

PREA Facility Audit Report: Final

Name of Facility: Southern State Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: 09/25/2021

Date Final Report Submitted: 04/27/2022

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"/>
Auditor Full Name as Signed: `SONYA LOVE	Date of Signature: 04/27/2022

AUDITOR INFORMATION	
Auditor name:	Love, Sonya
Email:	sonya.love57@outlook.com
Start Date of On-Site Audit:	07/13/2021
End Date of On-Site Audit:	07/15/2021

FACILITY INFORMATION	
Facility name:	Southern State Correctional Facility
Facility physical address:	4295 New Jersey 47, Maurice River , New Jersey - 08314
Facility mailing address:	

Primary Contact	
Name:	Michael Ridgeway
Email Address:	Michael.Ridgeway@doc.nj.gov
Telephone Number:	856-785-1300 x6615

Warden/Jail Administrator/Sheriff/Director	
Name:	Erin Nardellii
Email Address:	Erin.Nardelli@doc.nj.gov
Telephone Number:	856-785-1300 x6601

Facility PREA Compliance Manager	
Name:	Heather Griffith
Email Address:	heather.griffith@doc.nj.gov
Telephone Number:	O: 856-785-1300 ext. 66
Name:	Michael Ridgeway
Email Address:	michael.ridgeway@doc.nj.gov
Telephone Number:	O: 856-785-1300 ext. 66

Facility Health Service Administrator On-site	
Name:	Michael Teasdale
Email Address:	Teasdale@ubhc.rutgers.edu
Telephone Number:	856-785-1300 x6394

Facility Characteristics	
Designed facility capacity:	2375
Current population of facility:	779
Average daily population for the past 12 months:	1261
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18+
Facility security levels/inmate custody levels:	Medium-FullMinimum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	591
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	127
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	New Jersey Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	Whittlesey Road, PO Box 863, Trenton, New Jersey - 08625
Mailing Address:	
Telephone number:	609-292-4036 x5579

Agency Chief Executive Officer Information:	
Name:	Marcus O. Hicks, Esq.
Email Address:	Marcus.Hicks@doc.nj.gov
Telephone Number:	609-292-4036-5656

Agency-Wide PREA Coordinator Information			
Name:	Pamela Sooy	Email Address:	pamela.sooy@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>	
Number of standards exceeded:	
0	
Number of standards met:	
41	
Number of standards not met:	
4	<ul style="list-style-type: none"> • 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator • 115.41 - Screening for risk of victimization and abusiveness • 115.42 - Use of screening information • 115.86 - Sexual abuse incident reviews

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2021-07-13
2. End date of the onsite portion of the audit:	2021-07-15

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:	NJ Ombudsman Office Victim Witness Advocacy Office Hunderdon County

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	2375
15. Average daily population for the past 12 months:	1261
16. Number of inmate/resident/detainee housing units:	15
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:	779
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:	0
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:	5
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:	2
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:	0
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:	3
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:	1
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):	Some groups not tracked
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
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:	591
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:	0
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	No text provided.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	22
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input type="checkbox"/> Age <input 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 RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The sample characteristics was hampered by Covid restrictions.
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):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	9
<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:	5
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:	0

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input 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. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Southern is a working farm correctional facility positioned on 77 acres.</p>
<p>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:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input 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. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Based on information obtained from the PAQ, documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees, zero disabled (visually impaired) inmates were assigned to the facility during the onsite portion of the audit.</p>
<p>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:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input 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. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Based on information obtained from the PAQ, documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees, zero disabled (hard of hearing) inmates were assigned to the facility during the onsite portion of the audit.</p>
<p>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:</p>	<p>5</p>

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:	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).	Based on information obtained from the PAQ, documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees, zero disabled (transgender/intersex) inmates were assigned to the facility during the onsite portion of the audit.
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:	2
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:	3
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:	1
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 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 checked="" type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	Some inmates identified with a history of victimization denied a history of victimization thus they were counted with the random sample of inmates.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	12

<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>16</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>a. Explain why it was not possible to interview the Agency Head:</p>	<p>NJDOC designated the Acting PREA Coordinator as the agency head for purposes of PREA.</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>a. Explain why it was not possible to interview the PREA Coordinator:</p>	<p>The Nakamoto Group interviewed the acting PREA Coordinator during this audit cycle.</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Agency contract administrator</p> <p><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</p> <p><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</p> <p><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</p> <p><input checked="" type="checkbox"/> Medical staff</p> <p><input checked="" type="checkbox"/> Mental health staff</p> <p><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</p> <p><input checked="" type="checkbox"/> Administrative (human resources) staff</p> <p><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations</p> <p><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</p> <p><input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</p> <p><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</p> <p><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</p> <p><input checked="" type="checkbox"/> First responders, both security and non-security staff</p> <p><input checked="" type="checkbox"/> Intake staff</p> <p><input type="checkbox"/> Other</p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>Covid-19 impacted the number of specialized interviewed.</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.

84. Did you have access to all areas of the facility?

- Yes
 No

Was the site review an active, inquiring process that included the following:

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)?

- Yes
 No

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)?

- Yes
 No

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?

- Yes
 No

88. Informal conversations with staff during the site review (encouraged, not required)?

- Yes
 No

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).

NJDOC limited custody availability, and the specialized staff was limited due to Covid-19. As a result, inmates were restricted to their living units to reduce the transmission of Covid-19 within the facility.

Documentation Sampling

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

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

- Yes
 No

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

No text provided.

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	2	0	2	0
Staff-on-inmate sexual abuse	1	0	1	0
Total	3	0	3	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
Inmate-on-inmate sexual harassment	3	0	3	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	3	0	3	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
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	0	0	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	1	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	1	0	0	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
Total	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	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	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:	1
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:	1
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal 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 inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE 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 inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>1</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal 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 abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE 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 abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>zero files one pending investigation</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>

<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" 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>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" 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>zero files one file under investigation</p>
<p>SUPPORT STAFF INFORMATION</p>	
<p>DOJ-certified PREA Auditors Support Staff</p>	
<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>Non-certified Support Staff</p>	
<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<p>a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:</p>	<p>1</p>
<h2>AUDITING ARRANGEMENTS AND COMPENSATION</h2>	
<p>121. Who paid you to conduct this audit?</p>	<p> <input type="radio"/> The audited facility or its parent agency <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) <input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> Other </p>
<p>Identify the name of the third-party auditing entity</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	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Does Not Meet Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1436 331">Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault directs the creation of the agency PREA Coordinator. Each NJDOC correctional facility is charged with designating a PREA Compliance Manager (PCM).</p> <p data-bbox="242 360 1485 456">PREA Standard 115.11 (a) requires an agency to have a written policy (IMM.001.004 Zero Tolerance Policy) mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlining the agency's approach to preventing, detecting and responding to such conduct.</p> <p data-bbox="242 486 1481 712">PREA Standard 115.11 (b) requires an agency to employ or designate an upper-level, agency-wide PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with PREA standards in all its facilities. The Auditor confirmed by examination that NJDOC IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault mandates the creation of the position of PREA Coordinator. The position of NJDOC PREA Coordinator is a position in upper management and a direct report to the Chief of Staff, who was recently named interim NJDOC Commissioner. The Nakamoto Group, Associate PREA Auditor Donald Chadwick interviewed the acting agency PREA Coordinator, who also serves as the Assistant Warden at Mid-State Correctional Facility, Fort Dix, NJ.</p> <p data-bbox="242 741 1489 902">Problematic, this Auditor found the purposeful execution of policy and practices to ensure the sexual safety of facility inmates and staff through a comprehensive agency-wide approach to prevention, detection, and response to sexual abuse and sexual harassment in some facilities operated NJDOC deficient. Likewise, this Auditor found that the PREA Coordinator lacks the authority to fully develop, implement, and oversee the agency's efforts to comply with PREA standards in all its facilities.</p> <p data-bbox="242 931 1481 1061">NJDOC policy and practices, which include the development of the Sexual Assault Advisory Council (SAAC), are contingent on an agency team approach. While a team approach is not a PREA standard requirement, "PREA implementation and sustainability is deemed most successful using a team approach bringing in all levels of the organization....in relevant ways to ensure a culture of sexual safety."</p> <p data-bbox="242 1090 1493 1554">The Sexual Assault Advisory Council developed to address PREA statewide has several critical vacancies. During this review period, the acting PREA Coordinator was again reassigned to a management position at Edna Mahan for Women, leaving the role of PREA Coordinator unoccupied. With the PREA Coordinator on leave and the acting, PREA Coordinator reassigned to Edna Mahan, action items to gain full PREA compliance at Southern came down to a lone Sexual Assault Advisory Council (SAAC) staff member, an Executive Assistant with no official authority to make decisions given multiple SAAC staff vacancies, staff absences, retirements, reassignments, and promotions. Despite the return of the PREA Coordinator, she lacked the agency support, resources, and authority at an agency level to develop, implement, and oversee agency efforts to comply with PREA standards in all its facilities. NJDOC's approach to PREA is predicated on a team approach to ensure a culture of sexual safety. SAAC vacancies remained problematic given the structure developed to foster the sustainability of PREA. On April 14, 2022, NJDOC posted an employment announcement under posting number 130-22 for the position of Legal Specialist, PREA Agency Coordinator. The job announcement closes on April 29, 2022. The NJDOC Prison Rape Elimination Act (PREA) Coordinator position ensures NJDOC is compliant with the Federal PREA standards (28 C.F.R. Part 115-Prisons and Jails). The PREA Coordinator will serve as the lead source for understanding PREA in the agency.</p> <p data-bbox="242 1583 1489 1881">Further, the approval process for PREA-related policies and practices to make necessary changes to meet PREA standards was cumbersome, slow, and time-consuming, adversely impacting the critical time (180-day corrective period) essential to demonstrate the positive impact of any corrective action. Moreover, corrective actions (e.g., Standards 115.41 and 115.42) implemented by the PREA Coordinator to address deficiencies were then gradually adopted by the facility leaving insufficient time during the corrective action period to determine if systematic institutionalization occurred to correct the underlying reason that led to a finding of noncompliance. PREA Standards in Focus indicate that the development and implementation of PREA standards should be a collaborative process in the organization to ensure that a positive cultural philosophy permeates the entire NJDOC organization, from the Office of the Commissioner to facilities across the State of New Jersey, including Southern State and Edna Mahan.</p> <p data-bbox="242 1910 1450 2007">PREA Standard 115.11 (c) indicates that where an agency operates more than one facility, each facility shall designate a PREA Compliance Manager with sufficient time and authority to coordinate the facility's efforts to comply with PREA standards and NJDOC policy, IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault.</p> <p data-bbox="242 2036 1457 2166">Southern State Correctional Facility is charged with designating a PREA Compliance Manager (PCM). NJDOC Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault mandates that the position of PCM is at the level of Assistant Superintendent/Warden or higher. The PCM coordinates and supervises PREA compliance at the facility level. Further, a review of the Southern State Correctional Facility organizational chart confirmed that the facility designated the position of</p>

PREA Compliance Manager. The PCM is a member of upper management. The PREA Compliance Manager is the facility Assistant Superintendent. During his interview, the PCM confirmed that he accepts the responsibility of the role of PCM. However, the PCM lacked specific authority to oversee the PREA initiative at Southern State Correctional Facility. Voicing concerns, the PCM indicated that the lack of authority to make necessary repairs to video cameras in need of repair or replacement directly correlates to several unsubstantiated findings in PREA investigative reports. Moreover, in some investigations, PREA investigators repeatedly attributed their results were due in part or whole to poorly operating video cameras. The facility Assistant Superintendent is a direct report to the Warden.

The evidence relied upon to make Auditor's determination:

- 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
- Southern State Correctional Facility Organizational Chart: Institutional PREA Compliance Manager
- Interview with the Superintendent/Warden
- PREA Cycle Interview Conducted by Donald Chadwick, PREA Auditor: Acting PREA Coordinator
- Interview with the PREA Compliance Manager

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

State of New Jersey, Department of Corrections, Policy Number, IMM.001.004, Zero Tolerance Policy: Prison Sexual Assault, Policy Number, PCS.001.008, Prevention, Detection and Response of Sexual Abuse and Harassment, Policy Number, PCS 011.000, Office of Community Programs, Mission, Goals and Objective, Policy Number, PCS-2019, Office of Community Programs, State of New Jersey, Department of Corrections, Request for Proposal, Residential Community Release Programs, Related Authority: Federal Prison Rape Elimination Act of 2003 (PREA) 42 U.S.C. §§15601, 28 C.F.R. address Standard 115.12.

NJDOC is public agency, and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies. NJDOC has 13 contracts for the confinement of its inmates with private agencies or other government agencies. By examination of 13 contracts, the Auditor confirmed that inclusive in a NJDOC contractual agreement for the confinement of its inmates is the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012. All 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 PREA standards. Southern State Prison met the requirements for Standard 115.12.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. Policy Number, PCS-2019, Office of Community Programs, State of New Jersey, Department of Corrections, Request for Proposal, Residential Community Release Programs
3. Policy Number, IMM.001.004, Zero Tolerance Policy: Prison Sexual Assault
4. Policy Number, PCS.001.008, Prevention, Detection and Response of Sexual Abuse and Harassment
5. Policy Number, PCS.011.000, Office of Community Programs, Office of Community Programs, Mission, Goals and Objective
6. Prevention, Detection and Response of Sexual Abuse and Harassment, Related Authority: Federal Prison Rape Elimination Act of 2003 (PREA) 42 U.S.C. §§15601, 28 C.F.R. § 115.86
7. Interview with the Acting PREA Coordinator/Interview with IPCM
8. Examination of Albert M. Bo Robinson contract for the confinement of inmates
9. Examination of Clinton House contract for the confinement of inmates
10. Examination of the Fenwick House contract for the confinement of inmates
11. Examination of the Fletcher House contract for the confinement of inmates
12. Garrett House contract for the confinement of inmates
13. Hope Hall contract for the confinement of inmates
14. James A. Hemm House contract for the confinement of inmates
15. Kintock Newark contract for the confinement of inmates
16. The Harbor Contract for the confinement of inmates
17. The Tully House contract for the confinement of inmates
18. Sample: Request for proposals Bids. PCS-2019
19. Examination of Kintock Bridgeton (2) contract for the confinement of inmates
20. Memorandum: From the PREA Coordinator to add language in to the then current and future contract regarding adherence to the Prison Rape Elimination Act pursuant to 28 C.F.R. part 115 Community Confinement dated April 5, 2019
21. Example of compliance: Kintock Group Bridgeton 3/19/2018 PREA audit report. All applicable contractors are required to adopt and comply with PREA standards

115.13	Supervision and monitoring
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 465">Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault and PCS .001.008 Prevention, Detection and Response of Sexual Abuse and Harassment addresses Standard 115.13. More, NJDOC Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault establishes that the agency has a written policy. New Jersey Department of Corrections (NJDOC) has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment outlined in Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault and PCS .001.008 Prevention, Detection and Response of Sexual Abuse and Harassment.</p> <p data-bbox="240 501 1485 824">The Auditor interviewed the facility Superintendent/Warden during the onsite portion of the audit. Problematic, the Institutional PREA Compliance Manager failed to provide evidence of an updated staffing plan that documents at least once every year the facility, in collaboration with the agency's Acting PREA Coordinator, reviewed the staffing plans to see whether adjustments are needed. Southern State Prison provided the Auditor with a document termed an Internal PREA Audit. The Internal PREA Audit was completed by the Institutional PREA Compliance Manager on December 2, 2020. The document, Internal PREA Audit is insufficient as 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, had Southern State Prison, in consultation with the agency acting PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of Standard 115.13 (c) or if the facility has the necessary resources available to commit to ensure adherence to the staffing plan.</p> <p data-bbox="240 860 1485 981">Based on the evidence provided the Auditor could not determine if Southern State Prison in consultation with the agency Acting PREA Coordinator assessed, determined, and documented whether adjustments were needed. The Acting PREA Coordinator during his interview confirmed receipt and review of the Southern State Prison staffing plan in the form of a facility Internal PREA Audit.</p> <p data-bbox="240 1016 1485 1205">NJDOC has implemented a policy of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. Unannounced rounds were documented in the Southern State Prison General Housing Daily Logbook. The facility operates 24 hours per day on eight (8) hour shifts. 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. Southern State Prison requires corrective action.</p> <p data-bbox="240 1240 810 1267">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1303 1246 2128" style="list-style-type: none"> • 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.CRP.01 Camera Review Procedures • Memorandum: Post Trick Analysis, dated December 20, 1990, regarding staffing calculations • Southern State Prison Internal Audit: dated December 2, 2021 • Auditor review of unannounced, dated May 15, 2021, 2nd shift, 1705 hours • 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:

Southern State Prison after months of research the facility provided the Auditor with a staffing plan that provides documented evidence that the facility has considered all factors outlined in Standard 115.13. In accordance with Standard 115.13 (b) in circumstances where the staffing plan is not complied with the facility will document the incident and justify all deviations from the plan. The facility, in consultation with the agency PREA Coordinator, will assessed, determined, and document whether adjustments are needed to: The staffing plan established pursuant to Standard 115.13. Southern State Prison will provide the Auditor with evidence the facility consulted with the Acting PREA Coordinator regarding the establishment of a staffing plan for Southern State Prison on the development of a staffing plan, document any deviations from the staffing plan and considered all other factors related to this standard.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Southern State Prison does not house youthful offenders. Southern State Prison met the requirements of Standard 115.14.</p> <p>Evidence relied upon to make Auditor determination:</p> <ul style="list-style-type: none"> • Pre-Audit Questionnaire • Interview with the Acting PREA Coordinator • Interview with the Institutional PREA Compliance Manager • Facility tour

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 533">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 1485 757">Southern State Prison is a male correctional facility. Standard 115.15 (b) does not apply to this facility. Southern State Prison conducts cross-gender strip or cross-gender visual body cavity searches of inmates when necessary. According to the IPCM, the agency and by extension Southern State Prison requires that all cross-gender strip searches and cross-gender visual body cavity searches be documented by the facility. Further, NJDOC has developed specific policies provided in paragraph above, that provide facilities with more guidance regarding the issue of cross-gender strip or cross-gender visual body cavity searches of inmates.</p> <p data-bbox="240 786 1493 1216">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 require 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 requirements such as these are present, each facility will specify through job code which post or detail position, and relief position, if applicable, are gender restricted. This practice is employed to ensure that the remaining position(s) can always be posted without gender restriction. All additional officers assigned to the unit or detail may be done so 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 and 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[SL1] 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 1245 1474 1473">More, NJDOC and by extension Southern State Prison has 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 opposite gender staff during shower times. The Auditor determined by examination during the facility tour that Southern State Prison made opposite gender announcements during the tour. Southern State Prison has practices and procedures in place that enable 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.</p> <p data-bbox="240 1503 1474 1798">More, inmate searches are conducted in accordance with NJAC 10A:3-5 Pat Searches and NJAC 10A:3-5.6 Strip Search policies. Policy PCS.001.TGI.01 Transgender and Intersex Inmates provides facilities with guidance for searching a vulnerable group of inmates with a degree of respect and professionalism. According to random (custody staff) sample participants interviewed during the audit, NJDOC dictates that custody staff of like or opposite gender may be assigned to conduct metal detector searches of inmates regardless of the gender of the inmate. According to the Superintendent, custody staff of the same gender as the inmates being searched, will conduct the strip search of an inmate. 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 or Assistant Superintendent or the highest-ranking custody supervisor on duty.</p> <p data-bbox="240 1827 1490 2056">Custody staff are directed to conduct a strip search of a transgender or intersex inmate as required by search Policy CUS.001.011, Searches of Inmates and Correctional Facilities. During onsite interviews Associate PREA Auditor Chadwick interviewed an inmate with a designation of transgender-woman in the sample of targeted inmates. The transgender denied being strip searched or physically examined in an unprofessional manner or being strip-searched for the sole purpose of determining a genital status. The Auditor interviewed random and targeted inmates during the on-site portion of the audit and determined that zero inmates (100%) denied being searched for any reason by an opposite gender staff in the past 12-month period as inappropriate.</p> <p data-bbox="240 2085 1485 2145">Random staff sampled during this audit were able to describe the facility's policy and procedures regarding opposite gender searches. There were twelve (20) random staff interviews conducted. Twenty (20) random staff training files were examined</p>

to confirm that all staff sampled received training on the facility policy that does not allow cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat down searches be conducted except in exigent circumstances or by a medical practitioner. Further, random staff sampled provided the Auditor with specific examples of what represent an exigent circumstance such as a life-threatening emergency transport to the hospital which would require the search of an inmate before being transported to a local hospital. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity search of an inmate was zero, as confirmed by the Institutional PREA Compliance Manager.

Random custody staff interviewed confirmed that the cross-gender strip searches, cross-gender training, PAT Search training included 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. Further, the same training curriculum includes a module for training custody staff 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. The facility Pre-audit questionnaire (PAQ) indicates zero cross-gender strip searches or visual body cavity searches of any kind in the past 12 month, as confirmed by the Institutional PREA Compliance Manager.

Evidence relied upon to make Auditor determination:

- 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
- Custody staff search skills training
- Observations of the Auditor during the on-site portion of the audit
- Interview with inmates (random and targeted)
- Interviews and staff (random custody)
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager
- Basic Course for State Correctional Police Officers and Inservice, Instructional Unit 10.6 revised September 2019.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>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.</p> <p>According to the Institutional PREA Compliance Manager, NJDOC and Southern State Prison 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.</p> <p>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.</p> <p>Language interpretive assistance provided at Southern State Prison 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 Southern State Prison 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 five (5) 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.</p> <p>Southern State Prison 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).</p> <p>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.</p> <p>During his interview, the Institutional PREA Compliance Manager confirmed that in the last 12 months Southern State Prison 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 PREA Compliance Manager that statistical data relevant to this standard was unchanged since the development of the PAQ. Southern State Prison met the requirements of Standard 115.16.</p> <p>Evidence relied upon to make Auditor determination:</p> <ul style="list-style-type: none"> • 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: Primary 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	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1490 499">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 1481 790">During his interview the Superintendent of Southern State Prison, 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 1493 1182">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 1490 1675">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 1490 1832">The Institutional PREA Compliance Manager confirmed that Southern State Prison has hired 11 employees and zero contractors in the last 12 months who may have contact with inmates who completed criminal background checks. The Auditor reviewed a copy of current background checks of staff sampled during the onsite portion of the audit. Southern State Prison met the requirements of Standard 115.17.</p> <p data-bbox="240 1861 810 1890">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1919 1078 2123" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse • Procedure Internal Management PSM.SSP.003 Panel Reviews • Procedure Internal Management PSM.001.011 Staff Selection and Promotions

- 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 Southern State Prison staff
- Interviews with staff (random and specialized)
- Interview with the administrative Human Resources representative
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 501">Policy SUP.001.000 Capital Planning and Construction addresses this standard. According to the Pre-Audit Questionnaire (PAQ) Southern State Prison has not updated and installed an enhanced electronic video monitoring technology. According to the Superintendent, 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 to eliminate blinds spots in and around the facility. The 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. Southern State Prison met the requirements of Standard 115.18.</p> <p data-bbox="229 524 1509 560">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="229 560 1509 972" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy SUP.001.000 Capital Planning and Construction: Mission, Goals and Objectives • Internal Management Procedure CUS.001.CRP.01 • Observations of the Auditor during the on-site tour • Interviews with the Institutional PREA Compliance Manager • Interview with the Acting PREA Coordinator/designated agency head • Interview with the Superintendent/Warden

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1485 533">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="240 562 1465 757">New Jersey Department of Corrections/Southern State Prison is responsible for conducting administrative sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). The NJDOC/Southern State Prison is responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). Southern State Prison houses no youthful inmates. Standard 115.21 (b)-1 is not applicable. Southern State Prison is an adult male facility. When necessary, Southern State Prison would notify the office of the Cumberland County Prosecutor of a sexual assault allegation to request assistance.</p> <p data-bbox="240 786 1477 947">Each PREA investigator (3) interviewed during the audit 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="240 976 1490 1305">According to medical and mental health practitioners interviewed during the onsite portion of the audit, Southern State Prison 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), 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), 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 confirmed that the 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="240 1335 1490 1664">Southern State Prison 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. 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 Cumberland County Prosecutor's Office then mobilize the SART team. Services offered by the SART team include victim advocacy, emotional support, and crisis counseling. The Auditor contacted the Cumberland County Prosecutor's Office and spoke to a representative in the office who took a message. To date this Auditor has not received a return call.</p> <p data-bbox="240 1693 1485 1955">Southern State Prison/ 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 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 practitioner working at Southern State Prison 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="240 1984 1490 2145">The medical practitioner interviewed during the audit indicated that Southern State Prison 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 Assault Nurse Examiner (SANE). Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services, mandates that all inmates under its authority to have access to emergency mental health services which includes counseling services for victims of PREA related incidences of sexual abuse or sexual assault.</p>

The Auditor determined compliance with Standard 115.21 (c) by examination of five (5) PREA related investigative incident reports. One (1) investigation was substantiated for allegations of sexual misconduct that appeared to be criminal and was referred for prosecution in the past 12-months. The Cumberland County Prosecutor's Office decline to pursue the matter.

The substantiated finding was 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 for the Auditor.

Southern State Prison met the requirements of Standard 115.21.

Evidence relied upon to make Auditor determination:

- 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: Cumberland County Prosecutor's Office
- Interview with the Institutional PREA Compliance Manager
- New Jersey Crime Victim's Bill of Rights, P.L.1985, c.249 regarding 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
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1477 465">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</p> <p data-bbox="242 499 1477 622">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 NJ Department of Corrections policies and procedures by inmates, employees and other individuals who visit NJ Department of Corrections facilities to the Special Investigations Division (SID).</p> <p data-bbox="242 656 1489 745">New Jersey Department of Corrections/Southern State Prison ensures that allegations of sexual abuse or sexual harassment are referred for investigation to an entity with the legal authority to conduct criminal investigations. The agency documents all referrals to the prosecutor's office for prosecution. The policy is available and accessible on the agency's internet website.</p> <p data-bbox="242 779 1489 974">Internal Management Procedure ADM.SID.035 Investigation Procedure indicates that the New Jersey Special Investigations Division (SID) staff of investigators investigates allegations of sexual abuse. The Superintendent/Warden designates facility staff to investigate sexual harassment (non-criminal). The agency has a practice that documents all such referrals. More, the agency ensures an administrative or criminal investigation is completed for all allegations of sexual harassment. Some Investigations and Intelligence Investigators have completed advanced training requirements at the NJ Policy Academy and are sworn police with the power to arrest.</p> <p data-bbox="242 1008 1489 1202">The Auditor interviewed a facility investigator who confirmed that Southern State Prison documents all investigations to include those referred for criminal prosecution. The agency provided documented evidence of compliance in the form of nine (9) administrative and criminal investigated allegations originating in the past 12 months. Four (4) of the nine (9) investigations occurring the past 12 months are still pending. One (1) criminal investigation was referred to the county prosecutor's office. The Cumberland County Prosecutor's Office declined to bring the investigation before a grand jury. The number of forensic medical exams conducted during the past 12 months was zero.</p> <p data-bbox="242 1236 1414 1326">Interviews with agency investigators (3), and an examination of training records for evidence of general PREA related training and specialized investigators training confirmed that each investigator met the requirements in this standard. Southern State Prison met the requirements of Standard 115.22.</p> <p data-bbox="242 1359 815 1386">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="242 1420 1489 2134" style="list-style-type: none"> <li data-bbox="242 1420 536 1447">• Pre-Audit Questionnaire <li data-bbox="242 1473 1038 1500">• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse <li data-bbox="242 1527 954 1554">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault <li data-bbox="242 1581 1007 1608">• Internal Management Procedure ADM.SID.035 Investigation Procedure <li data-bbox="242 1635 1002 1662">• Internal Management Procedure ADM.006.SID. 002 Arrest Procedures <li data-bbox="242 1688 1086 1715">• Internal Management Procedure CUS.0010CSM.01 Crime Scene Management <li data-bbox="242 1742 1023 1769">• Policy ADM.006.011 Investigations by the Special Investigations Division <li data-bbox="242 1796 1473 1877">• 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 <li data-bbox="242 1904 922 1930">• Internal Management Procedure MED.MLI.007 Sexual Assault <li data-bbox="242 1957 1489 2016">• SART Brochure: Supporting Victims of Sexual Assault, Understanding the Services Available to Sexual Assault Victims in New Jersey <li data-bbox="242 2042 571 2069">• Review of investigative files <li data-bbox="242 2096 786 2123">• 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 Special Investigation Division (SID)
- Interviews with staff (random)

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1493 398">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,</p> <p data-bbox="240 432 1493 524">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.</p> <p data-bbox="240 557 1474 781">Southern State Prison is an adult male 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: inmates on inmates' 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. According to custody staff interviewed during the onsite portion of this audit the frequency with which employees who may have contact with inmates receive refresher training on PREA requirements is bi-annually.</p> <p data-bbox="240 815 1474 1072">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 Southern State Prison 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.</p> <p data-bbox="240 1106 1474 1397">Random and specialized training files were sampled for compliance with this standard. The Auditor examined PREA related training sign-out attendance sheets, eight (8) 1st shift, six (6) 2nd shift, and three (3) from 3 rd. shift were examined 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 was reviewed by the Auditor. New employees receive PREA education as part of the onboarding process for new employees. Southern State Prison met the requirements of Standard 115.31.</p> <p data-bbox="240 1431 810 1458">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1491 1369 2123" style="list-style-type: none"> • 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 9/3/19 – 9/7/19 • NJDOC Office of training Sign-Office Attendance Form 9/10/19 • NJDOC Office of training Sign-Office Attendance Form 9/11/19

- NJDOC Office of training Sign-Office Attendance Form 9/12/19
- NJDOC Office of training Sign-Office Attendance Form 9/13/19
- NJDOC Office of training Sign-Office Attendance Form 9/16/19
- NJDOC Office of training Sign-Office Attendance Form 9/17/19 - 12/17/19
- Auditor review of employee sample participants training files civilian 1/01/2019 – 12/31/2019
- Auditor review of PREA Script 12.15 document
- Interviews with staff (random and specialized)
- Interview with the Institutional PREA Compliance Manager

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>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>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 Southern State Prison had zero active volunteers, 127 inactive volunteers and contractors for services who may have contact with inmates.</p> <p>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>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. Southern State Prison met the requirements of Standard 115.32.</p> <p>Evidence relied upon to make Auditor determination:</p> <ul style="list-style-type: none"> • Pre-Audit Questionnaire • Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault • Internal Management Procedure PCS.001.VOL.001 Volunteer Services • 2020 NJDOC PREA Quick Reference Guide • Sample examination of acknowledgment of receipt of training contractors/volunteers, SSCF PREA Non-DOC Staff • Interviews with contract specialized staff (medical and mental health practitioners) • Interview with the Institutional PREA Compliance Manager

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1461 365">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.</p> <p data-bbox="242 396 1481 524">NJDOC has established and maintained a policy that provides guidelines for helping limited English proficient (LEP) inmates within the NJDOC, as well as for those LEP individuals who may otherwise encounter individuals at NJDOC correctional facilities, programs, and activities. This assistance will be provided with, but not limited to, the use of bi-lingual staff and through the use of the language line services</p> <p data-bbox="242 555 1490 745">The agency documents inmate trainings in institutional and clinical files. A total of thirty-one (31) inmate institutional and clinical files were reviewed to verify that inmates received information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment during their intake process. PREA education and information is provided for those inmates who are limited English proficient (LEP), deaf, visually impaired, or otherwise disabled. Inmates (random and targeted) sampled were knowledgeable of their rights and multiple methods for reporting an incident of sexual abuse, sexual harassment, or retaliation.</p> <p data-bbox="242 777 1485 1003">Within 72 hours of intake, NJDOC/Southern State Prison provides age-appropriate comprehensive education to inmates in person regarding their right to be free from sexual abuse and sexual harassment, as well as 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. This information was verified through the review of thirty-one (31) institutional and applicable clinical files. Targeted inmates interviewed during the audit confirmed receiving PREA related education in a language they understood.</p> <p data-bbox="242 1034 1490 1330">In addition to providing general PREA education to inmates Southern State Prison ensures that key 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 display of PREA related poster 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. The Institutional PREA Compliance Manager confirmed during his interview the information contained in Standard 115.33 remain was accurate to the best of his knowledge. Moreover, the IPCM confirmed that in the last twelve (12) months, 1149 inmates were admitted to the facility, and all received PREA education and information. Southern State Prison met the requirements of Standard 115.33.</p> <p data-bbox="242 1361 810 1388">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="242 1420 1461 2157" style="list-style-type: none"> <li data-bbox="242 1420 536 1447">• Pre-Audit Questionnaire <li data-bbox="242 1473 1038 1500">• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse <li data-bbox="242 1532 951 1559">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault <li data-bbox="242 1590 1430 1653">• Policy Number SUP.004.001 Limited English Proficient (LEP) Language Assistance: Bilingual Staff and Use of the Language Line <li data-bbox="242 1684 1153 1711">• Auditor review of inmate PREA education materials/Inmate Report Quad fold brochure <li data-bbox="242 1742 1382 1805">• 21-5-13 English NJDOC PREA: Zero Tolerance and How to Report Sexual Abuse and Sexual Harassment or Retaliation at NJDOC <li data-bbox="242 1836 1390 1899">• 21-5-13 Spanish NJDOC PREA: Zero Tolerance and How to Report Sexual Abuse and Sexual Harassment or Retaliation at NJDOC <li data-bbox="242 1930 1190 1957">• Supplemental Policy SUP.004.001 Limited English Proficient (LEP) Language Assistance: <li data-bbox="242 1989 743 2016">• Bilingual Staff and Use of the Language Line <li data-bbox="242 2047 842 2074">• Policy PCS.001.DFH.01 Deaf/Hard of Hearing Inmates <li data-bbox="242 2105 1461 2168">• 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

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1493 465">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. The Special Investigations Division is responsible for conducting investigations of alleged misconduct by staff and offenders and assisting in maintaining safety and security in the agency's facilities. Southern State Prison has three (3) investigators assigned to the facility but the agency has a total of 82 Investigators statewide are all mandated by policy to conduct investigations in accordance with applicable PREA Standards such as:</p> <ol data-bbox="240 499 1493 2123" style="list-style-type: none"> 1. A prompt, thorough, and objective investigation of sexual abuse and/or sexual harassment shall begin: <ol style="list-style-type: none"> a. As outlined in Investigating Allegations of Misconduct. b. Upon activation of a county SART team; and/or, c. If determined to be necessary following an administrative review. 2. If the alleged sexual conduct involves an offender/youth under the age of eighteen (18), the incident shall be reported to the Child Protective Services as required in policy and Administrative Procedure 03-02-103, "The Reporting, Investigation, and Disposition of Child Abuse and Neglect." Southern State Prison does not house youthful inmates. 3. Investigations of sexual abuse or sexual harassment shall be completed promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. 4. Investigators shall: <ol style="list-style-type: none"> a. Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; b. Interview alleged victims, suspected perpetrators, and witnesses; and, c. Review prior complaints and reports of sexual abuse involving the suspected perpetrator. 5. The Garrity warning shall be used when interviewing staff for simple fact-finding. 6. An effort shall be made to determine whether staff actions or failures contributed to sexual abuse or sexual harassment. 7. An additional staff member, uninvolved in the case, shall be present during interviews, for one of the staff members to be of the same gender as the subject of the interview. 8. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender, youth, or staff. No facility shall require an offender or youth who alleges sexual abuse to submit to a polygraph examination, voice stress analysis, or other truth-telling device as a condition for proceeding with the investigation of such an allegation. 9. The standard of measure for sexual abuse and sexual harassment administrative investigation is the preponderance of the evidence. When the evidence supports criminal prosecution, the agency shall consult with the prosecutor prior to conducting compelled interviews. Substantiated cases that appear to be criminal in nature shall be referred for prosecution. 10. The departure of the alleged perpetrator(s) or victim(s) from employment or custody/supervision will not warrant termination of an investigation. Outside law enforcement shall be contacted if this occurs. 11. Consultation with the prosecutor's office or New Jersey State Police is permitted at any time during an investigation. If deemed appropriate, New Jersey State Police may assist in an investigation of an act of sexual abuse or sexual harassment reported to facility investigators. Facility investigators shall be responsible for the coordination of all investigations.

12. Follow up with an offender's/youth's allegation of sexual abuse or sexual harassment shall be done in accordance with PREA Policies, examination of PREA Refresher Training files for investigators confirmed that each investigator completed specialized training in conducting investigations in confinement settings at least once.

The facility provided a memo confirming that staff assigned to the Special Investigations Division are certified investigators and each has completed all necessary training regarding conducting sexual assault investigation and Standard 115.34. Southern State Prison met the requirements of Standard 115.34.

Evidence relied upon to make Auditor determination:

- Pre-Audit Questionnaire
- Policy ADM.006.000 Special Investigations Division Mission, Goals and Objectives and Organizational Structure
- Inservice Training: Special Investigations Division, PREA Crime Scene Preservation, PowerPoint Presentation (PP).
- Inservice Training: Special Investigations Division, Reporting and Handling of Sexual Assault Incidents (PP).
- Inservice Training: Special Investigations Division, PREA participants handout, PREA Definitions (PP)
- Inservice Training: Special Investigations Division, 10.19 Prison Rape Elimination Act Training (PP)
- Interview with the Acting PREA Coordinator
- Interview with the Institutional PREA Compliance Manager
- Interview with the Superintendent/Warden
- Interview with a PREA Investigators (3)

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">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 data-bbox="240 396 1490 689">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 data-bbox="240 721 1469 947">The medical staff at Southern State Prison do 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. Southern State Prison met the requirements of Standard 115.35.</p> <p data-bbox="240 978 812 1005">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1037 1477 1615" style="list-style-type: none"> <li data-bbox="240 1037 539 1064">• Pre-Audit Questionnaire <li data-bbox="240 1095 1038 1122">• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse <li data-bbox="240 1153 954 1180">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault <li data-bbox="240 1211 1177 1238">• Internal Management Procedure MED.MHS.002.001 Emergency Mental Health Services <li data-bbox="240 1270 879 1296">• Policy Number MED.002.004 Mental Health Services Staff <li data-bbox="240 1328 1477 1388">• Memorandum: Regarding Specialized Training for Medical and Mental Health Practitioners, from Mechele Morris, PhD, Director of Training, Rutgers Health, dated April 2019 <li data-bbox="240 1420 978 1447">• Non-Custody PREA Specialized Medical and Mental Health Training <li data-bbox="240 1478 847 1505">• Interviews with Medical and Mental Health Practitioners <li data-bbox="240 1536 730 1563">• Interview with the Acting PREA Coordinator <li data-bbox="240 1594 879 1621">• Interview with the Institutional PREA Compliance Manager

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Does Not Meet Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1385 331">Medical/Mental Health provider conducts PREA Risk screening is located in the Internal Management Procedures MED.IMA.001 Health Appraisals at Reception and MHS.001.002 Mental Health Services Reception & Evaluation.</p> <p data-bbox="240 360 1474 488">115.41 (a) Screening for risk of victimization and abusiveness all inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. By sampling inmates transferred to Southern, the Auditor determined that Southern State Correctional Facility screened all inmates placed at the facility.</p> <p data-bbox="240 517 1485 611">115.41 (b) All inmates sampled were screened ordinarily within 72 hours of arrival at the facility. Further, inmates interviewed confirmed being screened during the intake process but did not recall being reassessed by Southern staff within 30 days of their arrival.</p> <p data-bbox="240 640 1490 969">115.41 (e-f) Such assessments shall be conducted using an objective screening instrument. NJDOC utilizes a screening instrument for screening inmates for risk of victimization and abusiveness. The screening instrument employed by the agency does not meet current standards as outlined by The PREA Resource Center (PRC). The PRC has expanded requirements for Auditors as it pertains to evaluating a facility for compliance with Standard 115.41, sections (c-d). The NJDOC PREA Coordinator acknowledged that she had reviewed the Dec. 2021 webinar on Risk Screening and the definition of objective screening. According to the PREA Coordinator, NJDOC can use available PREA funds to develop a new objective risk screening process based on the webinar, including identifying the proper staff to complete the risk screening, creating an updated screening instrument, writing a new policy/procedure to support the new risk screening process and staff training on it. Further, NJDOC intends to have the revisions to the PREA screening instrument in place for the upcoming 2022 audits.</p> <p data-bbox="240 999 1445 1160">115.41 (g) Inmates must be rescreened within 30 days of their arrival at the facility. Additionally, the inmate must be reassessed when warranted by the circumstances (e.g., new referral, an incident of sexual abuse or receipt of new and relevant information, etc.). The Auditor determined by examination of intake documents that Southern State Correctional Facility limited 30-day reassessments to circumstances that warranted a review. Standard 115.41 (g) requires corrective action.</p> <p data-bbox="240 1189 1437 1283">115.41 (h) This Writer sampled inmates at Southern State Correctional Facility. Zero inmates sampled indicated being disciplined for refusing to answer or for not disclosing complete information in response to questions asked according to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of Standard 115.41.</p> <p data-bbox="240 1312 1490 1406">115.41 (i) According to the PREA Compliance Manager, medical and mental health practitioners interviewed during the audit, sensitive information is password protected. In addition, NJDOC employs encryption to safeguard and control the dissemination within the agency and at Southern.</p>

115.42	<p>Use of screening information</p> <p>Auditor Overall Determination: Does Not Meet Standard</p> <p>Auditor Discussion</p> <p>115.42 (a-b) Requires the agency to use information from risk screening required in Standard 115.41 to inform housing, bed, work, education, and programming assignments. Standard 115.41 requires corrective action; therefore, NJDOC Standard 115.42 cannot fully attain this standard. The agency is also required to make individualized determinations about how to ensure the safety of each inmate. Thirty-day reassessments for incoming inmates are limited to transgender and intersex inmates. Standard 115.41 requires all inmates to receive a reassessment within 30 days of arriving at the Southern State Correctional Facility. Interviews with a sample of transgender inmates confirmed receiving a face-to-face reassessment to inform bed, housing, program placement, education, and work assignment</p> <p>115.42 (c) Onsite, a review of inmates currently housed at Southern State Correctional Facility provides documented evidence that in assigning a transgender or intersex inmate to a facility, NJDOC assessed on a case-by-case basis whether placement would ensure the inmate's health, safety, and whether the placement would present management of security problem. Further, documents demonstrate inmates were involved in the decision-making process.</p> <p>115.42 (d) Inmates sampled (4) reviewed demonstrate that transgender or intersex inmates receive placement and programming reassessments 2021 under PREA Standard 115.42.</p> <p>115.42 (e) A transgender person or intersex inmate's views concerning safety shall be given serious consideration. The inmate completes III, a review of the NJDOC Gender Identity Information Reassessment form Part. In Part I, inmates are asked to express their gender identity (e.g., cisgender, transgender, non-binary, intersex, or other). In part II, the inmate discusses safety concerns. The inmate can describe in writing any safety concerns that the committee should consider. In Part III, the inmate's view regarding privacy relating to accommodations. Part IV, the Reassessment Committee, documents the results. The is provided inmate for review and signature.</p> <p>115.42 (f) Transgender and intersex inmates shall be allowed to shower separately from other inmates. This Writer sampled a cross-section of the inmate population at Southern State Correctional Facility for the onsite portion of this PREA audit. Zero inmates sampled indicated problems with staff making opposite gender announcements or privacy issues, including transgender inmates and other inmates from the targeted population.</p> <p>115.42 (g) Inmates sampled denied being placed in a dedicated wing based on a declaration of being lesbian, gay, transgender, or bisexual solely based on identification or status. In addition, the PCM denied that Southern is currently under a consent decree, legal settlement, or judgment for the purpose of protecting such inmates.</p>
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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</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.002.003 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 data-bbox="240 499 1477 689">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 is 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 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 data-bbox="240 723 1485 913">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 a correctional facility. According to the facility Superintendent and the Institutional PREA Compliance Manager, Southern State Prison, 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 is no other available alternative means of separation from likely abusers.</p> <p data-bbox="240 947 1485 1205">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 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 circumstance. Exigent circumstance must receive administrative authorization from the Administrator, designee, or upper management. Exigent circumstance and reasoning behind such a decision will be documented by the facility.</p> <p data-bbox="240 1238 1485 1765">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 Institutional PREA Compliance Manager. 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 will 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. Any potential work assignment would be limited at best but to the extent possible without compromising sound security management practices and procedures. Should any such programs be restricted, the Institutional PREA Compliance Manager indicated would be documented, the opportunities that have been limited, the duration, 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 examination of investigative reports. Random and targeted inmates sampled during the audit denied being placed in protective custody, involuntary segregation status because of a potential high risk of sexual victimization.</p> <p data-bbox="240 1798 1485 2089">The Auditor interviewed the Institutional PREA Compliance Manager to confirm information contained in the PAQ relative to Standard 115.43. He 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. 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. Southern State Prison met the requirements of Standard 115.43.</p> <p data-bbox="240 2123 810 2152">Evidence relied upon to make Auditor determination:</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 Institutional PREA Compliance Manager
- Interview with the Acting PREA Coordinator
- Interview with the Superintendent/Warden
- Interviews with random and targeted inmates

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1469 432">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 address the requirements of Standard 115.51.</p> <p data-bbox="242 463 1485 689">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault establishes procedures that allow for multiple internal ways for inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents. Southern State Prison provides internal ways for inmates to report sexual abuse and sexual harassment privately. The inmate PREA brochure handout informs inmates regarding sexual abuse, multiple ways to report an incident of sexual abuse, threats of sexual abuse, or sexual assault. Specifically, NJDOC's internal and external reporting methods include:</p> <ol data-bbox="242 721 1442 1126" style="list-style-type: none"> 1. Verbally telling or writing a trusted staff person 2. Contacting the Institutional PREA Compliance Manager 3. Employing JPay Kiosk Inmate Remedy to report an incident and seek relief (grievance) 4. Contact Special Investigative Division (SID) 5. Dialing *SID# from the inmate telephone 6. Inmate PREA telephone system number (555) 555-5555 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. <p data-bbox="242 1158 1493 1451">The Auditor tested the telephone system throughout the facility living units. The inmate PREA brochure and inmate PREA handout put inmates on notice and give specific directions if they desire for their calls to remain confidential. During interviews, random and targeted inmates (100%) confirmed that the facility provides multiple ways to report sexual abuse or sexual harassment. Moreover, during inmate interviews (random and targeted), inmates were able to detail numerous ways of reporting sexual abuse or sexual harassment, including contacting the Institutional PREA Compliance Manager or the Office of the Ombudsman Bureau. The Ombudsman Bureau receives, accepts, and forwards inmate sexual abuse and sexual harassment reports to agency officials. Problematic, the external public entity (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. Therefore, standard 115.51 (b) requires corrective action.</p> <p data-bbox="242 1482 1493 1644">Policy PCS.001.008 Prevention, Detection, and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault mandates that staff accept sexual assault and sexual harassment reports made verbally writing, from a third party or anonymously. Further, the agency also provides inmates with at least one way to report sexual abuse or sexual harassment to a public or private entity or Office that is not part of the agency. The private entity or Office allows the inmates to remain anonymous if requested.</p> <p data-bbox="242 1675 1493 1901">The same inmate sample group detailed for the Auditor how to report an incident of sexual abuse or sexual harassment using personal tablets, the kiosk, family, the PREA hotline (555) 555-5555, or using the inmate remedy/grievance process. Associate PREA Auditor Chadwick reported that all inmates described at least one method of documenting a PREA incident. Still, 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 needed it. The facility inmate brochure and inmate handout provide information regarding the availability of community services outside the facility. Random and targeted inmates sampled (100%) indicated that they felt comfortable telling a trusted staff member or the Institutional PREA Compliance Manager.</p> <p data-bbox="242 1933 1493 2157">All staff (random and specialized) sampled indicated they would accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously. The same staff confirmed they would accept from third parties, immediately document the event, and without delay notify their shift supervisor while maintaining the sexual safety of the victim. The Institutional PREA Compliance Manager indicated that the facility never houses inmates detained solely for civil immigration. In the past 12 months, the number of grievances that alleged sexual abuse was five and reached a final decision within 90 days of being filed. There were zero extensions of the 90 days. The Institutional PREA Compliance Manager confirmed during his interview information in the PAQ under Standard 115.51 as of the first audit date. Southern State Prison requires</p>

corrective action for Standard 115.51.

The evidence relied upon to make the Auditor determination:

- 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 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

Corrective action:

The Ombudsman Bureau receives, accepts, and forwards inmate sexual abuse and sexual harassment reports to agency officials. Problematic, the external public entity (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. Initially, the auditor determined that Standard 115.51 (b) required corrective action. NJDOC and the Office of the Ombudsman notification method as a third-party entity are limited to weeks days, and business hours. After consultation with the PRC, this Writer found this standard compliant.

Cautionary Note:

NJDOC should delete any mention of the term "Not PREA" on the Sexual Assault Advisory Council Incident Review. Not PREA is not a category available as an investigative finding (e.g., substantiated, unsubstantiated or unfounded). The facility should find incidents with no element or evidence of PREA "unfounded."

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1437 398">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.</p> <p data-bbox="240 432 1449 524">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="240 557 1485 748">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="240 781 1485 940">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="240 974 1485 1299">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 1332 1485 1859">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 Southern State Correctional Facility 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. In the past 12 months, the number of grievances filed that alleged sexual abuse listed in the PAQ was 2. After reviewing the Auditor determined that both grievances were forwarded to SID for allegations related to PREA. The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline was one. As confirmed by the Institutional PREA Compliance Manager and 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 Institutional PREA Compliance Manager confirmed that Southern State Correctional Facility does not discipline an inmate for filing a grievance related to alleged sexual abuse in good faith.</p> <p data-bbox="240 1892 810 1919">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1948 1077 2145" style="list-style-type: none"> <li data-bbox="240 1948 560 1975">• Pre-Audit Questionnaire <li data-bbox="240 2009 975 2036">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault <li data-bbox="240 2069 767 2096">• Policy IMM.002.001 Inmate Remedy System <li data-bbox="240 2130 1077 2157">• 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
- 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)

Cautionary Note:

NJDOC should delete any mention of the term "Not PREA" on the Sexual Assault Advisory Council Incident Review. Not PREA is not a category available as a disposition or finding. The facility should find incidents with no element or evidence of PREA unfounded.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1441 398">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 Southern State Correctional Facility exempt from Standard 115.53 (a) as it pertains civil detention.</p> <p data-bbox="240 432 1485 689">Southern State Correctional Facility provides inmates with access to outside victim advocates for emotional support services related to sexual abuse. The Auditor noted Services Empowering the Rights of Victims (SERV) Center for Family Services for Cumberland County victim support contact information posted throughout each living unit. The posting included a toll-free hotline number. Calls to the Services Empowering the Rights of Victims (SERV) Center for Family Services for Cumberland County/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. 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 by writing to:</p> <p data-bbox="240 723 799 750">SEXUAL ABUSE EMOTIONAL SUPPORT SERVICES</p> <p data-bbox="240 779 1082 806">Services Empowering the Rights of Victims (SERV) Center for Family Services</p> <p data-bbox="240 835 537 862">3600 E. Landis Ave, Unit 24</p> <p data-bbox="240 891 461 918">Vineland, NJ 08361</p> <p data-bbox="240 947 809 974">SEXUAL ABUSE SURVIVOR INFORMATION PACKET</p> <p data-bbox="240 1003 542 1030">Just Detention International</p> <p data-bbox="240 1059 561 1086">3325 Wilshire Blvd., Suite 340</p> <p data-bbox="240 1115 494 1142">Los Angeles, CA 90010</p> <p data-bbox="240 1176 1485 1406">During interviews, the inmates (100%) (random and targeted) each group sampled confirmed telephone calling access 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. Likewise, the Auditor noted during the facility tour that Southern State Correctional Facility displayed information regarding sexual abuse emotional services on each living unit</p> <p data-bbox="240 1440 1485 1731">NJDOC maintains copies of the contractual agreement and a request for continued service agreement with Services Empowering the Rights of Victims (SERV) Center for Family Services for Cumberland County. The Auditor examined the contractual agreement as evidence of compliance with Standard 115.53. the initial agreement ended in September 2019. NJDOC attempted to re-enter into a memorandum of understanding with Services Empowering the Rights of Victims (SERV) Center. The Auditor confirmed by examination an email sent from NJDOC to Services Empowering the Rights of Victims (SERV) Center, that NJDOC has attempted to initiate a continued contractual relationship with SERV to provide inmate victims of sexual abuse with confidential emotional support, dated May 19, 2021. It should be mentioned that in the same email, NJDOC formally request that all service access by inmate for emotional support provided by SERV continue until the contractual agreement is fully renewed. Southern State Correctional Facility met the requirement of Standard 115.53.</p> <p data-bbox="240 1765 812 1792">Evidence relied upon to make Auditor determination:</p> <ul data-bbox="240 1821 1302 2112" style="list-style-type: none"> <li data-bbox="240 1821 561 1848">• Pre-Audit Questionnaire <li data-bbox="240 1877 976 1904">• Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault <li data-bbox="240 1933 1064 1960">• Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse <li data-bbox="240 1989 1126 2016">• Renewal request: Cumberland County PREA Emotional Support Hotline Service <li data-bbox="240 2045 1302 2112">• Emotional Support: Services Empowering the Rights of Victims (SERV) Center for Family 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 Institutional PREA Compliance Manager

115.54	Third-party reporting
	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 the requirements of Standard 115.53. This facility never detains inmates solely for civil immigration purposes.

NJDOC/Southern State Prison accepts all third-party inmate sexual abuse or sexual harassment reports. NJDOC has established a method to receive third-party notifications of sexual abuse and sexual harassment that can be found on the agency's website. NJDOC distributed public information on how to report sexual abuse and sexual harassment on behalf of an inmate on their website. The NJDOC website provides contact information and 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. In addition, the agency has publicly distributed 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). Southern State Correctional Facility met the requirement of Standard 115.54.

Evidence relied upon to make Auditor determination:

- 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 Institutional PREA Coordinator

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 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="240 398 1485 622">Southern State Correctional Facility is an adult 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="240 656 1485 846">By examination and through interviews, the Auditor determined that New Jersey Department of Correction 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. It should be mentioned that Southern State Correctional Facility suspended volunteerism early in January of 2020. To date the suspension of volunteerism has not been lifted by the agency.</p> <p data-bbox="240 880 1433 974">By examination, the Auditor determined 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="240 1008 1469 1131">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="240 1164 1485 1355">A review of the PREA training curriculum also confirms that the agency informs all staff, volunteers, and contractors to report any PREA related incident or suspicion of an incident to a supervisor immediately. 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. Interviews with a sample of targeted inmates and review of the inmate electronic medical record confirm that during their initial visit with a medical and mental health practitioner they were informed of the practitioner's duty to report, and the limitations of confidentiality.</p> <p data-bbox="240 1388 1485 1713">The Auditor also interviewed, the Superintendent/Warden, the Institutional PREA Compliance Manager and SID Investigators (3) during separate interviews, 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. From investigative reports the Auditor determined that Southern State Correctional Facility had no documented evidence of any sexual abuse forensic reports from medical or mental health practitioners. It should be mentioned that Southern State Correctional Facility had three (3) allegations of sexual abuse during this reporting period. One incident was determined unfounded, and the second allegation of sexual abuse was determined to be substantiated for sexual abuse a touching incident, with no video evidence of penetration as confirmed by the victim and the third incident was still pending an investigative outcome. Southern State Correctional Facility met the requirements of Standard 115.61.</p> <p data-bbox="240 1747 879 1774">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 1807 1034 2116" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse • Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, • Internal Management Procedure PCS.001.VOL.001 Volunteer Services • Examination of PREA education training • Interviews with staff (random and specialized)

- Interview with the Acting PREA Coordinator
- Interview with the Superintendent/Warden
- Interview with the Institutional PREA Compliance Manager
- Inmate interviews: targeted group
- Review of investigative files

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 403">Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault, Policy Number ADM.019.003 Close Custody Units, Internal Management Procedure ADM.019.003.IHU Investigative Housing Unit, and Internal Management Procedure ADM.019.003.TAH Temporary Administrative Housing addresses the requirements of Standard 115.62.</p> <p data-bbox="229 403 1509 828">NJDOC Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse, Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault requires staff to take immediate action to protect an inmate when if an inmate is identified as being subject to substantial risk of imminent sexual abuse. The Auditor interviewed random and specialized staff during the onsite portion of the audit. Sample random and specialized staff confirmed a duty to protect the sexual safety of an inmate when the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse. According to the PAQ, 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 one. The Superintendent/Warden confirmed during his interview that in the past twelve months there was one instances of an inmate subject to substantial risk of imminent sexual abuse. In an interview with the Institutional PREA Compliance Manager and SID Investigator (3) all detailed their role and responsibility to protect vulnerable inmates in substantial risk of imminent sexual abuse from abusive inmates. The Auditor interviewed a sample of random and targeted inmates who indicated that they understood how to seek protection from the facility by immediately notify a trusted staff person. Southern State Correctional Facility met the requirements of Standard 115.62.</p> <p data-bbox="229 828 1509 884">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="229 884 1509 1639" style="list-style-type: none"> • 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 ADM.019.003 Close Custody Units • Internal Management Procedure ADM.019.003.TAH Temporary Administrative Housing • Internal Management Procedure ADM.019.003.IHU Investigative Housing Unit • Interviews with staff (Random and Specialized) • Interview with the Acting PREA Coordinator • Interview with the Superintendent/Warden • Interview with the SID Investigators (3) • Interview with the Institutional PREA Compliance Manager • Interview of NJDOC agency head: By Associate PREA Auditor • Interview with inmates (random and targeted)

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>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>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>The Auditor interviewed the Warden for this standard. The Warden detailed his responsibility under Standard 115.63. Further, the Warden explained that if he received an allegation that an inmate was sexually abused at another facility, the notification process requires that he 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>According to the PAQ and confirmed by the Institutional PREA Compliance Manager and Superintendent/Warden, during the past 12 months, there were one allegation received that an inmate was abused while confined to another facility. NJDOC/ Southern State Correctional Facility would document that it has provided such notification within 72 hours of receiving the allegation. Further, the Superintendent/Warden confirmed during his interview with the Auditor that if he received such a notification, he would ensure that the allegation is investigated in accordance with Standard 115.63. Southern State Correctional Facility met the requirements of Standard 115.63.</p> <p>Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 Prevention, Detection and Response of Sexual Abuse • Policy IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault • Examined a sample of investigative reports from the past 12 months • Interview with the Institutional PREA Compliance Manager • Interview with Superintendent/Warden • Interview with the Acting PREA Coordinator • Interview with the Agency Head: By PREA Auditor Donald Chadwick

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

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.

NJDOC has a first responder policy for allegations of sexual abuse. 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 requires staff to take specific steps to respond to a report of sexual abuse including; separating the alleged victim from the abuser; preserving any crime scene within a period of time that still allows for the collection of physical evidence; request the alleged victim not take any action that could destroy physical evidence; and ensure that the alleged abuser does not take any action to destroy physical evidence, if the abuse took place within a time period that would still allow for the collection of physical evidence. Staff (random and specialized) (security/non-security) sampled clearly detailed their understanding of actions to be taken upon learning that an inmate was sexually abused.

Moreover, the first security staff member to respond to the report is required to: Separate the alleged victim and abuser, 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, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating if the abuse occurred within a time that still allows for the collection of physical evidence.

Further, the Auditor reviewed six (6) investigative PREA reports. Of these allegations of sexual abuse in the past 12 months, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was 3. In the past 12 months, the number of allegations where staff were notified within a period that still allowed for the collection of physical evidence was 1 according to the PAQ as confirmed by the IPCM. Of these allegations in the past 12 months where staff were notified within a time that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report ensured that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating was 1, as confirmed in the PAQ and with the IPCM during an interview with the Auditor. When appropriate and staff responded in time to obtain usable physical evidence, all confirmed that staff first responders took the appropriate steps such as, protecting the crime scene, protecting the victim, and implementing a coordinated response as confirmed during interviews with first responders' custody and non-custody. Southern State Correctional Facility met the requirements of Standard 115.64.

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
- Examined a sample of investigative reports from the past 12 months
- Internal Management Procedure ADM.SID.035 Investigation Procedures
- Internal Management Procedure MED.MLI.007 Sexual Assault
- Policy ADM.006.011 Investigations by the Special Investigations
- CUS.001.CSM.01 Crime Scene Management
- Interviews with staff (random and specialized)
- Interview with the Institutional PREA Compliance Manager
- Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013
- Interview First Responder (non-security)
- Interview First Responder (security)

115.65	Coordinated response
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1474 499">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 Southern State Correctional Facility Directive Level III IMO SWSP.CUS 511 Zero Tolerance Sexual Assaults, addresses the requirement of Standard 115.65.</p> <p data-bbox="242 530 1485 790">The Superintendent/Warden and the Institutional PREA Compliance Manager both discussed the facility coordinated response to sexual abuse/sexual assault with the Auditor. Southern State Correctional Facility 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. Southern State Correctional Facility 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="242 822 1485 947">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 Southern State Correctional Facility coordinated response plan. Southern State Correctional Facility met the requirements of Standard 115.65.</p> <p data-bbox="242 978 879 1008">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1039 1461 2051" style="list-style-type: none"> • Pre-Audit Questionnaire • PCS.001.008 PREA Compliance • ADM.SID.035 Investigation Procedures • CUS.001.CSM.01 Crime Scene Management • IMM.001.004 Zero Tolerance Prison Sexual Assault • Internal Management Procedure ADM.SID.035 Investigation Procedures • Internal Management Procedure MED.MLI.007 Sexual Assault • 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 • Southern State Correctional Facility Directive Level III IMO SSCF.IMM.001.004 Zero Tolerance Policy: Prison Sexual Assault • Investigations and Intelligence, A National Protocol for Sexual Assault Medical Forensic Examinations Adult/Adolescents 2nd ED., 4/2013 • Interview with the Institutional PREA Compliance Manager • Interview with the Superintendent/Warden • Interview with specialized staff (medical and mental health practitioners) • Interview with a first responder (custody) (non-custody)

115.66	Preservation of ability to protect inmates from contact with abusers
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 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="240 598 1497 1025">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, Southern State Correctional Facility Superintendent/Warden and the IPCM also 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. Southern State Correctional Facility met the requirements of Standard 115.66.</p> <p data-bbox="240 1057 879 1084">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 1115 815 1827" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 PREA Compliance • IMM.001.004 Zero Tolerance Prison Sexual Assault • Final Agreement Local 30 15-19K • IFPTE Contract 7-1-15 to 6-30-19 • NJLECOA contract settlement • NJLESA Contract 7-1- 15 to 6-30-19 • NJSOLEA 2015 - 2019 MOA (002) • PBA Local 105 MOA 2015-2019 • SID Agreement 7-1-15 - 6-30-19 • Interview with the Acting PREA Coordinator • Institutional PREA Compliance Manager • Interview with the Superintendent/Warden

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1461 331">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 requirements of Standard 115.67.</p> <p data-bbox="240 360 1485 589">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 ensure the protection of inmates and staff who have reported sexual abuse or sexual harassment or who have cooperated in a sexual abuse or sexual harassment investigation. The agency has designated which staff members or departments are charged with monitoring retaliation. The Institutional PREA Compliance Manager is the retaliation monitor for all PREA allegations at Southern State Correctional Facility.</p> <p data-bbox="240 618 1485 981">The Auditor interviewed the Institutional PREA Compliance Manager. The IPCM confirmed that as the facility Retaliation monitor, he monitors the conducts or treatment of inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by inmates or staff. As the facility Retaliation Monitor facility, the IPCM acts promptly to remedy any such retaliation. Minimally, for at least 90 days following the report of sexual abuse allegation, the Institutional PREA Compliance Manager monitors the inmate for signs of retaliation by conducting periodic status checks using a form termed NJDOC PREA Retaliation Monitoring Form (FORM-PREA.AC Retaliation). The IPCM indicated that retaliation monitoring in rare instances could extend beyond 90 days if monitoring were deemed necessary. The Auditor examined six (6) Sexual/Harassment Incident Reports from the past 12-month period. Five were completed 1 sexual abuse incident was still pending. On the five (5) remaining incidents one (1) incident was determined to be unfounded. The four (4) remaining investigations of sexual abuse and sexual harassment were monitored by the facility for signs of retaliation for a period of 90 days.</p> <p data-bbox="240 1010 1485 1137">During his interview, the Institutional PREA Compliance Manager indicated that Southern State Correctional Facility employs multiple protection measures, such as housing changes or transfers for inmates' victims or abusers, removal of alleged staff or inmates' 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.</p> <p data-bbox="240 1167 1485 1361">More, 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 facility would 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, monitor disciplinary reports, act promptly to remedy any such retaliation occurring. The facility PAQ, 115.67 (c) - 5, indicated the number of times an incident of retaliation occurred in the past 12-month period as zero (0). Southern State Correctional Facility met the requirements of Standard 115.67.</p> <p data-bbox="240 1391 879 1417">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 1447 879 1709" style="list-style-type: none"> • Pre-Audit Questionnaire • PREA Retaliation Monitoring Form • Interview with the Institutional PREA Compliance Manager • Interview with the Acting PREA Coordinator • Interview with the Superintendent/Warden

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1414 365">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="242 398 1469 490">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="242 521 1493 781">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="242 813 1493 1039">Further, NJDOC/Southern State Correctional Facility 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 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="242 1070 1485 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 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 PCM. The Auditor also reviewed a sample of investigative reports from the past 12 months to confirmed or negate information provided by the IPCM regarding this standard. Southern State Correctional Facility met the requirements of Standard 115.68.</p> <p data-bbox="242 1294 879 1321">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1352 900 2011" style="list-style-type: none"> • Pre-Audit Questionnaire • 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 • ADM.019.003.PCS Protective Custody Status • Inmates (random and targeted) • Interview with the Superintendent/Warden • Interview with the Institutional PREA Compliance Manager • Interview with staff who supervise segregation • Facility tour of the restrictive unit • Informal conversation with inmates in restrictive housing unit

115.71	Criminal and administrative agency investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1481 497">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="240 533 1490 958">NJDOC investigates criminal, the third party, administrative and anonymous allegations of all PREA-related complaints is investigated by the agency Special Investigations Divisions (SID). NJDOC mandates the use of investigators who have received specialized training in sexual abuse investigations. 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 a determination as to 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. All substantiated allegations of conduct that appear to be criminal were referred for prosecution. It should be mentioned in some instances of substantiated allegations that were referred to the Cumberland County Prosecutor’s Office, that the office declined to bring evidence before a Grand Jury. The Auditor found no evidence of the use of a polygraph examination or other truth-telling device in the reports sampled for this audit.</p> <p data-bbox="240 994 884 1021">Policy, Materials, Interviews, and Other Evidence Reviewed:</p> <ul data-bbox="240 1048 1414 1912" style="list-style-type: none"> • 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

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1484 499">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.</p> <p data-bbox="242 528 1493 723">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 telephonically during the audit process, when evidence supports criminal prosecution, the agency consults with the Cumberland County Prosecutor 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.</p> <p data-bbox="242 752 1484 913">Problematic, the Auditor examined investigation 2021-02-22-001-SSCF. The incident was determined unsubstantiated for sexual contact by the investigator, by the facility SAAC and the agency SAAC incident review committees. Problems were identified by the investigator with the video monitoring system's inability to clearly document incident 2021-02-22-001-SSCF on video as it was taking place will be addressed in Standard 115.86. Further, inmate interviews identified a blind spot which was also not addressed during the incident review of 2021-02-22-001-SSCF.</p> <p data-bbox="242 943 1493 1440">For purposes of compliance with this standard the overarching issue with compliance Standard 115.72, had the agency and by extension Southern State Correctional Facility 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. In incident 2021-02-22-001-SSCF, John Doe #1 made a sexual abuse allegation against several NJDOC staff. The investigator interviews several witnesses who confirmed John Doe's narrative of the incident. Some likely witnesses did not visually witness the incident but overhear the verbal exchanges between Inmate John Doe and NJDOC custody staff. Other likely witnesses declined to get involved in the investigation of the incident. It appears greater weight was given to likely witnesses who either did not witness the incident or did not want to get involved than the inmate eyewitnesses account of the incident. Severely hampering the investigative outcome was the malfunctioning of the video cameras from several different angles. The alleged victim's narrative remained consistent as he accused custody staff of intentional sexual contact with his genitals. What is unclear for the Auditor was if the sexual contact occurred because of an intent to seek personal sexual gratification or personal fulfillment by custody. Base of narrative provided to the investigator John Doe #1 indicated the intend was to cause pain. The questions remain in the case of incident 2021-02-22-001-SSCF did the agency impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The Auditor requires additional evidence to decide on this standard.</p> <p data-bbox="242 1469 879 1496">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1525 1414 2130" style="list-style-type: none"> • 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 Institutional PREA Compliance Manager

- Interview with the Investigators (3)
- Examination of investigative reports from past 12-month period (6)

Corrective Action:

The facility has made its best effort to address video monitoring issues. Blind spot identified during the incident review will be address by staff being alerted to the blind spot and enhanced monitoring by custody staff.

115.73	Reporting to inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 398">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="240 434 1477 689">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. According to the IPCM and Superintendent/Warden for Southern State Correctional Facility, the number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was two (2) with six total PREA related investigation in the past 12 months. One investigation of sexual abuse was substantiated, and one determined to be unfounded. Of the alleged sexual abuse investigations that were completed in the past 12 months, the Auditor sampled five (5) notifications where inmates were notified, verbally or in writing, of the result of the investigation.</p> <p data-bbox="240 725 1485 949">Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, has been indicted on a charge related to sexual abuse in the facility, a staff member has been convicted on a charge related to sexual abuse within the facility. Likewise, NJDOC/Southern State Correctional Facility subsequently informs the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility or the abuser has been convicted on a charge related to sexual abuse within the facility. NJDOC subsequently informs the inmate whenever: The staff member is no longer employed at the facility.</p> <p data-bbox="240 985 1485 1173">More, all such notifications and attempts of notifications were documented. The Auditor examined investigative reports which included signed inmate notifications as required in this standard. Problematic was the agency's review of incident 2021-02-22-001-SSCF. The incident was determined unsubstantiated by the facility SAAC and the agency SAAC incident review incident review committees' problems identified by the investigator with the inability of the video monitoring system to clearly capture incident 2021-02-22-001-SSCF on video. This issue will be address in Standard 115.72 and 115.85. Southern State Correctional Facility met the requirements of Standard 115.73.</p> <p data-bbox="240 1209 879 1236">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 1263 1018 1863" style="list-style-type: none"> • Pre-Audit Questionnaire • 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 • Review of investigative files • Interview with the Institutional PREA Compliance Manager • PREA inmate notifications

115.76	Disciplinary sanctions for staff
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1433 331">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="240 421 1477 645">NJDOC staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse, sexual misconduct, and sexual harassment policies and for failing to[SL1] report. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates, up to and including a full ban from NJDOC facilities and shall be reported to law enforcement agencies (unless the activity was clearly not criminal), and to relevant licensing bodies. Furthermore, Southern State Correctional Facility would take appropriate remedial measures, and would consider whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer according to the Superintendent/Warden.</p> <p data-bbox="240 734 1477 958">When NJDOC investigates sexual abuse between a staff member and an inmate, the Cumberland County Prosecutor's Office is contacted for possible criminal investigation and prosecution. Any staff who is terminated for a violation of the zero-tolerance prison sexual assault policy are 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[SL2] 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 1048 1493 1209">All employees are subject to administrative disciplinary sanctions for violating agency sexual abuse/sexual harassment policies. The Collective Bargaining Agreements with NJDOC allows for disciplinary sanctions against staff, including termination, for the sexual abuse/sexual harassment of an inmate. All terminations for violations of agency sexual abuse/sexual harassment policies, or resignations by staff in lieu of termination, may be reported to criminal investigators and to any relevant professional, certifying, or licensing agencies, unless the activity was clearly not criminal.</p> <p data-bbox="240 1299 1485 1491">During the audit period, there were a total of zero cases alleging staff perpetrators pertaining to sexual abuse or harassment. PCS.001.008 PREA Compliance; and IMM.001.004 Zero Tolerance Prison Sexual Assault outlines the agency's disciplinary response related to sanctions for violation of PREA policies by staff. Specifically, disciplinary sanctions for staff may include a sanction up to termination. PCS.001.008 PREA Compliance; and IMM.001.004 Zero Tolerance Prison Sexual Assault states that the presumptive disciplinary sanction for staff who engage in sexual abuse will be termination. The failure to participate in an investigation could result in from employment.</p> <p data-bbox="240 1581 1493 1841">Further, disciplinary sanctions for violations of agency 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. 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 data-bbox="240 1930 1481 2092">During the audit process and an interview with a HR representative the Auditor confirmed that staff terminated for violations of the State, agency sexual abuse or sexual harassment policies, would be reported to the relevant licensing bodies and law enforcement agencies (unless the activity or behavior was clearly not criminal). More, formal terminations and presumptive terminations by staff who would have been terminated if not for their resignation, would also be reported to law enforcement (unless the activity was clearly not criminal).</p>

The examination of evidence related to this standard was reviewed by the Auditor. Southern State Correctional Facility reported that there were zero cases during the audit period of staff discipline or terminations for violation of sexual abuse policies. Facility compliance with this standard was determined by a review of policy, documentation, and staff interviews. addresses the requirement of Standard 115.76. In the past 12 months, Southern State Correctional Facility had zero criminal cases pending in the prosecutor's office for violating the agency policy and the Code of Ethics. Southern State Correctional Facility met the requirements of Standard 115.76.

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
- Southern State Correctional Facility Investigative Reports
- Interview with the Institutional PREA Compliance Manager

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 190 1509 250">Auditor Discussion</p> <p data-bbox="229 250 1509 369">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 data-bbox="229 369 1509 638">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 data-bbox="229 638 1509 795">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 data-bbox="229 795 1509 1041">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. In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates was zero, confirmed by the IPCM, during his interview and examination of a sample of six (6) investigative reports. Southern State Correctional Facility met the requirements of Standard 115.77.</p> <p data-bbox="229 1041 1509 1097">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="229 1097 1509 1512" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 PREA Compliance • IMM.001.004 Zero Tolerance Prison Sexual Assault • Internal Management Procedure • Policy PCS.001.VOL.001 Volunteer Services • Interview with the Institutional PREA Compliance Manager • Examined a sample of investigative report for the past 12 months (6)

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1461 398">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</p> <p data-bbox="240 432 1469 557">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.</p> <p data-bbox="240 591 1461 748">NJDOC/Southern State Correctional Facility 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.</p> <p data-bbox="240 781 1485 1008">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.</p> <p data-bbox="240 1041 1490 1232">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.</p> <p data-bbox="240 1265 1490 1556">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 Southern State Correctional Facility 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.</p> <p data-bbox="240 1590 1490 1715">The facility prohibits all sexual activity between inmates and may discipline inmates for such activity. According to the Acting PREA Coordinator, IPCM 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.</p> <p data-bbox="240 1749 1477 1939">In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility was one (1) during this audit period. Interviews with the SID Principal Investigator and the IPCM, a review of investigative files confirmed Southern State Correctional Facility met the requirements of Standard 115.78. There were zero cases of inmate-on-inmate sexual activity that were determined to be nonconsensual. 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. Southern State Correctional Facility met the requirements of Standard 115.78.</p> <p data-bbox="240 1973 879 2000">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 2033 691 2112" style="list-style-type: none"> • 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: Southern State Correctional Facility
- Review of investigative reports sampled from the past 12 months (6)

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</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="242 396 1474 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. Southern State Correctional Facility 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="242 654 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="242 844 1482 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 1034 1474 1162">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. Southern State Correctional Facility houses zero inmates under the age of 18.</p> <p data-bbox="242 1193 1485 1554">The Auditor sampled 31 case files of initial PREA risk screenings of inmates transferred to Southern State Correctional Facility. 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 1585 1436 1680">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%. Records examined onsite confirmed that Southern State Correctional Facility met the requirements of Standard 115.81.</p> <p data-bbox="242 1711 879 1738">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1769 1469 2139" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 PREA Compliance • Policy MED.IMA.001 Health Appraisals at Reception • Policy MED.MHS.001.002, and the Multidimensional Sexual Victimization and Abusiveness Risk Assessment Checklist • Examination of the electronic medical record for informed consent and MH referrals • Interviews with a sample of medical and mental health practitioners • Interview with the Institutional PREA Compliance Manager

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 453 237">Auditor Discussion</p> <p data-bbox="240 271 1458 533">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.</p> <p data-bbox="240 562 1493 857">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.</p> <p data-bbox="240 887 1481 1216">Southern State Correctional Facility 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.</p> <p data-bbox="240 1245 1493 1742">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 Southern State Correctional Facility by extension require timely and unimpeded access to emergency medical treatment, crisis intervention and victim advocacy services. Specialized medical practitioners confirmed that Southern State Correctional Facility 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 Institutional PREA Compliance Manager. The Auditor determined compliance with Standard 115.21 (c) and 115.82 through review of PREA investigative incident reports of sexual abuse from the past 12 months. Southern State Correctional Facility met the requirements of Standard 115.82.</p> <p data-bbox="240 1771 879 1800">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="240 1830 1461 2119" style="list-style-type: none"> • 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 (6)
- Interviews with medical practitioners
- Interviews with mental health practitioners
- Interview with the Institutional PREA Compliance Manager

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>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. Southern State Correctional Facility is an adult male correctional facility.</p> <p>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>Policy PCS.001.008 PREA Compliance and Internal Management Procedure MED.MLI.007 Sexual Assault requires that Southern State Correctional Facility attempt 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>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>Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul style="list-style-type: none"> • Pre-Audit Questionnaire • 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 • 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 • Internal Management Procedure MED.IMHC.010 Co-Pay for Eligible Health and Dental Care • Sampled review of investigative reports for past 12 months (6) • NJDOC Inmates handbook • Interview with specialized staff (medical and mental health practitioner) • Interview with the Institutional PREA Compliance Manager • Interview with the Acting PREA Coordinator • Interview with the Superintendent/Warden

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Does Not Meet Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1437 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.PREA.001 Sexual Assault-PREA Advisory Committee addresses the requirements of Standard 115.86.</p> <p data-bbox="240 398 1481 622">Standard 115.86 requires the facility to conduct a sexual abuse incident review shall be conducted after the closure of every (e.g., substantiated and unsubstantiated) sexual abuse investigation to evaluate whether Southern State should make any changes in policy or practices considering the alleged incident. The incident review process allows the facility to identify systemic problems in policies, procedures, dynamics, physical barriers, staffing levels, and frequency of monitoring levels that may have contributed to an incident or allegation of sexual abuse. Southern State should use information gathered from the incident review process to improve sexual safety conditions, avoid future incidents or allegations, and keep all inmates safe. The facility incident review team shall:</p> <ol data-bbox="240 656 1481 1227" style="list-style-type: none"> <li data-bbox="240 656 1417 712">(1) Consider whether the allegation or investigation indicates a need to change policy or practice to prevent, detect, or respond to sexual abuse. <li data-bbox="240 745 1442 840">(2) Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, perceived status, gang affiliation, or was motivated or otherwise caused by another group dynamics at the facility. <li data-bbox="240 873 1481 929">(3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse. <li data-bbox="240 963 999 990">(4) Assess the adequacy of staffing levels in that area during different shifts. <li data-bbox="240 1023 1406 1050">(5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and <li data-bbox="240 1084 1469 1178">(6) Prepare a report of its findings, including but not necessarily limited to determinations made according to paragraphs (d) (1)-(d)(5) of this section and any recommendations for improvement, and submit such report to the facility head and PREA compliance manager. <li data-bbox="240 1211 1326 1238">(e) The facility shall implement the recommendations for improvement or document reasons for not doing so. <p data-bbox="240 1261 1485 1384">NJDOC has established an agency multi-disciplinary Sexual Assault Advisory Council (SAAC) incident review committee. SAAC is a council assembled at the facility and agency level to review all closed allegations and suspicions of sexual abuse. In addition, SAAC (agency) performs the function of assessing and improving PREA prevention, detection, and response; and reviews on a case-by-case basis housing requests for transgender/intersex inmates based on gender identity.</p> <p data-bbox="240 1417 1481 1512">Facility incident reviews are ordinarily convened within thirty (30) days of the conclusion of the investigation. In the past 12 months, the number of criminal and administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents, was 2, with one pending during the onsite portion of this audit review.</p> <p data-bbox="240 1545 1481 1803">Problematic, during the Sexual Assault Advisory Council meeting, SID presents the completed investigative case for review at an agency SAAC meeting. At that time, a final determination is substantiated, unsubstantiated, or unfounded. The decision-making process removes autonomy from the trained investigators. It defers decision-making to a committee to decide on the outcome of an investigation without the benefit of experience or investigative training. An incident review is conducted per the Sexual Assault Advisory Council's procedures and review form. Interviews with the Principal Investigator, mental health practitioners, and the PCM confirmed that they were knowledgeable regarding the requirement to complete an incident review as outlined in this standard. Problematic, in incident 2021-02-22-001, the investigator repeatedly indicates an inability to view electronic video footage of an incident of alleged sexual abuse because of the camera footage from:</p> <p data-bbox="240 1836 1469 1892">View - Unit 1 A-Wing Right View from four different angles was "blurry and skipped causing monitoring of the incident to be unviewable."</p> <p data-bbox="240 1926 967 1953">CA Unit 1 Courtyard 3 video footage skips were "blurry and unviewable."</p> <p data-bbox="240 1986 1481 2145">The Incident Review Team should assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. When conducting incident reviews, consideration was given to whether the incident was motivated by race, ethnicity, gender identity, status, or gang affiliation. The incident reviews failed to note the poor performance of monitoring technology which was problematic in at least one investigation of sexual abuse. Further, in the same sexual abuse investigation, a witness indicated that custody staff moved the alleged victim to a location identified as a known "blind</p>

spot." The incident review failed to address this concern in either the facility SAAC or the agency SAAC incident review committee meeting regarding the need for added supervision, identify the blind spot noted by a witness, or recommend augmentation to the current camera system or staffing levels. The agency-SAAC committee reviews examined by the Auditor contained one signature. The single signature at the agency-SAAC level poses a concern, given the review participants do not appear to be by committee.

Further, the agency-SAAC contains categories termed Substantiated, Unsubstantiated Unfounded, and "Not PREA." From a statistical standpoint, "Not PREA" is confusing and degrades the statistical value of the other reporting categories. Therefore, NJDOC should eliminate the term "Not PREA." More, all allegations of sexual abuse are mandated by state policy and PREA standards to be investigated. The investigator's responsibility remains to determine if an allegation has merit and conclude whether it is Substantiated, Unsubstantiated or Unfounded.

The Sexual Incident Review documents examined included the required consideration outlined in this standard, but the review, as mentioned, excluded problems identified with blind spots and video recording in some locations in the facility. The Auditor also determined the sexual incident review: if 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.

Moreover, the Acting PREA Coordinator and the PREA Compliance Manager confirmed during their interviews that the agency requires the PREA Committee to examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the place may enable abuse and make recommendations to the Warden. The Auditor confirmed by examination that the Southern State Correctional Facility: Prepares a report of its findings, including but not necessarily limited to determinations made according to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submits the report to the Warden. This standard requires corrective action.

Policy, Materials, Interviews, and Other Evidence Reviewed:

- Pre-Audit Questionnaire
- Review of investigative sexual abuse reports in the past 12-month period
- Interview with facility and agency SAAC-Sexual Abuse Incident Review Team Member
- Interview with the Institutional PREA Compliance Manager
- Review of facility SAAC PREA Meetings Form
- Review of an investigative report

Corrective action: Southern State Correctional Facility will conduct maintenance on View - Unit 1 A-Wing Right View. Four different angles were "blurry and skipped causing monitoring of the incident to be unviewable." The facility has requested from the agency recommendations for improvement to video monitoring. When cameras are relocated to compensate for poor images, other video feeds to the same camera are sacrificed, and additional blind spots are created. Southern will utilize staff presence to improve the management of inmates and reduce blind spots identified during the audit.

Southern State Correctional Facility will conduct maintenance on View - CA Unit 1 Courtyard 3 video footage skips; it was "blurry and unviewable." The facility shall implement the recommendations for improvement or document its reasons for not doing so. This problem is outstanding. The facility submitted a recommendation to correct the problem with the video feed to the Warden and NJDOC. No determination has been made. This section of the corrective action is outstanding.

Southern State Correctional Facility will provide the Auditor with documented evidence of facility administrative actions against custody staff involved in incident # 2021-02-22-001.

Southern State Correctional Facility will provide the Auditor with historical information on the custody staff involved in incident # 2021-02-22-001 regarding any other allegations of sexual abuse, or sexual harassment levied against the said custody staff in the past 12 months. During the corrective action period, the agency indicated that the facility did not take action against the employee.

The SAAC facility and SAAC agency committees will review Standard 115.86 and document the re-training. Southern State will provide the Auditor evidence of said training with printed names, signatures, the plan, the date of the training, and the facilitator's name. Completed

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 453 237">Auditor Discussion</p> <p data-bbox="242 271 1473 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="242 362 1490 723">The New Jersey Department of Corrections aggregates the incident-based sexual abuse data at least annually. According to the IPCM, Southern State Correctional Facility maintains, reviews, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The Acting PREA Coordinator, confirmed during his interview that NJDOC maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. More, NJDOC participates in federal data collection on the incidence of prison rape through the annual Survey of Sexual Victimization (SSV) as administered by the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Statistics (BJS). As required by PREA, BJS collects information on the incidence of prison rape to aid correctional administrators in addressing the prevention, reporting, investigation, and prosecution of such incidence. Pertaining to allegations of sexual abuse or harassment at contracted private facilities (RCRP's), NJDOC's policy indicates the agency collects, reviews, maintains, and includes this data in the annual survey.</p> <p data-bbox="242 754 1477 882">The agency-level SAAC pursuant to PREA Standards 115.86, Sexual Abuse Incident Reviews and 115.88, Data Review for Corrective Action, issues Corrective Action Reports, if necessary, upon completion of the case review and monitors the implementation of recommended corrective actions. Division head recipients are required to review the SAAC recommendations and notify the PREA Agency Coordinator of their findings within four (4) weeks of receipt.</p> <p data-bbox="242 913 1490 1005">As confirmed by a review of support documentation, the agency collects accurate, uniform data for every allegation of sexual abuse/sexual harassment by using a standardized instrument. The agency tracks information concerning sexual abuse using data from the facility's PREA E-Management system.</p> <p data-bbox="242 1037 1495 1364">The NJDOC PREA Coordinator's position and administrative staff oversee the collection of data statewide and uses the said information to complete Survey of Sexual Violence, conducted by the Department of Justice. The agency aggregates and reviews all data annually. Upon request, the agency would provide all such data from the previous calendar year to the Department of Justice no later than June 30. An annual report is prepared and placed on the departmental website. Agency compliance with this standard was also determined by a review of policy and tracking documentation, and staff interviews. NJDOC employs the use of a standardized instrument with definitions to collect accurate, uniform data for every allegation of sexual assault. The instrument includes the data necessary to answer all questions from the most recent version of the Survey of Sexual Victimization, State Prison System Summary Form supplied by the Department of Justice. A review of the annual report revealed it was completed according to this standard. Southern State Correctional Facility met the requirements of Standard 115.87.</p> <p data-bbox="242 1395 879 1422">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1453 1278 2051" style="list-style-type: none"> • Pre-Audit Questionnaire • Interview with the Acting PREA Coordinator • Interview with Superintendent/Warden • NJDOC Sexual Incident Report Data (2019) • 02-11-115 Sexual Assault Prevention • Survey of Sexual Victimization 2017, State Prison System Summary Form • Survey of Sexual Victimization 2018, State Prison System Summary Form • 2017 Sexual Assault Prevention Program Annual Report • 2018 Sexual Assault Prevention Program Annual Report, dated 4/12/2019 • 2019 Sexual Assault Prevention Program Annual Report, dated 3/04/2020 • Annual Sexual Prevention Report 2019 Year, Southern State Correctional Facility Correctional Facility

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 453 235">Auditor Discussion</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="242 421 1490 645">The Southern State Correctional Facility Institutional PREA Compliance Manager confirmed that he 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 Southern State Correctional Facility's 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="242 734 1490 1128">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 Superintendent/Warden and 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: www.nj.gov/corrections/prea[SL1] . Southern State Correctional Facility met the requirements of Standard 115.88.</p> <p data-bbox="242 1160 879 1187">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="242 1218 1414 1568" style="list-style-type: none"> • Pre-Audit Questionnaire • Internal Management Procedure PCS.001.PREA.001 Sexual Assault/Prison Rape Elimination Act (PREA) Advisory Council (SAAC) • Investigative report from the past 12 month • NJDOC Sexual Victimization Annual Report 2019 • Interview with the Superintendent/Warden • Interview with the Acting PREA Coordinator

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 689">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. Southern State Correctional Facility 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 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 data-bbox="229 689 1509 792">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. Southern State Correctional Facility met the requirements of Standard 115.89.</p> <p data-bbox="229 792 1509 855">Policy, Materials, Interviews and Other Evidence Reviewed:</p> <ul data-bbox="229 855 1509 1352" style="list-style-type: none"> • Pre-Audit Questionnaire • Policy PCS.001.008 PREA Prevention, Detection and Response of Sexual Abuse and Harassment • Sexual Assault Prevention Program Annual Reports • Internal Management Procedure PCS.001.PREA.001 Sexual Assault/Prison Rape Elimination Act (PREA) Advisory Council (SAAC) • Investigative report from the past 12 month • NJDOC Sexual Victimization Annual Report 2019 • Interview with the Superintendent/Warden • Interview with the Acting PREA Coordinator

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 434">The last PREA audit completed for Southern State Correctional Facility was conducted in September 19-20, 2017. Based on the examination of the agency (NJDOC) public website, during the prior three-year period, NJDOC has ensured that all facilities have received a PREA audit. There is no information published regarding the audits conducted during the period of August 2019 thru August 2020. NJDOC scheduled audits which were postponed due the COVID-19 pandemic such as facility quarantines. The following facilities were scheduled to be audited: Year 2:</p> <ul data-bbox="229 456 1509 837" style="list-style-type: none"> • Adult Diagnostic and Treatment Center • East Jersey State Prison • Edna Mahan Correctional Facility for Women • Garden State Youth Correctional Facility • Southern State Correctional Facility • Southern State Correctional Facility • William H. Fauver Youth Correctional Facility <p data-bbox="229 860 1509 1039">The Auditor was provided access to all areas of the facility and had access to all required supporting documentation on request. Southern State Correctional Facility provided the Auditor with a private setting to conduct interviews with inmates (random and targeted) and staff (random and specialized). Audit notices were made available to the inmate's well in advance of the onsite portion of the PREA audit. The Auditor received zero letters from the inmate population at Southern State Correctional Facility.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	NJDOC 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.

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

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

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

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

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

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

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	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
115.18 (a)	Upgrades to facilities and technologies	
	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
115.18 (b)	Upgrades to facilities and technologies	
	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
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	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

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

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

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	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
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	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
115.33 (b)	Inmate education	
	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
115.33 (c)	Inmate education	
	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

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

115.35 (a)	Specialized training: Medical and mental health care	
	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
115.35 (b)	Specialized training: Medical and mental health care	
	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
115.35 (c)	Specialized training: Medical and mental health care	
	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
115.35 (d)	Specialized training: Medical and mental health care	
	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
115.41 (a)	Screening for risk of victimization and abusiveness	
	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
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	no

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	no

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	no
	Does the facility reassess an inmate's risk level when warranted due to a request?	no
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	no
	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?	no
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	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
115.42 (a)	Use of screening information	
	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?	no
	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?	no
	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?	no
	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?	no
	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?	no
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

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

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts 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
115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	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
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	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

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	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
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	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
115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	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
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	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.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

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

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	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
115.67 (a)	Agency protection against retaliation	
	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
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	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
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	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
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	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
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	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
115.71 (j)	Criminal and administrative agency investigations	
	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
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.72 (a)	Evidentiary standard for administrative investigations	
	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?	no
115.73 (a)	Reporting to inmates	
	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
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.73 (c)	Reporting to inmates	
	Following 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
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.76 (c)	Disciplinary sanctions for staff	
	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
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	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
115.78 (d)	Disciplinary sanctions for inmates	
	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
115.78 (e)	Disciplinary sanctions for inmates	
	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

115.78 (f)	Disciplinary sanctions for inmates	
	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
115.78 (g)	Disciplinary sanctions for inmates	
	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
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	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
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	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
115.86 (a)	Sexual abuse incident reviews	
	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

115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	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
115.87 (d)	Data collection	
	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
115.87 (e)	Data collection	
	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
115.87 (f)	Data collection	
	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

115.88 (a)	Data review for corrective action	
	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
115.88 (b)	Data review for corrective action	
	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
115.88 (c)	Data review for corrective action	
	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
115.88 (d)	Data review for corrective action	
	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
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	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
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	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
115.401 (a)	Frequency and scope of audits	
	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

115.401 (b)	Frequency and scope of audits	
	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
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	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
115.403 (f)	Audit contents and findings	
	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