- Pre-Audit Questionnaire
- Policy PCS.001.008 PREA Compliance
- MED.IMA.001 Health Appraisals at Reception
- Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services
- Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services, Internal Management Procedure MED.MLI.007 Sexual Assault
- Internal Management Procedure MED.MHS.002.010 Counseling Services for Victims of Sexual Assault

- Internal Management Procedure MED.MLI.007 Sexual Assault
- Internal Management Procedure MED.MHS.002.007 Psychiatry Services
- Internal Management Procedure MED.IMHC.010
- N.J.A.C.10A:16-2.10 Emergency medical treatment
- Emergency Response. MED.MLI.007 Sexual Assault
- Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care
- Review of an investigation file
- Interviews with medical practitioners
- Interviews with mental health practitioners
- Interview with the Acting Institutional PREA Compliance Manager

115.83	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<p data-bbox="242 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="242 210 451 239"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1489 499">Policy PCS.001.008 PREA Compliance, Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Internal Management Procedure MED.MLI.007 Sexual Assault; and Internal Management Procedure MED.MHS.002.010 - Counseling Services for Victims of Sexual Assault, Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services, Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services and Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care addresses the requirements of Standard 115.83. Standard 115.83 (d) and (e) are not applicable. Edna Mahan Correctional Facility for Women is an adult male correctional facility.</p> <p data-bbox="242 530 1489 759">Policy PCS.001.008 PREA Compliance and Internal Management Procedure MED.MLI.007 Sexual Assault mandates appropriate tests be provided to the inmate victim as determined by medical and mental health practitioners. Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Furthermore, if a sexual victimization occurs in an institutional setting; the inmate victim of sexual abuse would be offered tests for sexually transmitted infections as medically indicated. Medical and mental health practitioners sampled during the audit confirmed during individual interviews that the facility provides inmate victims of sexual abuse/assault medical and mental health services consistent with the community level of care.</p> <p data-bbox="242 790 1458 913">Policy PCS.001.008 PREA Compliance and Internal Management Procedure MED.MLI.007 Sexual Assault requires that Edna Mahan attempts to obtain a mental health evaluation within 60 days of learning of inmate-on-inmate with a history of abusiveness and offer treatment to address the underlying reason for the behavior. More, sample interviews with medical and mental health practitioners confirmed their understanding of their role and responsibility under Standard 115.83.</p> <p data-bbox="242 945 1481 1039">Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care, the Institutional PREA Compliance Manager and Warden confirmed during individual interviews with the Auditor that medical services by policy are provided to the victim of a sexual assault at no financial cost.</p> <p data-bbox="242 1070 879 1099"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1131 1362 1899" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 PREA Compliance</li> <li>• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Internal Management Procedure MED.MLI.007 Sexual Assault</li> <li>• Internal Management Procedure MED.MHS.002.010 - Counseling Services for Victims of Sexual Assault</li> <li>• Policy Number MED.002.004 Mental Health Services Staff Emergency Mental Health Services</li> <li>• Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services</li> <li>• Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care</li> <li>• Sampled review of investigative reports for past 12 months (6)</li> <li>• NJDOC Inmates handbook</li> <li>• Interview with specialized staff (medical and mental health practitioner)</li> <li>• Interview with the Acting Institutional PREA Compliance Manager</li> <li>• Interview with the Acting PREA Coordinator</li> </ul>

115.86	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1453 360">The Auditor examined investigative reports and supplemental documentation from the past 12-month period. Problematic, the Auditor determined that Edna Mahan routinely failed to conduct a committee incident review after every sexual abuse investigation with substantiated or unsubstantiated findings. This standard required corrective action.</p> <p data-bbox="242 396 1461 486">Moreover, Edna Mahan facility Sexual Incident Review meeting minutes indicate that the incident review was limited to the author instead of a committee review of the investigation. The Sexual Incident Review documents included the required consideration outlined in this standard.</p> <p data-bbox="242 521 1485 611">115.86 (a) After corrective action, Edna Mahan conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded as a result of corrective actions.</p> <p data-bbox="242 647 1490 703">115.86 (b) After corrective action and a dedicated PREA Compliance Manager, Edna Mahan sexual incident review ordinarily occurs within 30 days of the conclusion of the investigation.</p> <p data-bbox="242 739 1481 826">115.86 (c) After corrective action and examination, the Auditor determined that the Edna Mahan sexual incident review team consists of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.</p> <p data-bbox="242 862 1453 1016">115.86 (d) After corrective action and by examination, the Auditor determined that the Edna Mahan sexual incident review team: Considers whether the allegation or investigation indicates a need to change policy or practice to prevent better, detect, or respond to sexual abuse, whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility</p> <p data-bbox="242 1052 1490 1240">After corrective action, by examination, the Auditor determined that the Edna Mahan review team: Examines the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse, assesses the adequacy of staffing levels in that area during different shifts, assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and prepares a report which includes but not necessarily limited to determinations made according to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manage.</p> <p data-bbox="242 1276 1477 1400">The Auditor confirmed by examination that the Edna Mahan incident review team: Prepares a report of its findings, including but not necessarily limited to determinations made under §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submits the report to the Warden, Interviews with staff revealed that they understood the purpose of the incident review team and the process. After corrective action, Edna Mahan met the requirements of Standard 115.86.</p> <p data-bbox="242 1435 884 1462"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1498 1198 2145" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Review of investigative sexual abuse reports in the past 12-month period</li> <li>• Interview with Sexual Abuse Incident Review Team member</li> <li>• Interview with the PREA Compliance Manager</li> <li>• Review of facility PREA Committee Meetings Minutes</li> <li>• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault</li> <li>• Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse and Harassment</li> <li>• Level I Internal Management Procedures PCS.001.PREA.001</li> <li>• SAAC Review email dated March 2, 2021</li> <li>• SAAC Review email dated August 28, 2020</li> <li>• Sexual Assault Advisory Council Incident Review Form (blank)</li> <li>• 2020-06-29-001 Sexual Assault Advisory Council Incident Review</li> </ul>

- 2021-01-05-003 Sexual Assault Advisory Council Incident Review

**Corrective action:**

Complete the incident review by a committee of all substantiated and unsubstantiated incidents of sexual abuse for the prior 12-month period, and document the committee review of the investigative reports. The sexual assault incident review team should include upper-level management officials and allow input from supervisors, investigators, and medical or mental health practitioners. Document attendance with a printed name, staff signatures, and dates. Review Standard 115.86. Document training on Standard 115.86 for all PREA Committee members. Document attendance with a printed name, staff signatures, and dates. Provide the Auditor with evidence of all corrective actions to comply with this standard. Complete.

115.87	<b>Data collection</b>
	<p data-bbox="240 145 738 174"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="240 208 451 237"><b>Auditor Discussion</b></p> <p data-bbox="240 271 1469 331">PCS.001.008 PREA Compliance; and PCS. 001.PREA.001, Sexual Assault-PREA Advisory Council (SAAC) addresses the requirements of Standard 115.87.</p> <p data-bbox="240 360 1453 456">115.87 (a) NJDOC collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions according to NJDOC agency staff from the Office of Sexual Assault Advisory Council (SAAC).</p> <p data-bbox="240 486 1453 546">115.87 (b) By examination, the Auditor determined that NJDOC aggregates the incident-based sexual abuse data at least annually.</p> <p data-bbox="240 575 1481 672">115.87 (c) By examination, the Auditor determined that the incident-based aggregated data collected by NJDOC at a minimum includes the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.</p> <p data-bbox="240 701 1481 831">115.87 (d) By examination of the investigative report in the prior 12-month period, the Auditor determined that the NJDOC agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews as confirmed by the PREA Coordinator. The agency tracks information concerning sexual abuse using data from the facility's PREA E-Management system.</p> <p data-bbox="240 860 1481 920">115.87 (e) By examination and contractual agreement NJDOC also obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.</p> <p data-bbox="240 949 1458 1010">In an interview with a private facility, the administrator confirmed a contractual agreement to provide NJDOC with incident-based and aggregated data.</p> <p data-bbox="240 1039 1485 1200">115.87 (f) Office of Sexual Assault Advisory Council (SAAC) under the direction of the NJDOC PREA Coordinator's position oversees the collection of data statewide and uses the said information to complete the Survey of Sexual Violence, conducted by the Department of Justice. The agency aggregates and reviews all data annually. An annual report is prepared and placed on the departmental website for review and approval by the NJDOC Commissioner. Agency compliance with this standard was also determined by a review of policy and tracking documentation, and staff interviews.</p> <p data-bbox="240 1229 887 1258"><b>Policy, Materials, Interviews, and Other Evidence Reviewed:</b></p> <ul data-bbox="240 1288 1241 1890" style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Interview with the Acting PREA Coordinator</li> <li>• Interview with Superintendent/Warden</li> <li>• NJDOC Sexual Incident Report Data (2019)</li> <li>• 02-11-115 Sexual Assault Prevention</li> <li>• Survey of Sexual Victimization 2017, State Prison System Summary Form</li> <li>• Survey of Sexual Victimization 2018, State Prison System Summary Form</li> <li>• 2017 Sexual Assault Prevention Program Annual Report</li> <li>• 2018 Sexual Assault Prevention Program Annual Report, dated 4/12/2019</li> <li>• 2019 Sexual Assault Prevention Program Annual Report, dated 3/04/2020</li> <li>• Annual Sexual Prevention Report 2019 Year, Edna Mahan Correctional Facility, dated 2/04/2020</li> </ul>

115.88	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p data-bbox="242 208 451 235"><b>Auditor Discussion</b></p> <p data-bbox="242 271 1474 331">Internal Management Procedure PCS.001.PREA.001 Sexual Assault/Prison Rape Elimination Act (PREA) Advisory Council (SAAC); and the Sexual Victimization Annual Report 2019 address the requirements of Standard 115.88.</p> <p data-bbox="242 360 1485 589">The Edna Mahan Acting Institutional PREA Compliance Manager confirmed that she reviews the collected and aggregated data to assess and improve the effectiveness of the PREA related efforts and initiatives. A review of the agency Sexual Victimization Annual Report 2019 confirms this practice. The evaluation includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the facility's progress in addressing the sexual abuse program and approved procedural changes are made at the facility level based upon corrective actions and/or recommended changes. The Edna Mahan annual report must be approved by the Acting PREA Coordinator and made readily available to the public through the agency's public website.</p> <p data-bbox="242 618 1490 981">The NJDOC facility-SAAC reviews and assesses all sexual abuse/sexual harassment data at least annually to improve the effectiveness of its sexual abuse prevention, detection, and response policies, to identify any trends, issues, or problem areas, and to take corrective action, where appropriate. More, the facility Acting IPCM forwards sexual abuse/sexual harassment data to the agency-SAAC and Acting PREA Coordinator. Further, the Acting PREA Coordinator in his role also confirmed that the agency reviews data collected pursuant to 115.87 and assesses the effectiveness of the sexual abuse prevention, detection, and response policies, practices, and training. According to the IPCM, redacted information from the report would be limited to omitting personal identifying information (PII). All other information would be included in the annual report. An NJDOC Sexual Victimization Annual Report 2019 was prepared, reviewed by the NJDOC Commissioner/designee, and posted on the agency website. The Sexual Victimization Annual Report 2019, New Jersey Department of Corrections, was reviewed by the lead Auditor online. The Auditor found the report available on the agency NJDOC website identified as: <a href="http://www.nj.gov/corrections/prea">www.nj.gov/corrections/prea</a>.</p> <p data-bbox="242 1010 879 1037"><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul data-bbox="242 1066 1414 1357" style="list-style-type: none"> <li data-bbox="242 1066 600 1093">• Pre-Audit Questionnaire</li> <li data-bbox="242 1122 1414 1189">• Internal Management Procedure PCS.001.PREA.001 Sexual Assault/Prison Rape Elimination Act (PREA) Advisory Council (SAAC)</li> <li data-bbox="242 1218 788 1245">• Investigative report from the past 12 month</li> <li data-bbox="242 1274 858 1301">• NJDOC Sexual Victimization Annual Report 2019</li> <li data-bbox="242 1330 794 1357">• Interview with the Acting PREA Coordinator</li> </ul>

115.89	<p><b>Data storage, publication, and destruction</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>Policy PCS.001.008 PREA Prevention, Detection and Response of Sexual Abuse and Harassment addresses Standard 115.89. The NJDOC Acting PREA Coordinator reviews data compiled by each NJ DOC facility, using the PREA Tracking System. NJDOC has a system that interfaces with data generated systems such as the Electronic Medical Record in real-time. The PREA E-Management System addresses the broad areas of prevention, detection, and response to allegations of sexual victimization. NJ DOC annually compiles and posts a Commissioner level approved report of the department's rate of sexual abuse/harassment on the official NJ DOC webpage. Edna Mahan maintains facility sensitive personal data in locked files or on a computer database with a user ID, encryptions, and password protection. Agency PREA data is securely retained and is published on the agency's public website after removing all personal identifying information. The required reports cover all data required in this standard and are retained in a file. NJDOC compliance with this standard was determined by an examination of policy, a data documentation review, and staff interviews with the Acting IPCM and Acting PREA Coordinator regarding the secure retention of sensitive data, remove of all personal identifiers before making aggregated sexual abuse data publicly available and overall data protection practices.</p> <p>This standard requires that data be collected and securely retained for 10 years unless applicable laws require otherwise. The aggregated PREA data is reviewed, and all personal identifiers are removed. A review of documentation confirmed the practice.</p> <p><b>Policy, Materials, Interviews and Other Evidence Reviewed:</b></p> <ul style="list-style-type: none"> <li>• Pre-Audit Questionnaire</li> <li>• Policy PCS.001.008 PREA Prevention, Detection and Response of Sexual Abuse and Harassment</li> <li>• Sexual Assault Prevention Program Annual Reports</li> <li>• Internal Management Procedure PCS.001.PREA.001 Sexual Assault/Prison Rape Elimination Act (PREA) Advisory Council (SAAC)</li> <li>• Investigative report from the past 12 month</li> <li>• NJDOC Sexual Victimization Annual Report 2019</li> <li>• Interview with the Acting PREA Coordinator</li> </ul>
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115.401	<b>Frequency and scope of audits</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The last Edna Mahan PREA audit was conducted in October 2017. Based on a review of the NJ DOC's public website, during the prior three year period, the agency made its best efforts to ensure that all facilities have received a PREA audit given the Covid pandemic. There is no information published regarding the audits conducted from August 2019 thru August 2020. However, there were scheduled audits during the first year of the current audit cycle.</p> <p>The Auditor was provided access to all areas of the facility t under quarantine. Edna Mahan allowed both Auditors space to conduct private interviews with inmates (random and targeted) and staff (specialized and random) and review inv stigative documents. Supplemental information was reviewed and applied against PREA standards to termine compliance. Audit notices were posted on all living units. Inmates (random and targeted) interviewed all confirmed timely posting of the audit no ice by the facility. The Auditor received one letter prior to the onsite audit regarding missing personal property bei g sent to China. One letter was received by the Auditor after the onsite portion of the audit regarding the placement of transgender women at Edna Mahan prior to gender reassignment, allegations of sexual activity by transgender women with cisgender inmates in the facility, the "weaponization of PREA" and false PREA hotline calls by some inmates as retaliation for personal disag ements.</p>

115.403	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The agency has published on its agency website, made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT except under exigent circumstances. The Covid pandemic precluded NJDOC from conducting audits in year 2020. Otherwise, NJDOC has posted all audit reports on its website within ninety days of their completion. The public has access to reporting mechanisms and NJ DOC PREA trends data via the agency's website. .</p>

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
<b>115.17 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
<b>115.17 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.17 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
<b>115.31 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.31 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

<b>115.31 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
<b>115.33 (b)</b>	<b>Inmate education</b>	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
<b>115.33 (c)</b>	<b>Inmate education</b>	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

<b>115.33 (d)</b>	<b>Inmate education</b>	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	yes
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
<b>115.42 (a)</b>	<b>Use of screening information</b>	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.42 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	no
<b>115.42 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	no
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	no

<b>115.42 (d)</b>	<b>Use of screening information</b>	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	no
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

<b>115.43 (b)</b>	<b>Protective Custody</b>	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
<b>115.43 (c)</b>	<b>Protective Custody</b>	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
<b>115.43 (d)</b>	<b>Protective Custody</b>	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
<b>115.43 (e)</b>	<b>Protective Custody</b>	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
<b>115.51 (a)</b>	<b>Inmate reporting</b>	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

<b>115.51 (b)</b>	<b>Inmate reporting</b>	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	no
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	no
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	no
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	no
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	no
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	no
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	no
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na

<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.73 (b)</b>	<b>Reporting to inmates</b>	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na
<b>115.73 (c)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (d)</b>	<b>Reporting to inmates</b>	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.87 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.87 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.87 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes