

PREA Facility Audit Report: Final

Name of Facility: Camille Griffin Graham Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 12/10/2021

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: Adam T. Barnett, Sr.	Date of Signature: 12/10/2021

AUDITOR INFORMATION	
Auditor name:	Barnett, Adam
Email:	adam30906@gmail.com
Start Date of On-Site Audit:	10/18/2021
End Date of On-Site Audit:	10/20/2021

FACILITY INFORMATION	
Facility name:	Camille Griffin Graham Correctional Institution
Facility physical address:	4500 Broad River Rd, Columbia , South Carolina - 29210
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Sharon Patterson
Email Address:	patterson.sharon@doc.sc.gov
Telephone Number:	803-896-1335

Warden/Jail Administrator/Sheriff/Director	
Name:	Lisa Engram
Email Address:	Engram.Lisa@doc.sc.gov
Telephone Number:	803-896-8590

Facility PREA Compliance Manager	
Name:	Yvonne McKnight
Email Address:	mcknight.yvonne@doc.sc.gov
Telephone Number:	O: (803) 896-5494
Name:	Sharon Patterson
Email Address:	patterson.sharon@doc.sc.gov
Telephone Number:	O: (803) 896-1335

Facility Health Service Administrator On-site	
Name:	Shannon Stokes
Email Address:	Stokes.Shannon@doc.sc.gov
Telephone Number:	803-896-7610

Facility Characteristics	
Designed facility capacity:	878
Current population of facility:	584
Average daily population for the past 12 months:	424
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Females
Age range of population:	17 and above
Facility security levels/inmate custody levels:	Level 2, IN, MI, ME, CL, DR
Does the facility hold youthful inmates?	Yes
Number of staff currently employed at the facility who may have contact with inmates:	144
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	1
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	422

AGENCY INFORMATION	
Name of agency:	South Carolina Department of Corrections
Governing authority or parent agency (if applicable):	N/A
Physical Address:	4444 Broad River Road, Columbia, South Carolina - 29221
Mailing Address:	
Telephone number:	803-896-8500

Agency Chief Executive Officer Information:	
Name:	Bryan Stirling
Email Address:	Stirling.Bryan@doc.sc.gov
Telephone Number:	803-896-8555

Agency-Wide PREA Coordinator Information			
Name:	Kenneth James	Email Address:	james.kennethl@doc.sc.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:	
6	<ul style="list-style-type: none"> • 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator • 115.21 - Evidence protocol and forensic medical examinations • 115.33 - Inmate education • 115.51 - Inmate reporting • 115.53 - Inmate access to outside confidential support services • 115.87 - Data collection
Number of standards met:	
39	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2021-10-18
2. End date of the onsite portion of the audit:	2021-10-20

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:	Just Detention International (JDC): Email on 5/11/21 received response 5/11/21. National Sexual Violence Resources Center (NSVRC): Email on 5/11/21 received response 11/20/21. The Sexual Trauma Service of the Midlands (STM) / The Pathway to Healing. Face-To-Face Interview with the STSM Trauma Counselor.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	878
15. Average daily population for the past 12 months:	424
16. Number of inmate/resident/detainee housing units:	542
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:	542
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:	1
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:	1

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:	0
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:	3
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:	2
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:	8
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:	3
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):	One Little Person
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:	125
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:	19
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:	None
INTERVIEWS	
Inmate/Resident/Detainee Interviews	

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed: 16

54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)

- Age
- Race
- Ethnicity (e.g., Hispanic, Non-Hispanic)
- Length of time in the facility
- Housing assignment
- Gender
- Other
- None

55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse? Request inmate housing rosters and inmate personal data.

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews? Yes 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): None

Targeted Inmate/Resident/Detainee Interviews

58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed: 16

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".

60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol: 1

61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol: 1

<p>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>Review Documentation and Interview Staff.</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>Review Documentation and Interview Staff.</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>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>Review Documentation and Interview Staff.</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:	3
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:	3
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	Review Documentation and Interview Staff.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	1. Interviewed one Little Person. 2. Interviewed inmate who wrote the confidential letter.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	20

<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" 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 checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>If "Other," describe:</p>	<p>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>None</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>19</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>Designee</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 checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</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>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agency contract administrator <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 <input type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input checked="" type="checkbox"/> Medical staff <input type="checkbox"/> Mental health staff <input checked="" type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input checked="" type="checkbox"/> Other
<p>If "Other," provide additional specialized staff roles interviewed:</p>	<p>ID Officer, Director of Food Services, Commissary Manager, Canteen Manager, Mail Room Staff and Chaplain.</p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>1</p>

<p>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>a. Enter the total number of CONTRACTORS who were interviewed:</p>	<p>1</p>
<p>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>None</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: discussions related to testing critical functions are expected to be included in the relevant Standard-specific overall determination narratives.

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

<p>85. Reviewing/examining all areas of the facility in accordance with the site review component of the audit instrument?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>86. Testing and/or observing all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., intake process, risk screening process, PREA education)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> 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).	Testing Phones, View Process, Inmate Demo of the use of the Kisko system, Review Computerized PREA screenings.

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?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	PREA Screenings, Reassessments, Investigations, Inmate PREA Acknowledgement Statements, Inmate Orientation Checklist, Background Checks, Staff PREA Acknowledgement Statements.
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	1	0	1	0
Staff-on-inmate sexual abuse	7	2	1	4
Total	8	2	2	4

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	3	1	2	1
Total	3	1	5	1

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	4	2	0	0	0
Total	4	2	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	0	2	1	0
Staff-on-inmate sexual abuse	1	0	1	1
Total	1	2	2	1

Sexual Harassment Investigation Outcomes

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

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

	Ongoing	Referred for Prosecution	Indicted/Court Case Filed	Convicted/Adjudicated	Acquitted
Inmate-on-inmate sexual harassment	0	0	0	0	0
Staff-on-inmate sexual harassment	4	2	0	0	0
Total	4	2	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	2	1	0
Staff-on-inmate sexual harassment	1	0	1	1
Total	1	2	2	1

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

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

Inmate-on-inmate sexual abuse investigation files

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

Staff-on-inmate sexual abuse investigation files

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	7
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	6
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	3
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	3

<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 checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>None</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:</p>	<p>1</p>
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AUDITING ARRANGEMENTS AND COMPENSATION

<p>121. Who paid you to conduct this audit?</p>	<p><input type="radio"/> The audited facility or its parent agency</p> <p><input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)</p> <p><input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)</p> <p><input type="radio"/> Other</p>
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<p>Identify the name of the third-party auditing entity</p>	<p>Diversified Correctional Services, LLC</p>
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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: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Facility Organizational Chart • Staffing Plan (Definitions) • Email PREA Meetings • Agency Organizational Chart • NEO Employee PREA Training Program • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Agency/Facility Applicable Policies Submitted <ul style="list-style-type: none"> o ADM-11.04 Employee Corrective Action o ADM-11.12 Post/Shift Assignments o ADM-11.17 Employee Conduct o ADM-11.28 Applicant Selection Process o ADM- 11.34 Employee-Inmate Selection Process o ADM- 11.39 Staff Sexual Misconduct with Inmates o ADM-17.01 Employee Training Standards o GA- 01.12 Inmate Grievance System o GA- 06.04 Request to Staff Member o GA-01.07 Access to the General Counsel o GA- 06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria o GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. o HS- 18.13 Health Screening and Exams o HS- 18.15 Levels of Care o HS- 19.04 Mental Health Services-General Provisions o HS- 19.06 Mental Health Services- Disciplinary Detention for Inmates Classified as Mentally III o HS- 19.11 Mental Health Services-Reception and Evaluation o OP-21.04 Inmate Classification Plan o OP-21.04 Agency Records Management o OP-22.14 Inmate Disciplinary System o OP-22.19 Searches of Inmates o OP-22.23 Statewide Protective Custody o OP-22.24 Post Orders o OP-22.25 Reporting Incidents and Accidents o OP-22.38 Restrictive Housing Unit o OP-22.39 Young Offender Parole and Reentry Services (YOPRS) o OP-22.47 Prison Management Expectations o OP-22.48 Institutional Weekly Rounds o POL-23.01 Investigations o POL-23.12 Case File Requirements o POL-23.28 Evidence Protocol o PS-10.04 Volunteer Services Programs o PS-10.08 Inmate Correspondence Privileges o PS-10.11 Sex Offender Treatment Program (SOTP) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.11 (a)</p> <p>An agency shall have a written 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>The Facility has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and</p>

outlining the agency's approach to preventing, detecting, and responding to such conduct. GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicates that the South Carolina Department of Corrections (SCDC) has a zero-tolerance policy regarding all forms of sexual abuse and sexual harassment in all institutions operated by, or contracted with, SCDC for the confinement of inmates. SCDC will ensure all allegations of sexual abuse and sexual harassment are thoroughly investigated and will support the prosecution of anyone found to have contributed to criminal activity. SCDC will ensure all employees, volunteers, interns, contractors, and inmates are trained and aware of SCDC's zero-tolerance policies.

The agency elected to take a zero-tolerance position against sexual abuse and sexual harassment of inmates in their custody. The South Carolina Department of Corrections has instituted a zero-tolerance policy in relation to PREA within all (21) correctional Institutes under its supervision. This policy indicates that sexual abuse by staff on inmates or by one inmate to another inmate is strictly prohibited. Additional policies have been put into place to prevent, detect, and respond to sexual abuse and sexual harassment.

PREA standard 115.6 Definitions related to sexual abuse and sexual harassment, give guidance to the agency and facility on defining sexual abuse and harassment. GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 has a list of definitions that includes the guidance from the PREA standard on pages 8 – 9. The facility staffing plan also includes the definitions of sexual abuse and sexual harassment.

Policy also states, consensual sexual contact among inmates is prohibited, and will be referred through the Inmate Disciplinary System. Non-coercive sexual activity between inmates does not constitute sexual abuse, and the agency may not deem it as such. It is thus beyond the scope of this policy.

115.11 (b)

An agency shall 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 the PREA standards in all of its facilities.

The South Carolina Department of Corrections (SCDC) employs and designated an agency wide PREA coordinator. The PREA coordinator, is responsible for the oversight of one PREA compliance manager (PCM) at each facility in the SCDC system. The position of PREA coordinator position is in the upper level of the SCDC agency hierarchy. The position of PREA coordinator reports directly to the chief legal & compliance officer/director's PREA designee. The PREA coordinator assumed his position as PREA coordinator in April 2019.

Central Office Staff: Agency PREA coordinator (PC) was asked, do you feel that you have enough time to manage all of your PREA related responsibilities? The PC indicated yes, and confirmed that he has sufficient time and resources to coordinator all PREA activities. He has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all facilities.

115.11 (c)

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 the PREA standards.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 Policy statement: Pursuant to the Prison Rape Elimination Act (PREA), the South Carolina Department of Corrections (SCDC) has a zero-tolerance policy regarding all forms of sexual abuse and sexual harassment in all institutions operated by, or contracted with, SCDC for the confinement of inmates. SCDC will ensure all allegations of sexual abuse and sexual harassment are thoroughly investigated and will support the prosecution of anyone found to have contributed to criminal activity. SCDC will ensure all employees, volunteers, interns, contractors, and inmates are trained and aware of SCDC's zero-tolerance policies.

Central Office Staff: Agency PREA coordinator (PC) was asked, how many facility PREA compliance managers are there throughout the agency? How do you interact with them? Response, he stated 21 SCDOC facilities and 1 private prison, he communicates through email, text, phone calls, and quarterly meetings (in person or via virtual media).

The agency PREA coordinator provided email dated July 7, 2021 to all facilities stating, "Please check your inmate phones and tablets to ensure they are able to contact *22 and *63. We have received notices that there may be issues connecting the calls. Please respond once this is done."

The agency PREA coordinator provide email dated July 20, 2021 to all facilities stating, "As a reminder, please ensure you are conducting your quarterly PREA meetings as mandated by SCDC policy GA-06.11, Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment, Section 5.3.3. As many have conducted their quarterly meetings, and some have not, this is a reminder to conduct your meeting and provide the documentation in your shared folder for review.

Central Office Staff: Agency PREA coordinator (PC) was asked, if you identify an issue with complying with a PREA

standard, what actions or processes do you undertake to work toward compliance with the standard? Response, he would work with the PCM, the warden, the regional director, the assistant deputy director, the deputy director, and finally the agency director (Agency Head) if needed be. Issues are normally addressed in writing through email or memorandums.

The facility staffing plan procedures include information on the facility PREA compliance manager designated process. The warden will designate an employee with sufficient time and authority to develop, implement, manage, and oversee efforts to address the requirements contained in the PREA standards. The facility PREA compliance manager will report directly to the warden for all matters related to PREA.

Facility Staff: Facility PREA compliance manager was asked; do you feel that you have enough time to manage all of your PREA related responsibilities? The facility PREA compliance manager indicated yes.

The facility PREA compliance manager also indicated that he coordinates with the facility efforts to comply with the PREA standards by discussing PREA incidents in shift briefings and monthly staff meetings, ensure staff know all allegations must be reported, and make unannounced rounds, etc.

115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Facility Staffing Plan • Online PREA Audit: Pre-Audit Questionnaire Prisons and Jails • Addendum to the Annual PREA Report • Inmate Housing Agreement Between SCDC and CoreCivic, Inc. • CoreCivic 2018 PREA Audit • Memo: PREA Compliance Monitoring • CoreCivic 2020 PREA Annual Report (Private Facility) • Interviews <p>115.12 (a)</p> <p>A public agency that contracts for the confinement of its inmates with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.</p> <p>The South Carolina Department of Corrections has contracted for the confinement of inmates with CoreCivic, private entity. The PREA coordinator provided the auditor with a fully executed copy of the contract between SCDC and CoreCivic. Review of the contract showed that PREA language requiring the facility to become and maintain compliance with all PREA standards was included. Documentation confirmed that SCDC agency PREA coordinator monitor Core Civic's PREA compliance activities.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 Policy statement: Pursuant to the Prison Rape Elimination Act (PREA), the South Carolina Department of Corrections (SCDC) has a zero-tolerance policy regarding all forms of sexual abuse and sexual harassment in all institutions operated by, or contracted with, SCDC for the confinement of inmates. SCDC will ensure all allegations of sexual abuse and sexual harassment are thoroughly investigated and will support the prosecution of anyone found to have contributed to criminal activity. SCDC will ensure all employees, volunteers, interns, contractors, and inmates are trained and aware of SCDC's zero-tolerance policies.</p> <p>The Office of Legal and Compliance provided an Addendum to the Annual PREA report dated September 16, 2019 regarding requirements of the CoreCivic Safety – Tallahatchie County Correctional Facility Annual Report files.</p> <p>Staffing Plan: The facility staffing plan included a section on contracts. This section stated:</p> <ul style="list-style-type: none"> • Should the facility enter into any contract for the confinement of offender with another agency, public or private, the contract will include the contractor's obligation to adopt and comply with PREA standards and the facility authority to monitor the contractor for compliance with PREA standards. • Documentation regarding any active contracts will be maintained by the agency PREA coordinator/designee for record keeping purposes and will be made available to the PREA coordinator upon request. <p>115.12 (b)</p> <p>Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.</p> <p>The auditor received a memorandum from Deputy Director of Legal and Compliance to the warden of Core Civic on June 25, 2019 stating that Kenneth James is the South Carolina Department of Corrections PREA Coordinator. As such, he will monitor Core Civics' PREA compliance to ensure SCDC's compliance of the same.</p> <p>Central Office Staff: Deputy director of legal and compliance/agency contract administrator was asked; how do you monitor new and renewed contracts for confinement in the contractor complies with required PREA practices? Response, the agency includes a provision in the contract with CoreCivic mandating compliance with PREA standards and the agency PREA coordinator communicates with and monitors compliance with the PREA standards.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Facility Staffing Plan • Facility Schematic/Layout (Volume 1 (Red) Emergency Manuals • Daily Population Reports – 1st, 10th, and 20th (Past 12 Months) • Duty Warden’s Checklist (Unannounced PREA Rounds • Overall Average Length of Stay (Days) • Population Breakdown by Age • Unannounced Rounds: SCDC Form 19-164A “Unannounced Rounds Logs” (Past 12 Months) • Log Book (Unannounced Rounds) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy Number 22.24 Post Orders • SCDC Policy ADM 11.12 Post/Shift Assignments • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy OP-21.04 Inmate Classification Plan • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Lesson Plan: Supervision of Offenders (3 Hours): Page 18, Announce the Presence of Opposite Sex • Guidance on Cross-Gender and Transgender Pat Searches • Cross-Gender and Transgender Pat Searches Video • PREA Training Section 1800 Curriculum • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.13 (a)</p> <p>The agency shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determine the need for video monitoring, facilities shall take into consideration:</p> <ul style="list-style-type: none"> • Generally accepted detention and correctional practices; • Any judicial findings of inadequacy; • Any finding of inadequacy from Federal investigative agencies; • Any findings of inadequacy from internal or external oversight bodies; • Any findings of inadequacy from internal or external oversight bodies; • All components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated); • The composition of the inmate population; • The number and placement of supervisory staff; • Institution programs occurring on a particular staff; • Any applicable State, or local laws, regulations, or standards; • The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and • Any other relevant factors. <p>The South Carolina Department of Corrections ensures that each facility it operates develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect inmates against sexual abuse.</p> <p>Central Office Staff: The agency PREA coordinator confirmed that all PREA staffing plans are reviewed and responded to by his at least annually, and not the Division of Security. The Division of Security is responsible for review of facility post orders previously termed staffing plans and the Master POST Chart. SCDC has since then made changed in other policies to better align with PREA terminology and to reduce confusion of terms.</p> <p>Facility Staff: The acting warden indicated that the facility has a staffing plan and the plan is adequate staffing levels to protect inmates against sexual abuse. Video monitoring is a part of the plan and every housing unit has cameras which</p>

monitor common areas. The staff plan is documented and is provided and maintained by the Division of Operations and updated annually. Anytime it is updated it is sent out to the wardens.

Facility Staff: The acting warden indicated when assessing adequate staffing levels and the need for video monitoring, the institutions are given the staffing plans from the Division of Operations. If the facility does not agree they can request modifications. It is the understanding the ACA standards previous litigation, and internal and external audits are all taken into consideration when forming the staffing plan. The facility does not decrease the staffing level based on video cameras. They are addition to staffing.

Facility Staff: When assessing adequate staff levels and the need for video monitoring do the facility considers all requirements? The facility PREA compliance manager indicated, when developing the staffing plan the above elements were taken into consideration. Any changes to the scheduling and staffing will be adjusted based on the composition of the resident population and programming occurring.

SCDC Policy Number: OP 22.24 Poster Orders policy indicates – In order to promote consistent and uniform operations within SCDC, the Division Director of Security will be responsible for the development and publication of Agency Post Orders which are designed to specify the duties and responsibilities for Officers assigned to security posts within the Agency.

SCDC Policy ADM 11.12 Post/Shift Assignments policy indicates – In order to promote the safety and security of the agency, the public, employees, and inmates; to ensure adequate supervision of all inmates; and to meet the operational needs of institutions and divisions/offices, the agency will develop and implement consistent and uniform procedures governing post and shift assignments and days off for SCDC employees.

Policy requires each SCDC institution will develop through individual institutional leadership teams, and comply with, an Institutional Staffing Plan. This plan will be developed in coordination with the Agency's PC and must be approved by the institution's Warden and the Agency's PC annually.

The Staff Plan included the following:

- Physical Plant
- Cameras
- Staffing Patterns
- Full Time Posts
- Part-Time Posts
- Minimum Staffing
- Definitions
- Procedures
- Training
- Offender Training
- Accommodations
- Security Rounds
- Post Admission Screening Tools
- Supervision of Staff
- Specialized Areas
- Staffing Breakdown Considerations

115.13 (b)

In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.

SCDC Policy states that the institution's PCM will ensure that any deviations from the approved staffing plan are documented in memorandum format or on SCDC Form 19-29.1, "Incident Report." And filed for review during auditing. Also, all deviations from the staffing plan will include, but is not limited to, reasons for the deviation, corrective action plan, and a determination on whether the change is permanent or temporary.

Facility Staff: The acting warden response to, how do you check for compliance with the staffing plan? Most compliance with staffing issues is maintained and checked by the Major of Security. Major reviews the logbooks on every post to ensure security staff are conducting walk throughs and PREA inspections in accordance with Policy and Procedure. The major also reviews duty rosters, sick calls, annual leaves, suspensions, call-in, etc.

Facility Staff: The acting warden indicated to, does the facility document all instances of non-compliance with the staffing plan? Yes, the facility does document all instances of non-compliance with the staffing plan on SCDC form 19-212 and the Reason for Deviation is explained in the narrative. A written corrective action plan will be included. All documentation of non-compliance will be provided to the institution's PREA compliance manager for filing purpose.

115.13 (C)

Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA coordinator required by standard 115.13, the agency shall assess, determine, and document whether adjustments are needed to:

- The staffing plan established pursuant to paragraph (a) of this section;
- The facility's deployment of video monitoring systems and other monitoring technologies; and
- The resources the facility has available to commit to ensure adherence to the staffing plan.

The Division of Security is responsible for developing all staffing plans for each facility. Once the staffing plan had been developed, the Deputy Director would forward the plan to the facility's Warden for review. The Warden may make comments in response to the plan, the final version was determined by the Division of Security. The PREA coordinator is required to be one of the signatories on the final approved staffing plan.

Central Office Staff: Agency PREA coordinator (PC) was asked, are you consulted regarding any assessments of, or adjustments to, the staffing plan for this facility? How often do these assessments happen? Response, yes – yearly (annually). Institutions have quarterly PREA meetings and at one of the meetings, the staffing plan is reviewed with the institutional team. Once agreed and signed off by the warden, the Staffing Plan is sent to the PREA coordinator for review. Once reviewed by the PC, the staffing Plan is then discussed in coordination between the PCM and PC then signed if the Staffing Plan meets the requirements of the PREA standards.

115.13 (D)

Each agency operating a facility shall implement 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. Such policy and practice shall be implemented for night shifts as well as day shifts. Each agency shall have a policy to prohibit staff from alerting other staff member that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

The South Carolina Department of Corrections implement 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. The practice is implemented for night shifts as well as day shifts.

Policy 06.11 section 1.2.2.4 states, all warden, associate wardens, and senior institutional supervisory officers are required to conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment of inmates and documenting such unannounced rounds utilizing SCDC Form 19-164.A, "General Population Housing Unit Unannounced Rounds Log".

SCDC Policy OP-22.48 Institutional Weekly Rounds: The policy included section 3. "Quality Rounds": provision 3.1 rounds shall be conducted with the purpose of assessing the functioning of a specific area within the facility including any maintenance issue affecting the areas/location. Rounds shall also serve as an effective mechanism for gauging the climate of the institution for both staff and inmates and for identification and deterrence of sexual abuse and sexual harassment. In doing so, staff conducting rounds shall talk with the staff assigned to the respective areas and inquire about issues/concerns they may have; talk with some inmates (or make oneself available to have dialogue); look at sanitation issues; and examine operational issues (specific to the area).

Provision 3.4 also included, staff shall not alert other employees that supervisory rounds are occurring unless such announcement is related to the legitimate operational function of the facility.

SCDC Policy OP-22.48 Institutional Weekly: The policy included section 4. "Documentation of Rounds": provision 4.2 all intermediate or higher-level supervisors, to include warden, associate wardens, duty wardens, majors, and shift supervisors, who conduct unannounced rounds shall document "Unannounced Round" or "UAR" in the Reason for visit column of the RHU Visitation Log (SCDC Form 19-164 or GP Visitation Log (SCDC Form 19-164a) in each area visited.

Staffing Plan: The facility's higher-level supervisors are required to conduct and document unannounced rounds on SCDC Form 19-164a "Unannounced Rounds Log", pursuant to 115.13 (e), to identify and prevent sexual abuse and sexual harassment of offenders by officers. The requirement for the mandate rounds is directed from SCDC Policy OP-22.48, Institutional Weekly Rounds.

Facility Staff: The major indicated, as major of the facility she is required to conduct unannounced rounds twice per week in all areas of the facility. Each unannounced round conducted a notation is made on the unannounced log entry as well as inside the logbook in read and notate in the book about PREA rounds being conducted.

The major also indicated that she prevents staff from alerting other staff that he is conducting unannounced rounds is easy for him because he has keys to all areas and she does not call ahead.

Corrective Actions:

Concern 1: Obstruction of view in inmates Living Units

During the facility tour the auditor observe three inmates living units with inmate lockers obstructing staff view (Sierra, Zion and Whitney). The inmate is house in half wall cubes, some of the cubes has tall lockers which obstruct the staff monitoring of inmates.

Agency/Facility Response:

During the facility tour of the Auditor requested/recommended that the lockers needed to be removed due to obstructing of the view that was caused by their placement. The facility provided pictures that the correction has been made on November 10, 2021.

Concern 2: Lighting in inmates living units

During the facility tour the auditor observe three inmates living units with a large percentage of lights out or not working (Sierra, Zion, and Whitney).

Agency/Facility Response:

On October 19, 2021 the facility submitted copies of work orders for all missing lights to be replaced. The following listed of work orders were submitted as documentation.

- 331414066
- 331282370
- 331066314
- 331318037
- 331697902
- 331986796
- 331221194
- 331220628
- 331146265
- 331804656
- 331968120
- 331648990
- 331326707

Concern 3: Unlock doors in medical

During the facility tour the auditor observe several doors unlock. Medical doors #F206 and #F210 unlocks. Medical personnel only door was unlocked. The Biohazard Authorized Only door was unlocked. A major concern was several inmates were sitting next to the unlock doors.

Agency/Facility Response:

On October 19, 2021, the acting warden/facility PREA compliance manager issued a memorandum to all staff reminding staff effective immediately all doors should be lock at all times for security purposes and to maintain PREA compliance. Doors are only to be unlocked when properly monitored by authorized personnel.

115.14	Youthful inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • List of Youthful Inmates (0) None • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy OP-21.04 Inmate Classification Plan • OP-22.39 Young Offender Parole and Reentry Services • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • PREA Training Section 1800 Curriculum • Online PREA Audit: Pre-Audit Questionnaire Prisons and Jails • Interviews <p>115.14 (a)</p> <p>A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>The facility does not house any inmates under the age of 18 years old (youthful inmate). SCDC Policy Number: OP 22.39 Young Offender Parole and Reentry Services sections 2.4.1 and 2.4.2: Male Youthful Offenders are primarily housed at Tuberville and Trenton Correctional Institutions.</p> <p>Section 2.4.2 Female Young Offender are primarily housed at Camille Griffin Graham Correctional Institution.</p> <p>SCDC Policy Number: OP 22.39 section four: Definitions – Youthful Offender refers to an offender who is at least 17 but less than 25 years of age at the time of conviction, referred to ISS, and who is sentenced under the South Carolina YOA, as defined in chapter 19 section 24, of the South Carolina Code of Laws, as amended, for a crime that is a misdemeanor, a Class E or F felony, or a felony which provides for a maximum term of imprisonment of 15 years or less.</p> <p>The South Carolina Department of Corrections Policy Number OP-21.04 Inmate Classification Plan 22 Young Offender Parole and Reentry Services (YOPRS): The South Carolina Department of Corrections has established a Young Offender Parole and Reentry program to provide progressive programming and strict discipline to inmate sentenced under the Youthful Offender Act (YOA). Central Classification will initiate necessary transfer upon request of the YOPRS Division. The Case Manager Team (CMT) will conduct initial reviews, initial orientation, and regularly scheduled reviews of inmates sentenced under the Youthful Offender Act. Reviews will be conducted as required by SCDC Policy OP-22.39, “Young Offender Parole and Reentry Services (YOPRS)”.</p> <p>Facility Staff: Interview with the acting facility warden indicated that Camille Griffin Graham currently has twenty-six (26) Youthful Offenders sentenced under the Youthful Offenders Act, but does not have any under the age of 18.</p> <p>115.14 (b)</p> <p>In areas outside of housing units, agencies shall either:</p> <ul style="list-style-type: none"> • Maintain sight and sound separation between youthful inmates and adult inmates, or • Provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. <p>The facility does not house any inmates under the age of 18 years old (youthful inmate).</p> <p>115.14 (c)</p> <p>Agencies shall make best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legal required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible.</p> <p>The facility does not house any inmates under the age of 18 years old (youthful inmate).</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Lesson Plan: Supervision of Offenders (3 Hours), Pages 16 – 20 (60 Employees Acknowledgement Statement or Roster with staff signatures)/ Certificate of Completion • SCDC Deviance Documentation (Past 12 Months) None • Training Roster for New Search Video • New Search Training Video January 2021 • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy Number: OP 22.19 Searches of Inmates • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • Guidance in Cross-Gender and Transgender Pat Searches (MOSS Group – February 2012) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.15 (a)</p> <p>The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.</p> <p>Policy HS-18.13 Health Screening and Exams section 5 – Body Cavity Searches: An inmate body cavity search will be conducted by Agency medical trained personnel when authorized in writing using SCDC Form 19-29A, Incident Report, by the Warden or designee.</p> <p>Policy also requires only physicians or specially trained nursing personnel may perform body cavity searches. SCDC trained nursing personnel will have this special training documented on the computer-generated training record, a copy of which will be filed in their respective personnel files.</p> <p>SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria, Section 4.1 states, Transgender inmates and inmates with gender dysphoria will be allowed to indicated in writing which gender they feel most comfortable being searched by to include frisk (pat) searches and strip searches. This preference will be recorded in the inmate's individualized accommodation plan and classification screen as well as intake documentation if the preference is expressed at that time. Absent exigent circumstances, this preference will be accommodated when possible, considering employee, security, and safety concerns and consistent of the Prison Rape Elimination Act.</p> <p>Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. All staff reported they have been trained to conduct cross-gender pat down searches. However, the (male) staff reported that they have not had to conduct any cross-gender searches since being at this facility. All the staff reported they received this training, both when they were initially hired and during their refresher training every year. Several staff have worked at different institution and reported they received the training prior to coming to work at Camille Griffin Graham</p> <p>115.15 (b)</p> <p>As of August 20, 2015, or August 20, 2017 for a facility whose rated capacity does not exceed 50 inmates, the facility shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. Facilities shall not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.</p> <p>The facility only housed male inmates. See section (a) response.</p> <p>115.15 (c)</p> <p>The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.</p> <p>Policy Number: OP 22.19 Searches of Inmates section 4.3 – Strip searches will be performed by employees of the same sex as the person being searched, except in extreme emergencies approved by the major (or captain at those institutions without</p>

a major) or other higher authority, or when the search is performed by medical practitioners. Facilities shall document all cross-gender strip searches.

115.15 (d)

The facility shall implement policies and procedures 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. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.

Policy requires the facility to implement policies and procedures 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. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.

SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria, Section 3. Housing of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria 3.1 states, in deciding whether to house transgender inmate and inmates with gender dysphoria in a facility for male or females, and in making other housing decisions (bathroom and shower access) and programming assignments, the Multidisciplinary Management and Treatment Team will consult with the Division of Operations as well as central classifications to create a plan with a reasonable outcome for the inmate and institution as a whole. Safety concerns will be taken into account.

Policy 06.11 section 1.2.2.5 states, all staff, volunteers, interns, contractors, and visitors entering a living facility will have his/her presence announced. This announcement will be provided in a volume loud enough to provide all inmates the opportunity to hear such announcements.

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. All staff interviewed stated that inmates can dress, shower, toilet without being viewed by staff of the opposite gender. Several staff stated that they have "PREA" shower curtains up to help ensure that inmates can shower without being viewed by staff of the opposite gender. All interviewed staff reported that staff of the opposite gender announce their presence when entering the housing unit. The staff reported that they will make announcement by saying "male present" or "male on unit." Several staff reported that they (as the female staff) will announce the male's presents on the unit as well as escort them around while on the unit. While on site auditor did not observe any male staff on the living units.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

All inmates interviewed expect one reported that male staff announce their presence when entering the housing area. They also reported that both the male staff and the female staff make the announcement to ensure that everyone is prepared for the male to enter the housing unit.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questions) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

All inmates reported that they are not fully naked in the front of female staff.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questions) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

All Inmates interviewed reported that they can dress, shower, and toilet without being viewed by staff of the opposite gender.

115.15 (e)

The facility shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or inf necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

The South Carolina Department of Corrections prohibit facility to search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined 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.

Policy Number GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria section 4.1 – indicated that Transgender inmates and inmates with gender dysphoria will be allowed to indicate in writing which gender they feel most comfortable being searched by to include frisk (pat) searches and strip searches. This preference will be recorded in the inmate's individualized accommodation plan and classification screen as well as intake documentation if the preference is expressed at that time. Absent exigent circumstances, this preference will be accommodated when possible, considering employee, security, and safety concerns and consistent of the Prison Rape Elimination Act.

Facility Random Staff: All twenty (20) interviewed staff stated that the facility prohibits staff from searching or physically examining a transgender or intersex inmate for the sole purpose of determining their genital status.

115.15 (f)

The agency shall train security staff in how to conduct cross-gender pat down searches, and 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 has conducted training as required in standard. SCDC utilizes the training curriculum provided by the National PREA Resource Center titled Guidance in Cross-Gender and Transgender Pat Searches.

This training was designed to be used in a 3.5-hour session. Through completing the training staff developed skill for performing cross-gender pat searches and searches of transgender and intersex inmates per PREA standards. The Guidance in Cross-Gender and Transgender Pat-Searches curriculum included:

- Learning the relevant PREA standards for cross-gender pat searches and for searches of transgender and intersex inmates and residents.
- Understanding and apply the definition of exigent circumstances.
- Learning and understanding key terms relevant to conducting appropriate searches and considerations for searches of transgender or intersex inmates and residents.
- Practicing the steps of cross-gender pat searches and searches of transgender or intersex inmates and residents,
- Observing, analyzing, and providing feedback to correctional peers on practical application of searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Central Office Staff: The agency PREA coordinator and documentation, provided the following information. Per our conversation, SCDC moved from the Moss Group search training to AIMS Multimedia: Frisk/Strip Search Procedures on-line course on January 1, 2021. All SCDC Staff have until December 31, 2021 to complete the new search training online. The online course has a 10-question quiz at the end to show the attendees understand the material being taught. Please be advised that this training course is too large to email and currently cannot be sent to the auditor for review.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • List of Limited English Proficient Inmates (All) None • List of Resident with Physical Disabilities • List of Residents who are Blind, Deaf, or Hard or Hearing • List of Sign Language Interpreter - None • PREA Poster English • PREA Poster Spanish • Inmate Orientation Manual (Handbook) - Tablet • Braille Documentation (Central Office) • School for the Deaf and the Blind Braille Production • SCDC Policy GA-06.08, Inmates with Disabilities and the Americans with Disabilities Act (ADA) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Lesson Plan: Supervision of Offenders (3 Hours) Page 31, Supervise Special Need Offenders • Language Translation Via Telephone Instructions • Language-line Interpretative Services Contract (SCDA) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.16 (a)</p> <p>The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's effort to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary, to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.</p> <p>In addition, the agency shall 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, limited reading skill, or who are blind or have low vision. An agency is not required to take actions that it can demonstrated would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans with Disabilities Act, 28 CFR 35.164.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment section 1.1.7 states, during each inmate orientation and training session, inmate education materials will be provided in formats which are accessible to all inmates. This includes providing documentation and materials to inmates who are limited English, proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.</p> <p>GA-06.08 Inmates with Disabilities and the Americans with Disabilities Act (ADA) dates November 13, 2020 section 3 Identifying Inmates with Disabilities provision 3.1 Reasonable efforts will be made to identify inmates with disabilities at a Reception and Evaluation (R&E) Center as soon as possible after coming under SCDC jurisdiction. SCDC shall conduct an individualized assessment of the need for accommodations, aids, or services required by the inmate with a disability to determine the extent of the disability and whether he or she needs any auxiliary accommodations, aids, or services (see SCDC Policy OP-21.04, Inmate Classification Plan, for procedures).</p> <p>GA-06.08 Inmates with Disabilities and the Americans with Disabilities Act (ACA) section 4 Effective Communication 4.1 SCDC will provide appropriate auxiliary aids and services to ensure effective communication for qualified inmates with disabilities so they can participate equally in SCDC programs, services, and activities, to include: qualified interpreters on-site or through video remote interpreting (VRI) services; note takers; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; open and close captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTY), and videophones, or equally effective telecommunications devices; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf, hear of hearing, or who have a speech disability.</p>

OP-21.04 Inmate Classification Plan section 4.15 Initial Orientation: Each inmate arriving at R&E will receive written orientation materials. Inmates that do not speak English shall be provided assistance/translations in their own language. Inmates with hearing impairments will be provided with sign language services and visually impaired inmates will receive a verbal orientation. During the initial orientation, a brief overview of the entire reception process will be delivered.

Central Office Staff: Deputy director of legal and compliance/agency head designee was asked, has the agency established procedures to provide residents with disabilities and residents who are limited English proficient 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? Response, the South Carolina Department of Corrections has established procedures to provide residents with disabilities and of limited English proficiency equal opportunity to participate in PREA efforts.

Please describe such procedures: Response, inmates who are limited English proficiency are provided with an orientation video, brochures and PREA postage and signage in Spanish and other languages. The agency also has a sign language interpreter and braille available for inmates with disabilities.

Interviewed Target Inmate: There were one (1) inmate interviewed that was disabled (wheelchair). The inmate reported that she is aware of what sexual harassment and abuse. She reported she has no issues with understanding the information and her rights. She reported that the facility provided them with information regarding sexual abuse and harassment both verbally and they can access it on their tablets.

115.16 (b)

The agency shall 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

In addition to the education, each SCDC facility will ensure that key information, including information about the right to be free from sexual abuse and sexual harassment, and how to make a report, is continuously and readily available or visible to inmates through posters and other written formats.

PREA information has been added to the Kiosk system (English and Spanish) that SCDC has put in place in all facilities. The Kiosk system makes inmates view the PREA information before they can continue to complete other tasks in the system. This ensures that all inmates received PREA information and use as inmate PREA refresher.

PREA Spanish posters are in the housing units so that inmates who were LEP and Spanish speaking would have information available in their own language. The agency provided a copy for the "language line" contract that provide translation services when needed.

115.16 (c)

The agency shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under standard, or the investigation of the inmate's allegations.

The agency and facility have a contract with Language-Line Solutions to provide interpretive services for non-English speaking inmates. The agency provided a copy for the "language line" contract that provide translation services when needed.

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. Fifteen (15) of the random staff interviews reported that inmate interpreters are not allowed; nor have inmate interpreters, inmate readers, or other type of inmate assistants used in relation to allegations of sexual abuse or sexual harassment. Five (5) interviewed staff also reported that the facility would have an interpreter that would assist the inmates. However, after further probing, the staff able to tell me that they should not allow the inmates to interpret if there has been a sexual assault or sexual harassment incident.

All staff know that the facility has a language interpreter hotline, they never had to use it.

115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • List of Employees Initial Criminal Record Background Checks (Past 12 Months with clearance statement/email) • List of Contractors Initial Criminal Record Background Checks (Past 12 Months with clearance statement/email) • List of Contractors 5 Years Criminal Record Background Checks (All) /Email with SLED Process • Email 5 Years Background Checks Process • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Section 24-3-950, South Carolina Code of Laws, 1976, as amended; Section VII (707.02), SC Office of Human Resources Regulations; Title VII of the 1964 Civil Rights Act; Article 7, Sections 8-13-700 through 8-13-795, Rules of Conduct; SC Code Ann. 8-11-170; Section 8-13-1110 of the South Carolina Code of Laws • SCDC Policy ADM-11.28 Applicant Selection Process • SCDC Policy ADM-11.34 Employee Inmate Relations • SCDC Policy ADM-11.39 Staff Sexual Misconduct with Inmates • SCDC Policy ADM-17.01 Employee Training Standards • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.17 (a)</p> <p>The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who:</p> <ul style="list-style-type: none"> • 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) • Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or • Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph a-2 of this section. <p>SCDC policy 9.12, Applicant Criminal History, requires potential employees to report all arrests, court-ordered restraining orders (regarding a family member or a co-habitant) and/or convictions/dispositions on their original application. Successful applicants are checked through the National Criminal Information Center (NCIC) before an official offer of employment is extended.</p> <p>The policy indicates that any applicant with a felony conviction (s), drug related conviction (s) within ten (10) year will not be hired by the Agency for any position. Language from standard 115.17 (a-b) is also included in Policy 9.12 Criminal History. The policy as states that any applicant that has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion or if the victim did not consent or was unable to consent or refuse or has been civilly or administratively adjudicated (found liable) to have engaged in or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, coercion or if the victim did not consent or was unable to consent to refunded will not be hired by the Agency for any position.</p> <p>Documentation review of employee's applications for employment revealed the following questions contained in the employment application captured the spirit and intent of the standard.</p> <ul style="list-style-type: none"> • Question 22: I agree that as a condition of employment, I will report to the Director of Human Resources any and all arrests, within twenty-four (24) hours of the occurrence. • Question 27: I understand and further authorize a complete background check as a condition of employment. • Question 34: Have you ever been accused of or been found liable of sexual abuse/sexual misconduct/sexual harassment or resigned during a pending investigation of a sexual abuse/sexual misconduct/sexual harassment allegation with any previous employer? • Question 42: Have you even been an inmate in a SCDC Institution, Federal Institution, or Penal Institution of another jurisdiction, if yes, charge, dates, where and type of sentence? • Question 49: I understand that I must update my application to reflect any and all arrests or charges that may be brought against me after filing this application.

Facility Staff: The HR manager indicated that the facility performs criminal record background checks or consider pertinent civil or administrative adjudications for all newly hired employees who may have contact with inmates and all employees, who may have contact with inmate, who are considered for promotions. They are conducted through the agency Central Recruiting Division.

115.17 (b)

The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Prior to hiring any new employees, contractors, or volunteers, the SCDC Recruiting and Employment Services Branch completes criminal background checks to ensure that potential employees, contractors, or volunteers who may have contact with inmates are cleared for hire.

Central Office Staff: The agency assistant director for recruiting and employment was asked, does the facility consider prior incidents of sexual harassment when determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents? Response, yes. Each promotion must complete an application and background must be run before offer is made to any promotion/movement. She referred to the following statement:

9.12.1 Employees who move from a non-security to a security position, or from a non-security to another non-security position, or from a security position to a non-security position, regardless of the reason for the move (promotion, demotion, reassignment, etc.) will be checked through the National Criminal Information Center (NCIC). Employees who move from a security position to another security position, will not checked through the National Criminal Information Center (NCIC) inasmuch as these checks are conducted during each security employee's three-year recertification cycle through the Division of Training and Staff Development.

See section (a) response.

115.17 (c)

Before hiring new employees, who may have contact with inmates, the agency shall:

- Perform a criminal background records check; and
- 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.

The South Carolina Department of Corrections Policy Number: ADM-11.28 Applicant Selection Process, section 9.11 states, applicants must report all arrests, court-ordered restraining orders (regarding a family member or a co-habitant) and/or convictions/dispositions on their original application. Successful applicants will be checked though the National Criminal Information Center (NCIC) before an official offer of employment is extended.

Policy Number: ADM-11.28 section 9.12, requires all successful candidates will be finger-printed by the Recruiting and Employment Services Branch staff before establishing a hire date. Fingerprints will be sent to the State Law Enforcement Division (SLED) and the Federal Bureau of Investigation (FBI) for processing.

115.17 (d)

The agency shall also perform a criminal background record check before enlisting the services of any contractor who may have contact with inmates.

Central Office Staff: The agency assistant director for recruiting and employment was asked, does the facility perform criminal record background checks or consider pertinent civil or administrative adjudications for all newly hired employees who may have contact with residents and all employees, who may have contact with residents, who are considered for promotions? Response, the agency run NCIC checks as well as cover the PREA compliance questionnaire with all applications in order to consider pertinent information for quality candidate.

Staff also indicated that all third-party contractors have a background ran, or proven criminal history cleared, prior to authority to report inside one of the facilities.

115.17 (e)

The agency shall 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.

The Recruiting and Employment Services Branch in conjunction with the State Law Enforcement Division (SLED), monitoring system screens all employees and contractors using fingerprints provided by the employee or contractor during the pre-employment process. The fingerprints are sent to the State Law Enforcement Division (SLED) and the Federal Bureau of Investigation (FBI) for processing. In an employee or contractor is engaging in a criminal misconduct the SLED database alerts the Agency that there has been an arrest or violation within (24) hours of the incidents.

Central Office Staff: The agency assistant director for recruiting and employment was asked, are these background checks conducted at least once every five years? Response, yes, conducted by Central HR Office and Institutional HR Manager.

Central Office Staff: The agency PREA coordinator provided the following for facilities five (5) background checks. The agency PREA coordinator provide documentation with the following information, "For your information, the South Carolina Department of Corrections uses, through an agreement with the SC Law Enforcement Division (SLED), an active monitoring system for employees. This system allows SCDC to submit all employee electronic fingerprints to SLED which actively monitors those employees for arrests and convictions and notifies the agency within 24 business hours. SLED does this for multiple agencies. There is not any documentation of this process as it is a State of SC internal process that SLED does for agencies under the State. All employees do have an initial NCIC background check.

Facility Staff: The HR manager indicated that the system the facility presently has in place to conduct criminal record background checks of current employees and contractors who may have contact with inmates to include every five years are the LEMS.web. Central HR reviews existing employee background checks. NCIC reports for background checks and fingerprints are done using LEMS.web.

115.17 (f)

The agency shall 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 and in any interviews or written self-evaluations conducted as part of reviews of current employees. The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.

The South Carolina Department of Corrections Policy Number: ADM-11.28 Applicant Selection Process, section 9.11.1 indicated that employees who move from a non-security to a security position, regardless of the reason for the move (promotion, demotion, reassignment, etc.) will be checked through the National Criminal Information Center (NCIC).

Employees who move from a security position to another security position, will not be checked through the National Criminal Information Center (NCIC) because these checks are conducted during each security employee's three-year recertification cycle through the Division of Training and Staff Development.

Facility Staff: The HR manager indicated that the facility considers prior incidents of sexual harassment when determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. The recruiting division handles all background checks.

115.17 (g)

The standard states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

The South Carolina Department of Corrections Policy Number: ADM-11.28 Applicant Selection Process, section 9.11.4 indicated for falsification, omission, or misrepresentation of facts or information other than arrests, restraining orders, or convictions, consideration should be given to the type of information falsified, omitted, or misrepresented and whether or not an offer of employment would have been extended if the agency had been given accurate information initially. Intentional deception will automatically disqualify an applicant.

SCDC Policy ADM-11.17, Employee Conduct, 6.2., failure to report such information may result in corrective action up to and including termination from employment with the SCDC. During the course of an official investigation, employees are to cooperate fully by providing all pertinent information. Full cooperation requires truthfully responding to all questions and providing a signed statement or affidavit.

Central Office Staff: According to the agency assistant director, recruiting & employment, should an applicant fail to report an arrest, court ordered restraining order, and/or conviction on their application, and it is found through NCIC check or otherwise, the selecting official may be contacted to give further considerations as to whether she/he wishes an offer of employment to be extended. Intentional deception will automatically disqualify an applicant. Any applicant that has served time in any state, federal, county, or city penal system within (5) years will not be hired by the agency.

115.17 (h)

Unless prohibited by law, the agency shall 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.

Central Office Staff: The agency assistant director for recruiting and employment was asked, when a former employee applies for work at another institution, upon request from that institution, does the facility provide information on substantiated allegations of sexual abuse or sexual harassment involving the former employee, unless prohibited by law? Response yes. The agency follows the employment verification policy. The agency also submits a PREA questionnaire if they are prior corrections/law enforcement.

Facility Staff: The HR manager indicated that when a former employer applies for work at another institution, upon request from that institution, the facility provide information on substantiated allegations of sexual abuse or sexual harassment involving the former employee, unless prohibited by law. The employment verifications are done through the Central Human Resource Division.

115.18	Upgrades to facilities and technologies
	<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="242 271 480 300">Supporting Information:</p> <ul data-bbox="242 329 1437 589" style="list-style-type: none"> • Staffing Plan • Cameras – Staffing Plan • SCDC Policy OP-22.47 Prison Management Expectations • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-12-01, Procurement of Supplies and Services • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="242 620 347 649">115.18 (a)</p> <p data-bbox="242 678 1481 770">When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency’s ability to protect inmates from sexual abuse.</p> <p data-bbox="242 799 1485 1061">Staffing Plan: The Staffing Plan indicates that consistent with PREA Standards 115.18 (a and b), when designating or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the warden in consultation with the facility PREA compliance manager, will consider the effect of the design, acquisition, expansion, or modification upon the ability to protect offenders from sexual abuse. When installing or upgrading video monitoring equipment, electronic surveillance systems, or other monitoring technology, the warden/designee and the facility PREA compliance manager will consider how such technology may enhance the facilities’ ability to protect offenders from sexual abuse. The facility PREA compliance manager will be responsible for maintaining documentation to certify that all plans were reviewed by the Warden for this purpose.</p> <p data-bbox="242 1090 1485 1321">Central Office Staff: Deputy Director of Legal and Compliance/Agency Head Designee was asked, when designing, acquiring, or planning substantial modifications to facilities, how does the agency consider the effects of such changes on its ability to protect residents from sexual abuse? Response, the agency PREA coordinator meets frequently with wardens, institutional PREA compliance managers, and the agency facilities management to tour the institutions, discuss PREA safety measures needed for each institution, and develop plans to enhance the agency ability to protect inmates from sexual abuse. The PREA coordinator also consults, as needed with the Director of Compliance, Standards and Inspections to ensure that renovations to institutions comply with state and national standards.</p> <p data-bbox="242 1350 1461 1442">Facility Staff: How has the facility considered the effect of the expansion or modification upon the facility’s ability to protect inmates from sexual abuse? The acting warden indicated that there has been no major expansions or modifications to this facility.</p> <p data-bbox="242 1473 347 1503">115.18 (b)</p> <p data-bbox="242 1532 1458 1594">When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency’s ability to protect inmates from sexual abuse.</p> <p data-bbox="242 1624 1401 1686">The institution has 7 cameras affixed to the Industries Building which are monitored and recorded at all times. These cameras cover the surrounding grounds areas of the Industries Building.</p> <p data-bbox="242 1715 1477 1910">Central Office Staff: Deputy director of legal and compliance/agency head designee was asked; how does the agency use monitoring technology to enhance the protection of residents from incidents of sexual abuse? Response, the agency has recently increased the number of cameras in many of our institutions to monitor activity within the institution. The cameras are monitored at the institutional level and the agency also have a central agency “Crow’s Nest” with a bank of cameras showing real time activity in many of the institutions. These cameras are monitored around the clock. The camera footage is also an important tool when investigating PREA allegations.</p> <p data-bbox="242 1939 1394 2002">Facility Staff: The acting warden indicated that all closed-circuit monitoring “cameras” are located outside to monitor perimeter fences and blind spots. There have been no additional cameras additional within the past few years.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • List of Residents that receive SAFE/SANE services - None • SAFEs or SANEs Documentation (Past 12 Months) - None • List of Employees Qualified to service as Victim Advocates (Medical and Classification Staff) • MOU between the Sexual Trauma Services of the Midlands (STSM)/The Pathway to Healing • Safe Homes Hotlines Services Poster #63 • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SC Code of Laws Unannotated – Title 17 – Criminal Procedures • Statewide Partnerships with Sexual Assault Centers • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy OP-21.04 Inmate Classification Plan • SCDC Policy POL-23.01 Investigation • SCDC Policy/Procedure, GA-05.01 Investigations • SCDC Policy POL-23.38 Evidence Protocol • MOU Between South Carolina Law Enforcement Division (SLED) and South Carolina Department of Correction (SCDOC) • Critical Incident Stress Management (CISM) • SC Victim Assistance Network (SCVAN) • SCDCVASA Member Organization and Services to Incarcerated Victims • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.21 (a)</p> <p>To the extent the agency is responsible for investigating allegations of sexual abuse, the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that all allegations of sexual abuse and sexual harassment, including threats and attempts, will be immediately and aggressively investigated. The Division of Investigations initiate the investigation, and notify South Carolina Law Enforcement Division (SLED) and the Inspector General's office when sexual misconduct by staff, contractors or volunteers is alleged, and conduct an internal investigation in accordance with SCDC Policy/Procedure GA-05.01 – Investigations.</p> <p>SC Code of Laws Unannotated, Title 17 – Criminal Procedures Chapter 28, section 17-28-20 Definitions states:</p> <p>For the purposes of this article:</p> <p>(1) "Biological material" means any blood, tissue, hair, saliva, bone, or semen from which DNA marker grouping may be obtained. This includes material catalogued separately on slides, swabs, or test tubes or present on other evidence including, but not limited to, clothing, ligatures, bedding, other household material, drinking cups, or cigarettes.</p> <p>(2) "Custodian of evidence" means an agency or political subdivision of the State including, but not limited to, law enforcement agency, a solicitor's office, the Attorney General's Office, a county clerk of court, or a state grand jury that possesses and is responsible for the control of evidence during a criminal investigation or proceeding, or person ordered by a court to take custody of evidence during a criminal investigation or proceeding.</p> <p>Interviewed Inmates: There were (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. All inmates interviewed reported that when the sexual abuse was reported they did not contact anyone. The inmates reported that there is a hotline number they can call and address they can write to if they needed to speak with someone.</p> <p>Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. Staff were asked, "Do you know and understand the agency's protocol for obtaining usable physical evidence if an Inmate alleges sexual abuse. All staff interviewed were aware of the agency's protocols. The staff were able to describe the process and steps required to protect physical evidence; which included take immediate action, stay with the inmate, separate the victim from the perpetrator, isolate/secure the scene and secure evidence, notify supervisor, secure evidence in a bag, don't allow the</p>

inmate to shower, bath, brush teeth, and overall treat as a crime scene. They also reported that they would send the victim to medical for an initial evaluation of his/her medical condition.

The same staff were asked, "Do you know who is responsible for conducting sexual abuse investigations?" All except 2 staff interviewed reported that the PREA Compliance Manager completed the investigations (AW Patterson.) Several staff also reported that both the agency police services and facility PREA Compliance Manager would investigate. One staff reported that they were not sure who conducted the investigations as they were new but know that PREA incidents must be reported and they have to be investigated.

115.21 (b)

The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be 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.

Central Office: Staff indicated that the investigation training is based on the National Protocol for Sexual Assault Medical Forensic Examinations.

115.21 (c)

The agency shall 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. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. The agency shall document its efforts to provided SAFEs or SANEs.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 3.1 states, all alleged inmate victims will be taken to the Medical Services area for an initial medical assessment. If medical personnel determine that a sexual assault may have occurred, the inmate will be taken to an outside medical facility. The outside medical facility will perform a medical forensic exam, as appropriate, collecting all evidence and maintaining the chain of custody to preserve the evidence.

The medical staff do not conduct forensic medical examinations on site. The role of medical health providers in the event of a sexual assault is limited to triage, emergency stabilization, after care and follow-up services.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment dated July 8, 2020 section 3 Response: Provision 3.1 Alleged inmate victims will be taken to the medical services area for an initial medical assessment. If medical personnel determine that a sexual assault may have occurred, the inmate will be taken to an outside medical facility. The outside medical facility will perform a medical forensic exam, as appropriate, collecting all evidence and maintaining the chain of custody to preserve the evidence.

3.2 Victim Support: An individual treatment plan shall be developed and initiated for each victim of sexual abuse to address post-traumatic stress resulting from the sexual abuse. The treatment plan includes, at a minimum, mental health counseling, medical follow-up (i.e., baseline testing for infectious diseases, etc.). In the case a female inmate, a pregnancy test will be completed as appropriate.

MOU between the Sexual Trauma Services of the Midlands (STSM)/The Pathway to Healing. The STSM/The Pathway to Healing is responsible for:

- o Responding to calls from inmates received on STSM's 24-hour crisis hotline;
- o Providing inmates with confidential emotional support services related to sexual abuse during their residency at an institution and during their transition from the corrections facility into the community;
- o Providing follow-up services to victims of sexual assault as resources allow, including in-person visits;
- o Maintaining confidentiality of communications with inmates;
- o Working with designated staff to obtain security clearance as needed and follow all facility guidelines for safety and security;
- o Attending any and all Sexual Abuse Incident Reviews at the request of an inmate with the understanding that STSM cannot disclose any communication with an inmate without a signed release from said inmate.
- o Communicating any questions or concerns to PREA Coordinator that are not in violation of confidentiality.

Note: This MOU services provided as agreed pursuant to the approved project goals and objectives listed in the awarded Justice Assistance Grant Program (Grant No. 1GPR19001).

For providing services as the sole service provider of the STSM/The Pathway to Healing is responsible for:

- o Providing emotional support services to inmate and juveniles adjudicated to the SCDC and the SCDJJ for sexual assault and sexual misconduct;
- o Providing awareness and knowledge to inmates and juveniles about sexual assault, misconduct, and harassment through

- group education sessions provided by a qualified instructor;
- o Providing training and education to the staff of SCDC and SCDJJ, to included correctional officers, medical and mental health practitioners, and others (including train-the-trainer) regarding information on the PREA, sexual assault, trauma informed care, youth violence prevention, SAFE/SANE requirements, and how to assist survivors of sexual abuse;
- o Submitting monthly reports of services and those served;
- o Providing timely invoices for payment with descriptive line items describing services provided, dates, times, locations, and costs;
- o Providing training agreed upon within each quarter of the grant.

Contact: Sexual Trauma Services of the Midlands/The Pathway to Healing 3830 Forest Drive -Suite 201, Columbia, SC 29204

The Sexual Trauma Services of the Midlands (STSM)/The Pathway to Healing provided monthly reports to the SCDC. The Incarcerated Survivor Group Coordinator provided documentation that Pathways to Healing provided services to 160 SCDC inmates during the past 12 months, and 76 we're at Camille.

Central Office Staff: Interview with the agency PREA coordinator revealed that Pathways to Healing (PTH), formally Sexual Trauma Services of the Midlands (STSM), under a memorandum of agreement, works with the South Carolina Department of Corrections to provide emotional support services (Standard 115.21, 115.53) and include hospital accompaniment during forensic exams. Pathways to Healing is a Rape Crisis Center which serves survivors of sexual abuse and domestic violence. To further enhance access for inmates, SCDC has provided Pathways to Healing office space within Camille Griffin Graham Correctional Institution and full access to inmates.

This service provides inmates who report sexual abuse or indicates that they were previously abused, prior to incarceration, to facility staff are provided emotional support services within the institution, in-person, by an outside organization as required by standard 115.53.

During the summer session of the American Correctional Association (ACA) conference 2021, it was noted that SCDC is one of the only agencies in the nation that houses a rape crisis center inside of a correctional institution. It was also stated that this practice should be considered a national best practice and suggested that other agencies follow suite.

Pathways to Healing utilizes the office space within the institution to meet with survivors of sexual abuse, conduct meetings with staff, and coordinating efforts to address PREA issues. Pathways to Healing office space is a confidential space with access only to PTH staff.

Rape Crisis Staff: Interview with the incarcerated survivor group coordinator reveal that Pathways to Healing (PTH) has an incarcerated survivor team of three (3) who serve inmates who are victims of sexual abuse throughout Richland, Lexington, Newberry, Clarendon, Sumter counties in addition to access to their crisis hotline. At Camille Griffin Graham Correctional Institution two rape crisis staff provide direct services – the incarcerated survivor advocate and the incarcerated survivor group coordinator. Together they provide individual crisis counseling, trauma recovery groups, and psychoeducational coping skills groups.

Inmates can request services in a number of ways:

- Calling the hotline
- Through their mental health counselor
- Turning in a written request to the Pathways to Healing office at Camille Griffin Graham Correctional Institution
- Approaching a Pathways to Healing staff member and directly requesting services

Service request forms are available throughout the institution.

Pathway to Healing has an office alongside mental health staff in the ICS Building. Here they are able to meet privately with survivors to provide counseling services.

Other likely benefits of having Pathway to Healing rape crisis staff member on site:

- Inmates are more aware of the available services
- Pathway to Healing staff is able to address needs more quickly
- Pathway to Healing staff develops rapport with inmates and develops a positive reputation that increases the likelihood that survivors will reach out for services
- Pathway to Healing staff is able to develop a relationship with SCDC staff that allows for better coordination of care and improved communication
- Feedback about the program and SCDC policies can all be delivered in real time allowing for the program to evolve quickly to best meet the needs of SCDC and incarcerated victims of sexual abuse.

According to the South Carolina Department of Corrections website, residents are provided with access to outside victim

advocates for emotional support services for residents related to sexual abuse whether it occurred in prison on before they became incarcerated. The Sexual Trauma Services of the Midlands/The Pathway to Healing serves the Camille Griffin Graham Correctional Institution.

115.21 (d)

The agency shall attempt to make available to the victim advocate from a rape crisis center. If a rape crisis center is not available to provided victim advocates services, the agency shall make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. Agencies shall document efforts to secure services from rape crisis centers. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 1400043, to victims of sexual assault of all ages. The agency may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

SCDC has a statewide partnership agreement with multiple sexual assault centers across the state. The ten sexual assault centers provide hundreds of hours of support to victim of sexual assault, including individual face-to-face contacts, group sessions, written correspondence, and phone calls through toll-free hotline support. All services provided by the center are completely free, completely confidential and the inmate's safety is a priority according to the website.

Facility Staff: The facility PREA manager disused the following program that provides assist in the emotional healing process and provide training about common reactions to trauma and resources available.

The Critical Incident Stress Management (CISM) is a program that supports staff who have been assaulted or otherwise experienced trauma. While working in corrections is a very rewarding career, it can also be challenging at times. Assaults, fights, suicides, hostage situation, riots, accidents, death of staff, family or inmates and other critical events occur in prison that can be very traumatizing for employees.

Staff indicated that the facility also use the program training to serve as in-house advocates for inmates if needed. Staff members become members of the CISM Peer Team. Peer Team Applicants go through a rigorous selection and training process before being accepted onto the team. It is critical that all applicants meet the qualifications and are able to uphold the high standards set for the program. Participation is various PCIS events, ongoing quarterly training as well as other activities are required, to ensure all peers are up to date with current information for the CISM Program.

115.21 (e)

As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

Facility Staff: If requested by the victim, does a victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and provide emotional support, crisis intervention, information, and referrals during the forensic medical examination process and investigatory interviews? The facility PREA compliance manager incident yes, the facility can provide these services and the hospital contacts the sexual assault center.

115.21 (f)

To the extent the agency itself is not responsible for investigating allegations of sexual abuse, the agency shall request that the investigating agency follow the requirements of paragraphs (a) through (e) of this section.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that all allegations of sexual abuse and sexual harassment, including threats and attempts, will be immediately and aggressively investigated. The Division of Investigations initiate the investigation, and notify South Carolina Law Enforcement Division (SLED) and the Inspector General's office when sexual misconduct by staff, contractors or volunteers is alleged, and conduct an internal investigation in accordance with SCDC Policy/Procedure GA-05.01 – Investigations.

MOU: Memorandum of Understanding between the South Carolina Law Enforcement Division and the South Carolina Department of Corrections constitutes an agreement to establish guidelines relating to the investigations of criminal cases and the notification of certain events that occur on property controlled by SCDC.

In MOU section 5 Scope, provision 5.2 SLED shall maintain primary investigative authority over crimes involving violations of: SC Code Ann. 24-13-430 (2) (Participation in a Riot); SC Code Ann. 24-13-450 (Taking of a Hostage by an Inmate); any case of suspected homicide/attempted homicide, SC Code 16-3-10 (Murder) or 16-3-29 (Attempted Murder) and an SCDC employee or private citizen by an inmate; any case that involves sexual assault of an SCDC employee or private citizen by an inmate; any case that involves the assault and battery of an SCDC employee or private citizen that results in serious

bodily injury; any suspected inmate suicide. Additionally, SLED will be the primary investigative agency as requested by the Director of SCDC or the SCDC Inspector General at his discretion.

115.21 (g)

The requirements of paragraphs (a) through (f) of this section shall also apply to:

- Any State entity outside of the agency that is responsible for investigating allegations of sexual abuse in prisons or jails; and
- Any Department of Justice component that is responsible for investigating allegations of sexual abuse in prisons or jails.

Central Office Staff: The agency PREA coordinator was asked, is SLED required to use the same protocols as the investigators for SCDC? Response was yes, and referred the auditor to the MOU with SLED.

115.21 (h)

For the purposes of this section, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

A qualified facility staff member is the Qualified Mental Health Professional (QMHP). The qualified community-based member is a part of the statewide partnership agreement with multiple sexual assault centers across the state.

115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Investigation Reports - 14 • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Mental Health Reception and Evaluation Flow Chart • SCDC Policy OP-21.04 Inmate Classification Plan • SCDC Policy POL-23.01 Investigation • MOU Between South Carolina Law Enforcement Division (SCLED) and South Carolina Department of Correction (SCDOC) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.22 (a)</p> <p>The agency shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>SCDC has policies that governs both criminal and administrative investigations. Policies also ensure that allegations of sexual abuse or sexual harassment are referred for investigation and completed on all administrative and criminal allegations.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.4 Investigations page 5 states, SCDC will ensure that all allegations of sexual abuse and sexual harassment are thoroughly investigated promptly. PREA allegations of sexual abuse or sexual harassment may be received in numerous ways to include:</p> <ul style="list-style-type: none"> • PREA Tips – SCDC public website page that the public can use to report an allegation of sexual abuse/sexual harassment; • *22 Hotline Call; • Warden-to-warden PREA Notification; • Grievance; • Request to Staff Member (RTSM) or Automated Request to Staff Member (ARTSM); • Note, Letter, or Verbally. <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 states, regardless of how an allegation of sexual abuse or sexual harassment is received, the PMC will ensure SCDC Form 19.29A, "Incident Report" is completed, along with an SCDC Form 19-169. "Incident Report Checklist for PREA Issues." The PMC will assign a case number to the PREA allegation on SCDC Form 19-19-186, "PREA Case Log." The case number and information will also be recorded on the web-based PREA Case Log, which captures information for all institutions. The PCM will interview the alleged victim to gather any other pertinent information regarding the case and ask the inmate to complete SCDC Form 19-187, "PREA Inmate Voluntary Statement." This information, along with a printed inmate face sheet (printed through the Internal Inmate Search Application), will be forwarded to the Agency's PREA Coordinator for review and confirmation that the case is PREA-related. Upon approval by the Agency's PC, the Agency PC, the Agency' PC will forward all inmate-on-inmate sexual harassment cases back to the institutional PCM to begin their administrative investigation, or for those allegations of criminal sexual abuse or staff-on-inmate sexual harassment will be investigated by SCDC's Police Services.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 sections 2.4.1 and 2.4.1.2.</p> <p>Criminal Investigations: Any allegation that provides evidence of criminal sexual abuse will be forwarded to the proper authorities for prosecution.</p> <p>Agents with SCDC's Police Services will gather and preserve direct and circumstantial evidence, including available physical evidence, and any available electronic monitoring data, interview alleged victim (s), perpetrator (s), and witnesses, and review prior complaints and reports of sexual abuse involving the alleged or suspected perpetrator.</p> <p>All criminal investigations will be 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.</p> <p>Administrative Investigations: All allegations of sexual abuse or sexual harassment that do not meet the level of a criminal</p>

offense will be investigated for violations of agency policies, procedures, rules, or guidelines.

Institutional PCMs are responsible for the thorough investigation of all non-criminal investigations. PCMs will gather and preserve direct and circumstantial evidence, including available physical evidence and any available electronic monitoring data, interview alleged victims (s), perpetrator (s), and witnesses, and review any available prior complaints and reports of sexual abuse or sexual harassment involving the alleged or suspected perpetrators.

All administrative investigations will be 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.

Administrative investigations will utilize preponderance of the evidence as the standard for determining whether an allegation of sexual abuse or sexual harassment is substantiated.

Central Office Staff: Deputy Director of Legal and Compliance/Agency Head Designee was asked, does the agency ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment?

Response, The South Carolina Department of Corrections has a formal process in place to ensure administrative and criminal investigations are completed for allegations of sexual abuse and sexual harassment.

Please describe how an administrative or criminal investigation is completed for allegations of sexual abuse or harassment?

Response, all PREA allegations are reported to the institutional PREA compliance manager (PMC). Incident reports and statements from the victim and any witnesses are collected and forwarded to the agency PREA coordinator who will determine whether the matter warrants a criminal investigation or whether the matter will be referred to the PMC for administrative review. The PCM investigates all inmate -on-inmate sexual harassment allegations. The agency Office of Investigations and Intelligence investigates all allegations of a criminal nature and all administrative allegations concerning staff or volunteer sexual abuse or sexual harassment of inmates. The inmate who reported the PREA allegation is informed of the result of the investigation.

Allegations that result in substantiated and unsubstantiated dispositions are the subject of incident reviews with an attorney from General Counsel's Office and the institutional staff after each to discuss circumstances surrounding the PREA incident, the investigation conducted, and recommendations for future action.

The facility reported a total of 14 investigations during the past 12 months.

- Sexual Abuse – Staff on Resident = 7

- a. Substantiated = 2
- b. Unsubstantiated = 0
- c. Unfounded = 1
- d. On-Going/Pending = 4

Note: Arrested/Referred to DA's Office = 2

- Sexual Harassment – Staff on Resident = 3

- a. Substantiated = 1
- b. Unsubstantiated = 1
- c. Unfounded = 0
- d. On-Going/Pending = 1

Note: Arrested/Referred to DA's Office = 0

- Sexual Abuse – Resident on Resident = 1

- a. Substantiated = 1
- b. Unsubstantiated = 0
- c. Unfounded = 0
- d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

- Sexual Harassment – Resident on Resident = 3

- a. Substantiated = 0
- b. Unsubstantiated = 1
- c. Unfounded = 2
- d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

SCDC 2020 Annual Report Summary:

According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

115.22 (b)

The agency shall have in place a policy to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The agency shall publish such policy on its website or, if it does not have one, make the policy available through other means. The agency shall document all such referrals.

When allegations are made at the facility, information is collected by staff, then forwarded to the facility PREA compliance manager for review and recommendation to the PREA coordinator. The PREA coordinator determines if an allegation should be forward to Police Services to initiate a criminal investigation. Criminal investigations are documented in the Police Case Management System. Incidents not determined to be criminal in nature are referred to the facility for the completion of an administrative investigation. Administrative investigations are documented in investigative files at the facility and maintained by the PREA Compliance Manager.

The facility provided the process of mental health referrals. When an inmate informs a staff member that he needs to see mental health, the inmate is escorted to medical. Medical will conduct an assessment and contact a mental health counselor at another local facility. The mental health counselor will then determine how the inmate will be seen. This could result in the inmate being transported to their facility, or the counselor could report to this facility to speak with the inmate.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, does agency policy require that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations? The response was yes, SCDC policy GA 06.11b (7.1) requires this.

SCDC OII has full state authority to conduct investigations and make arrest. SCDC OII also has an MOU with SC Law Enforcement Division (SLED) that allows for SLED to be the lead investigative agency if necessary.

PREA compliance managers conduct reviews inmate-on-inmate harassment as these are non-criminal issues that do not involve staff.

115.22 (c)

If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity.

Interviewed staff: indicated that outside entity SLED is ware of the agency sexual abuse policy of investigations. The agency has developed a policy for the investigation of sexual abuse and sexual harassment which is reported to the SCDC. The policy number: OP-21-12: Prevention, Detection and Response to Sexual Abuse/Sexual Harassment is published on the agency's website at <http://doc.sc.gov/preaweb/>

The primary mission of the State Law Enforcement Division (SLED) is to provide quality manpower and technical assistance to law enforcement agencies and to conduct investigations on behalf of the state as directed by the Governor and Attorney General. All related documentation is captured in the Police Case Management System. Facility administrative investigations are maintained in files at the facility and secured by the PREA compliance manager.

115.22 (d)

Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.

The agency has developed a policy for the investigation of sexual abuse and sexual harassment which is reported to the SCDC. The policy number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. published on the agency's website at <http://doc.sc.gov/preaweb/>

115.22 (e)

Any department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.

The facility reported at this time, no Department of Justice component are responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment at this facility.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Employee PREA Training Roster • PREA New Employee (NEO) Acknowledgements • Employee Policy Acknowledgement Form (60) • 2020 Agency Orientation Checklist (Live Stream) – All Staff for the past 12 Months or 60 staff) • Staff Sign-in Training Acknowledgement • Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (OP-21-12) • 2021 Mandatory Staff Training Requirements (Individual Training Records) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-11.28 Applicant Selection Process • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy PS-10.08 Inmate Correspondence Privileges • Lesson Plan Agency Orientation • Lesson Plan: Supervision of Offenders (3 Hours) • Class Title: Prison Rape Elimination Act (PREA) • Guidance in Cross-Gender and Transgender Pat Searches (Moss Group) • PREA Training Section 1800 Curriculum • PREA Training Section 1800 Curriculum Roster • Critical Incident Stress Management (CISM) • Cross-Gender and Transgender Pat Searches Video • 2018 PREA Student Guide • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.31 (a)</p> <p>The agency shall train all employees who may have contact with inmates on:</p> <ul style="list-style-type: none"> • Its zero-tolerance policy for 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; • Inmates' right to be free from sexual abuse and sexual harassment; • The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; • The dynamics of sexual abuse and sexual harassment in confinement; • The common reactions of sexual abuse and sexual harassment victims; • How to detect and respond to signs threatened and actual sexual abuse; • How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and • How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p>The Agency provides training for all staff working at its facilities. The South Carolina Department of Corrections Policy Number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1 states, all employees (temporary and grant), volunteers, interns, and contractors will be provided general training on PREA and the agency's zero-tolerance policies. Direct care staff will have PREA training provided by the Division of Training and Staff Development during Agency On-boarding, Orientation. Security Basic Training, and annually as mandatory in-service annual training. PREA training will include, but is not limited to:</p> <ul style="list-style-type: none"> • Review of the policy and other SCDC policy provision pertaining to inmate sexual abuse and sexual harassment prevention, detection, reporting and response, and how staff are to fulfill their responsibilities under these policies and procedures; • The requirement that staffs report immediately any knowledge or information regarding sexual abuse or sexual harassment; • SCDC's zero-tolerance for the sexual abuse and sexual harassment of inmates; • Inmates' rights to be free from sexual abuse and sexual harassment, and the right of inmates and staff to be free from

retaliation for reporting such abuse;

- The dynamics of sexual abuse and sexual harassment in confinement, recognition of signs of threatened and actual sexual abuse, common reactions of sexual abuse victims and sensitivity to inmate reports of sexual abuse, confidentiality, recognition of signs of predatory inmates and inmates who are vulnerable to sexual abuse;
- How to avoid inappropriate relationships with inmates; and
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

SCDC provided a great deal of training for all employees who work in the facilities. Staff received PREA training thru:

- New Employee Orientation – one day (8 hours) which includes information regarding PREA.
- Attend a basic training at the Training Academy in Columbia, S.C. The training varies in length depending upon the position that the employee. All position training includes PREA Training.

The auditor reviews the curriculum of PREA related training and identify elements of required topics.

A review of the PREA curriculum section 1800 included but not limited to:

- Character Traits
- High Risk Times for Sexual Abuse
- Locations Where Sexual Abuse Occurred
- Inmates Sexual Dynamics (Male-on-Male Sexual Assaults)
- Inmates Sexual Dynamics (Female-on-Female Sexual Assaults)
- Staff Sexual Dynamics
- Barriers to Reporting Sexual Abuse/Assault
- Inmate Orientation, Screening and Assessment
- Inmates Reporting Procedures
- Staff Reporting Procedures
- Staff Intervention
- Documentation of Sexual Abuse or Sexual Harassment
- Evidence/Security Procedures
- Communication
- Investigations of Sexual Abuse and Sexual Harassment
- Retaliation
- Treatment for Victims

A review of the Supervision of Offenders lesson plan included but not limited to:

- Staff Positioning
- Cross-Gender Supervision
- Announce the Presence of Opposite Sex
- Transgender and Gender Dysphoria
- Young Offender Sentences Types'
- Supervise Special Need Offenders

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. All staff confirmed that they received PREA education when employed during new employee training and during annual in-service training. Interviews with staff indicated they are all aware of the Zero Tolerance Policy, employee and Inmate rights, signs and symptoms of sexual abuse, reporting and responding. One hundred percent of the direct care staff reported being knowledgeable of the topics they had been trained in. The staff were able to describe the training on zero tolerance, inmate and staff rights, dynamics of sexual abuse and sexual harassment, prevention and response protocol as well supportive services available to Inmates. All staff interviewed indicated they have received training on working with vulnerable populations (LGBTQI, prior history of sexual victimization). Staff reported that they received PREA training in orientation training and annual training.

115.31 (b)

Such training shall be tailored to the gender of the inmates at the employee's facility. The employee shall receive additional training if the employee is reassigned from a facility that house only male inmates to a facility that houses only female inmates, or vice versa.

Facility Staff: Indicated that they receive gender training as a part of the pre-service or individual training from the shift briefings.

115.31 (C)

All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall 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. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.

Facility Staff: Indicated that they also received monthly refresher training through staff briefing and meetings where they are reminded of PREA issues.

115.31 (d)

The agency shall document, through employee signature or electronic verification, that employees understand the training they have received.

The agency documents the PREA training using the Staff Sign-In Training Acknowledgement and roster format.

The auditor reviewed the New Employee On-Boarding (NEO) acknowledgement signed statements. The signed statements include but not limited to:

- Sexual Abuse Definitions
- Sexual Harassment Definitions
- Prohibited Consensual Relations Between Staff and Inmates
- Sexual Abuse Is Considered Cruel and Unusual Punishment under the 8th Amendment
- Sexual Misconduct
- Staff Reporting Procedures
- Additional PREA Information

The auditor reviewed the Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (OP-21-12) acknowledgement signed statements. The statements include but not limited to:

- Zero Tolerance Policy (OP-21-12)
- Sexual Abuse Definitions
- Sexual Harassment Definitions
- Reporting Inappropriate Employment/Inmate Relations
- Corrective Actions
- Retaliation

The auditor reviewed the 2020 Agency Orientation Checklist (Live Stream PREA sections include Report Writing, Sexual Harassment, Employee-Inmate Relations and Prison Rape Elimination Act (PREA)).

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Supporting Information:</p> <ul style="list-style-type: none"> • Volunteer Services Agreement with Signature (0) • Contractor Training Records – Medical (12) • Email Volunteers from Office of Programs and Services • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy PS-10.04 Volunteer Services Programs • Volunteers Training Curriculum Handbook • Volunteers Orientation Training Power Point • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.32 (a)</p> <p>The agency shall ensure 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.</p> <p>Volunteers and contractors are provided PREA training and education relative to their duty's ad responsibilities.</p> <p>The contract medical staff who have contact with inmates have been trained on their responsibilities.</p> <p>Note: Do to COIV-19 the facility have not allow volunteers to enter the facility within the past 12 months.</p> <p>Medical contract staff completed the National Institute of Corrections (NIC) online training Specialized training: Medical and mental health care NIC online curriculum includes but not limited to the following topics:</p> <ol style="list-style-type: none"> 1. Detecting, Assessing, and Responding to Sexual Abuse and Harassment <ol style="list-style-type: none"> a. Sexual Abuse in Confinement Settings b. The Dynamics and Effects of Sexual Abuse c. Your Role in Responding to Sexual Abuse Incidents 2. Preserving Physical Evidence of Sexual Abuse 3. Reporting Allegations and Suspicions 4. High-Risk Inmates 5. Effects of Sexual Abuse 6. Trauma and the Brain 7. Rape Trauma Syndrome 8. SART 9. Medical Screening 10. 115.21 Evidence protocol and forensic medical examinations 11. 115.35 Special training: Medical and mental health care 12. 115.61 Staff and agency reporting duties 13. 115.65 Mandates a Coordinated Response to Sexual Abuse Incidents 14. 115.81 Medical and mental health screenings; history of sexual abuse 15. 115.82 Access to emergency medical and mental health services 16. 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers. <p>115.32 (b)</p> <p>The level and type of training provided to volunteers and contractors shall be based on the services they provided and level of contact they have with inmates, but all volunteer and contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>The SCDC Division of Inmates Services Volunteer Orientation provided the Agency/Topics to be covered as follows:</p> <ul style="list-style-type: none"> • SCDC Mission

- SCDC Inmate Profile
- Types of Volunteer Services
- Volunteer Conduct
- Employee-Inmate Relations
- Sexual Abuse, Harassment and Misconduct
- Drug Free Environment
- Contact with News Media
- Appropriate Dress
- Unauthorized Items-Contraband
- Submission to Searches
- Photo Identification for Entry
- Arrival to and Movement Inside the Institution
- Medications
- Pets/Animals
- Phones, Cameras, Recording Devices
- Worship/Religious Freedom
- Suspension or Termination
- Chaplain Directory for Each Institution

SCDC provided a great deal of training for all employees who work in the facilities. Staff received PREA training thru:

The auditor reviews the curriculum of all PREA related training and identify all elements of required topics.

- All staff working through a contract agency will receive PREA training the first day they report to work and annually thereafter.

115.32 (c)

The agency shall maintain documentation confirming that volunteers and contractors understand the training they have received.

Central Office Staff: The volunteer services administrative coordinator provided documentation/email dated October 1, 2020, that stated, "In the past, I have sent by email/interdepartmental mail the last page of the application to prove volunteers' have a current background check. This page is required for your PREA audit.

A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:

- All staff working through a contract agency will receive PREA training the first day they report to work and annually thereafter.
- Completion of training must be documented and indicated on the roster the nurse received and understood the training.

The auditor reviewed the volunteer services agreement acknowledgement form. The statements include but not limited to:

- The volunteer agrees to: "I agree and understand that the Prison Rape Elimination Act (PREA) is a federal law that prohibits and seeks to eliminate sexual assaults and sexual misconduct in SCDC correctional institutions. Further that SCDC has a zero tolerance for sexual assault or abuse of any person or sexual relationships between staff, volunteers, and offenders. I have also been informed of how to report such incidents."
- Confidentiality Pledge: "As a registered volunteer, I may learn personal and confidential information about inmates in the SCDC. I agree that any such information will not be disclosed without the written consent of both the involved inmate and the affected staff member. I understand that a violation of his pledge will result in my removal as a volunteer.

115.33	Inmate education
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Inmates PREA Playing Cards • SCDC Form 18-18 Certification of Prison Rape Elimination Act • SCDC Form 18-69 Certificate of Inmate Orientation • Certificate of Inmate Orientation • Posters English • Posters Spanish • Inmate Handbook PREA Let's Talk About Safety (Brochure) • Inmate Handbook PREA Let's Talk About Safety (Spanish Brochure) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy GA-01.12 Inmate Grievance System • SCDC Policy OP-21.04 Inmate Classification Plan • SCDC Policy OP-22.14 Inmate Disciplinary System • SCDC Policy PS-10.08 Inmate Correspondence Privileges • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.33 (a)</p> <p>During the intake process, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.</p> <p>SCDC has created an inmate brochure based on the Just Detention International grant called "Let's Talk About Safety". The brochure covers:</p> <ul style="list-style-type: none"> • Agency's Zero Tolerance Policy • Sexual Safety Tips • PREA Reporting Information • Sexual Assault • Inmate Rights Regarding Sexual Abuse and Sexual Harassment • South Carolina Law Enforcement Division (SLED) Mail Address <p>The South Carolina Department of Corrections Policy Number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.3 indicated that all inmates will be provided training on PREA during the initial intake process at the Reception and Evaluation (R&E) Centers and within thirty (30) days of intake at all institutions. In the R and E Centers, training and information will be provided in two (2) stages:</p> <ul style="list-style-type: none"> • Intake education, which will be provided during the intake process within twenty-four hours of the inmate's arrival, and will include an explanation of SCDC's zero-tolerance policies toward sexual abuse and sexual harassment, and how to report incidents or suspicious of sexual abuse or sexual harassment; and • Comprehensive education which will be provided within two (2) weeks of the inmate's arrival. PREA training will include, but is not limited to: <ul style="list-style-type: none"> o Review of PREA policy and other SCDC policy provisions pertaining to inmate sexual abuse and sexual harassment prevention, detection, reporting and response, and how staff are to fulfill their responsibilities under these policies and procedures; o Inmates' rights to be free from sexual abuse, sexual harassment, and retaliation for reporting; o Prevention of sexual abuse and sexual harassment; o Tips for staying safe from sexual abuse and sexual harassment; o How to report incidents or suspicions of sexual abuse or sexual harassment; o Availability of medical and mental health treatment and counseling for victimized inmates; o Disciplinary actions for participating in sexual abuse, sexual harassment, or making false allegations.

Central Office Staff: Interview with the agency PREA coordinator revealed that the South Carolina Department of Corrections (SCDC) was provided a grant, through the United States Department of Justice, to assist with implementation of the PREA standard (115.33). Through this grant, SCDC is working with five rape crisis centers (Pathways to Healing, The Cumbee Center, The Family Resource Center, and Beyond Abuse), along with the South Carolina Coalition Against Domestic Violence and Sexual Assault (SCCADVASA) and Just Detention International on the creation of a program to create an emotional support and sexual abuse advocacy program run by inmates.

The Peer Support Advocacy program will provide inmate survivors with peer support during hours of limited staffing and clinical support. Chosen inmates who apply will be trained in the PREA standards and provided the same training as rape crisis advocates to educate inmates during intake and be trauma informed peer supporters for survivors of sexual abuse within the institutions. These inmate advocates ensure that inmates within the institutions are given support guided to resources that will support their mental health. Examples of support would consist of utilizing active listening skills to keep the inmates calm and motivate the inmate to utilize resources the agency and institution has in place to assist them. Resources include access to the rape crisis center's hotline, on-call clinical support, and mental health officers within the institution.

Camille Griffin Graham Correctional Institution currently has inmates trained in the PREA who assists intake staff with providing intake orientation for incoming inmates. The inmates assist in training on how to avoid being a victim, inmates rights to be free from sexual abuse and sexual harassment, dynamics of sexual abuse in incarceration, common reactions of sexual abuse and sexual harassment in incarceration, and how to report. Currently, Pathways to Healing clinical staff are housed with Camille Institution and are piloting the program within the institution with the intention of ensuring the program can be successfully expanded to the whole agency. The program is expected to be expanded to four additional institutions in the winter of 2022.

Rape Crisis Staff: Interview with the incarcerated survivor group coordinator reveal that Pathways to Healing (PTH) has an incarcerated survivor team of three (3) who serve inmates who are victims of sexual abuse throughout Richland, Lexington, Newberry, Clarendon, Sumter counties in addition to access to their crisis hotline. At Camille Griffin Graham Correctional Institution two rape crisis staff provide direct services – the incarcerated survivor advocate and the incarcerated survivor group coordinator. Together they provide individual crisis counseling, trauma recovery groups, and psychoeducational coping skills groups.

Inmates can request services in a number of ways:

- Calling the hotline
- Through their mental health counselor
- Turning in a written request to the Pathways to Healing office at Camille Griffin Graham Correctional Institution
- Approaching a Pathways to Healing staff member and directly requesting services

Service request forms are available throughout the institution.

Pathway to Healing has an office alongside mental health staff in the ICS Building. Here they are able to meet privately with survivors to provide counseling services.

Other likely benefits of having Pathway to Healing rape crisis staff member on site:

- Inmates are more aware of the available services
- Pathway to Healing staff is able to address needs more quickly
- Pathway to Healing staff develops rapport with inmates and develops a positive reputation that increases the likelihood that survivors will reach out for services
- Pathway to Healing staff is able to develop a relationship with SCDC staff that allows for better coordination of care and improved communication
- Feedback about the program and SCDC policies can all be delivered in real time allowing for the program to evolve quickly to best meet the needs of SCDC and incarcerated victims of sexual abuse.

Facility Staff: The intake/classification staff indicated that they provide inmates with information about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates watch a video on PREA and staff answer questions.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

Twenty-nine (29) of the interviewed inmates recalled receiving information about the facilities rules against sexual abuse and sexual harassment. Several of the interviewed inmates recalled watching a video, and/or received "information" on PREA topics. Only three inmates could not recall getting information about the facility rules against sexual abuse and harassment.

Several inmates reported, they have been at the facility for over 20 years and did not receive this information when they first got to the facility but later, they were showed the video. Note: the PREA video has been uploaded to all the inmate's tablets. During the facility tour, inmates that were pull to the side for an informal interview, stated that they received sexual abuse and sexual harassment information by watching a video, some PREA papers, PREA information is posted in the living unit, it is on their tablets and from staff.

115.33 (b)

Within 30 days of intake, the agency shall provide comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

The South Carolina Department of Corrections Policy Number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020, as a part of the initial intake process at the Reception and Evaluation (R&E) Center, all inmates receive a thorough orientation on the agency's zero-tolerance policy regarding the sexual abuse of inmates.

Comprehensive education which provided within two weeks of the inmate's arrival at R&E include:

- SCDC Policy GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020.
- Inmates' right to be free from sexual abuse and sexual harassment as well as retaliation for reporting such incidents;
- Prevention;
- Tips for staying safe;
- How to report incidents or suspicions of sexual abuse or sexual harassment;
- SCDC's Policies and procedure for responding to sexual abuse and sexual harassment, including the availability of treatment and counseling for victimized inmates; and
- Disciplinary actions for intentionally making a false allegation.

The facility provided the following inmate educational methods.

- English PREA Poster
- Spanish PREA Poster
- Inmate Handbook with PREA information
- Let's Talk About Safety" Brochure
- Inmate Kiosk System (Inmates are required to view PREA information before they are able to further utilize the Kiosks).
- Video Tape

One section of the brochure provides inmates with options to alert or others of sexual abuse or sexual harassment taking place in a SCDC correctional setting:

- File a grievance
- File a report to investigations using a facility kiosk
- Request to visit medical and ask for help
- Ask a lawyer, a friend, or family member to request help
- Dial *22 from any inmate phone located each living units.

Interview Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

Twenty-five (25) inmates that were interviewed could recall going through the intake process and receiving PREA related information during orientation: varying from the same day or within a week. Several of the inmates could not recall; and four reported that they did not receive nothing when they entered due to them being here for over 20 years.

During the facility tour, inmates that were pull to the side for an informal interview, stated that they received sexual abuse and sexual harassment information by watching a video, some PREA papers, PREA information is posted in the living unit, it is on their tablets and from staff.

115.33 (c)

Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall 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.

Policy states current inmates who have not received the required education shall be educated as promptly as possible.

Facility Staff: The intake/classification staff indicated that current inmates as well as those transferred from other facilities received PREA information on the agency's zero tolerance policy on sexual abuse or sexual harassment within 72 hours of transferring inmates watch a video on PREA and staff answering questions.

115.33 (d)

The agency shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.

Policy GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.5 indicated that the training and information provided will be communicated in a manner that can be clearly understood by the inmate: inmates will have the opportunity to ask questions and received answers during each training session.

Section 1.1.7 indicated that during each inmate orientation and training session, inmate education materials will be provided in formats which are accessible to all inmates. This includes providing documentation and materials to inmates who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.

115.33 (e)

The agency shall maintain documentation of inmate participation in these education sessions.

SCDC Policy GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.6 page 2 indicated that inmates will be required to sign an acknowledgement of having received all PREA training at both R&E Centers and the assigned institution on SCDC Form 18-78, "Certification of Prison Rape Elimination Act (PREA) Orientation." A copy of the 18-78 will be maintained in the inmate's institutional record.

115.33 (f)

In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through poster, inmate handbooks, or other written formats.

Policy GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.10 indicated that in addition to the education outlined above, each SCDC facility will ensure that key information, including information about the right to be free from sexual abuse and sexual harassment, and how to make a report, is continuously and readily available or visible to inmates through posters and other written formats.

The facility provided the following available PREA information.

- English PREA Poster
- Spanish PREA Poster
- Inmate Handbook with PREA information
- Let's Talk About Safety" Brochure
- Inmate Kiosk System (Inmates are required to view PREA information before they are able to further utilize the Kiosks).
- Video Tape
- File a Grievance
- File a report to investigations using a facility kiosk
- Request to visit medical and ask for help
- Ask a lawyer, a friend, or family member to request help
- Dial *22 from any inmate phone located each living units.

Central Office Staff: Interview with the agency PREA coordinator revealed #PrisonersToo Project. Camille Griffin Graham Correctional Institution has been a part of the #PrisonersToo project through Just Detention International (JDI) since 2019. JDI is a health and human rights organization that seeks to end sexual abuse in all forms of detention. JDI is concerned about the safety and well-being of all detainees, including those held in adult prisons and jails, juvenile facilities, immigration detention centers, and police lockups, whether run by government agencies or by private corporations on behalf of the government. JDI has three core goals for its work: to hold government officials accountable for prisoner rape; to promote public attitudes that value the health and safety of all people in detention; and to ensure that survivors of this type of abuse get the help they need.

The #PrisonersToo project allows inmates survivors of sexual abuse to be apart of the #MeToo movement. JDI worked with people living in the two South Carolina women's prisons, along with artist Cathy Salser, to create #PrisonersToo – an art installation through which incarcerated people can tell their stories to each other and to the outside world.

Survivors in the prisons chose the image of a butterfly to represent the healing transformation that is possible when survivors break their silence. Cathy and incarcerated artists created butterfly murals, consisting of multiple panels. Each panel tells one survivor's story of abuse and journey toward healing. Then the artists invited others in the prisons to add their own stories.

The incarcerated artists were able to express their trauma with the artist, peers, and institutional staff and offer ways of healing to each other and their audience, through their art. The artists were provided clinical support and support through the agency PREA coordinator's office to ensure they were assisted with their trauma. The incarcerated artist also provided support and education regarding PREA, trauma, and inmate rights to their peers.

The #PrisonersToo project can be found at <https://justdetention.org/prisonerstoo/> . The project is in its third phase where DJI is working with the artist to create a webpage with visual and vocal letters of support and encouragement to survivors of sexual abuse in other jurisdictions.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Facility Investigator (s) NIC Certificates (1) • NIC PREA Investigating Sexual Abuse in A Confinement Setting (Certificates) Agents (45) • NIC Online Specialized Investigation Training (e-learning Course) • List of Agency Investigators (Spread Sheet) NIC Training Dates • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy POL-23.01 Investigation • SCDC Policy POL-23.12 Case File Requirements • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.34 (a)</p> <p>In addition to the general training provided to all employees pursuant to standard 115.31, the agency shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings.</p> <p>The investigators are required to complete the National Institute of Corrections (NIC) online PREA Specialized Investigation training in addition to the general PREA training. Policy requires SCDC Police Services Investigators to complete a multiple-tier training regimen of Specialized Training for Investigators.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.2 page 2, indicates that all criminal investigators, medical practitioners, mental health practitioners, and anyone authorized or charged with specific aspects of the agency's response to sexual abuse allegations are required to complete specialized PREA training in the area specific to their role. This training will be completed as least every two (2) years with a certificate of completion or signed training completion document placed in the employee's file. Each Institutional PREA Compliance Manager is responsible for documenting the completion of training on SCDC Form 19-181, "NIC Training Log for Investigations and Medical/Mental Health."</p> <p>Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, did you receive training specific to conducting sexual abuse investigations in confinement settings? Response was yes, all SCDC OII's agents take investigating Sexual Abuse in a Confinement Setting and Investigating Sexual Abuse in A Confinement Setting: Advanced Investigations. These classes are taught by the National Institute of Corrections (NIC).</p> <p>The facility reported a total of 14 investigations during the past 12 months.</p> <ul style="list-style-type: none"> • Sexual Abuse – Staff on Resident = 7 <ul style="list-style-type: none"> a. Substantiated = 2 b. Unsubstantiated = 0 c. Unfounded = 1 d. On-Going/Pending = 4 <p>Note: Arrested/Referred to DA's Office = 2</p> <ul style="list-style-type: none"> • Sexual Harassment – Staff on Resident = 3 <ul style="list-style-type: none"> a. Substantiated = 1 b. Unsubstantiated = 1 c. Unfounded = 0 d. On-Going/Pending = 1 <p>Note: Arrested/Referred to DA's Office = 0</p> <ul style="list-style-type: none"> • Sexual Abuse – Resident on Resident = 1 <ul style="list-style-type: none"> a. Substantiated = 1

- b. Unsubstantiated = 0
- c. Unfounded = 0
- d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

- Sexual Harassment – Resident on Resident = 3
 - a. Substantiated = 0
 - b. Unsubstantiated = 1
 - c. Unfounded = 2
 - d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

SCDC 2020 Annual Report Summary:

According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

115.34 (b)

Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

Central Office Staff: Assistant Director of Police Services confirmed investigative training include the proper use of Miranda and Garrity warnings, sexual abuse evidence collection of crime scenes in correctional settings and the evidence and criteria needed to substantiate an incident for criminal or administrative proceeding. SCDC has forty (47) total investigators.

The investigators are required to complete the NIC online PREA Specialized Investigations training. The NIC online training include techniques for interviewing sexual abuse victim, proper use of Miranda and Garrity warning, etc. The facility provided a list of individuals that completed the PREA Specialized training and verification by submitting the certificates at were received at the completion of course.

The National Institute of Corrections (NIC) online training "PREA: Investigating Sexual Abuse in a Confinement Setting" includes the following topics:

1. Initial Response
2. Investigation
3. Determination of the findings
4. A Coordinated Response
5. Sexual Assault Response Team
6. A Systemic Approach
7. How Sexual Abuse Investigations Are Different
8. How Investigations in Confinement Settings Are Different
9. Criteria for Administrative Action
10. Criteria for Criminal Prosecution
11. Report Writing Requirements of an Administrative Report
12. Requirements for an Administrative Report
13. Requirements for a Criminal Report
14. The Importance of Accurate Reporting
15. Miranda and Garrity Requirement
16. Miranda Warning Considerations
17. Garrity Warning Considerations
18. The Importance of Miranda and Garrity Warnings
19. Medical and Mental Health Practitioner's Role in Investigations
20. PREA Standards for Forensic Medical Examinations

115.34 (c)

The agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

The agency provided a list of investigators that are responsible for investigating PREA at this facility. NIC verification of completion was provided.

The facility reports zero PREA investigations within the past two (2) years.

115.34 (d)

Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

The agency indicated that the facility has not had any entity or Department of Justice component that conducted investigations.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • National Institute of Corrections (NIC) PREA for Medical and Mental Health Practitioners (Certificates) • List of Medical Staff • List of Mental Health Staff • NIC Specialized Training for Medical and Mental Health Care Online (e-learning Course) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.35 (a)</p> <p>The agency shall ensure that all full and part time medical and mental health care practitioners who work regularly in its facilities have been trained in:</p> <ul style="list-style-type: none"> • How to detect and assess signs of sexual abuse and sexual harassment; • How to preserve physical evidence of sexual abuse; • How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and • How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>The agency ensures that all full-and part-time, contract medical and mental health care professional who work regularly in its facilities have been trained in the topics listed above.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.1.2 page 2, indicates that all criminal investigators, medical practitioners, mental health practitioners, and anyone authorized or charged with specific aspects of the agency's response to sexual abuse allegations are required to complete specialized PREA training in the area specific to their role. This training will be completed as least every two (2) years with a certificate of completion or signed training completion document placed in the employee's file. Each Institutional PREA Compliance Manager is responsible for documenting the completion of training on SCDC Form 19-181, "NIC Training Log for Investigations and Medical/Mental Health."</p> <p>The National Institute of Corrections (NIC) online training Specialized training: Medical and mental health care includes the following topics:</p> <ul style="list-style-type: none"> • Detecting, Assessing, and Responding to Sexual Abuse and Harassment <ul style="list-style-type: none"> a. Sexual Abuse in Confinement Settings b. The Dynamics and Effects of Sexual Abuse c. Your Role in Responding to Sexual Abuse Incidents • Preserving Physical Evidence of Sexual Abuse • Reporting Allegations and Suspicions • High-Risk Inmates • Effects of Sexual Abuse • Trauma and the Brain • Rape Trauma Syndrome • SART • Medical Screening • 115.21 Evidence protocol and forensic medical examinations • 115.35 Special training: Medical and mental health care • 115.61 Staff and agency reporting duties • 115.65 Mandates a Coordinated Response to Sexual Abuse Incidents • 115.81 Medical and mental health screenings; history of sexual abuse • 115.82 Access to emergency medical and mental health services • 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers.

115.35 (b)

If medical staff employed by the agency conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.

Facility Staff: According to the facility PREA compliance manager, victims of sexual abuse would be taken to a local hospital that employs a qualified forensic examiner or SANE/SAFE staff.

Facility Staff: medical staff response to, if you conduct forensic examinations, are you qualified, and have you received the appropriate training in conducting forensic examinations? The medical staff indicated that forensic examinations are performed offsite by the local hospital. That medical does not conduct forensic examinations.

115.35 (C)

The agency shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.

The medical and mental health maintains documentation that there training is kept as electronic training records.

115.35 (d)

Medical and mental health care practitioners shall also receive the training mandated for employees under standard 115.31 or for contractors and volunteers under standard 115.32, depending upon the practitioner's status at the agency.

Facility Staff: medical staff response to, have you received any other specialized-training regarding sexual abuse a sexual harassment? The medical staff indicated yes, the NIC "Sexual Abuse and Sexual Harassment in a Confinement Setting for Health Care Staff" and yearly updated training by the agency.

Corrective Actions:

Concern 1: Interview (written) with a medical staff indicated that she did not receive any PREA Training.

To reduce the face-to-face contact with staff the auditor request that medical staff submit their response to the medical and mental health staff questions provided by the National PREA Resource Center. Staff written response to question #2, have you received any other specialized training regarding sexual abuse and sexual harassment? If so, can you describe it? Did the training cover topics such as;

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

The staff indicated no, that she has not receive PREA training. For clarification and to ensure that the staff understandings what was being ask of her, the agency PREA coordinator and the acting warden/facility PREA compliance manager met with the medical staff. Upon returning to the conference room, the agency PREA coordinator appears to be concern. He stated that he explains what was being asked of her. She stated over and over that she did not receive any PREA training.

The auditor requested all PREA training regarding this staff. Interview with the facility Training staff provided the auditor with all the requested training for the staff in question. Documents provided; New Employee On-Boarding signed 8/11/20; 1.20 Live Stream Agency Orientation (4 days on line).

Agency/Facility Response:

On October 20, 2021 the agency PREA coordinator response was, all staff members upon being hired at the South Carolina Department of Corrections (SCDC) are required to attend agency orientation and agency on-boarding which both provides training on the PREA standards and the agency's zero-tolerance policies. Additionally, this individual is required by SCDC policy GA-06-11 to complete specialized training as required by PREA standards 115.35. Furthermore, all SCDC employees are required to complete yearly mandatory training on the agency's on-line training site by December 31st. This employee would have had to complete mandatory update PREA training yearly as required by SCDC policy. Documentation is being requested and has been provided to the auditor.

Concern 2: Medical specialized training

During the documentation review specialized training for the medical staff was not provided.

Agency/Facility Response:

The specializing was completed by 12 medical staff and copies of their certificates of completion were forwarded on November 10, 2021.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • PREA Initial Assessments within 72 hours (60) • 30 Day Reassessments- within 30 Days after Arrival (60) • Resident Rosters with Housing Assignments • PREA Risk Screening User Guide • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy OP-21.04 Inmate Classification Plan • SCDC Form 18-79 PREA Screening Checklist • Guidance in Cross-Gender and Transgender Pat Searches (MOSS Group – February 2012) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.41 (a)</p> <p>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.</p> <p>Policy requires 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. In addition, for any investigated case of sexual abuse that is found to be substantiated, both the victim and the perpetrator will receive a re-assessment to updated his/her information.</p> <p>The South Carolina Department of Corrections Policy Number GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.2.1.1 page 3, indicated that intake screening will be conducted utilizing the PREA screening application within seventy-two (72) hours of the inmate's arrival at any institution the inmate will be permanently or temporarily housed (exclude medical visits and temporary holds).</p> <p>Policy OP-21.04 Inmate Classification Plan section 5.1 – during the receiving and screening phase at the Reception and Evaluation Center, medical staff screen the incoming inmate within 72 hours, using SCDC Form M-14 and the history portion of the R&E Physical in the automated medical record (AMR).</p> <p>Policy states, Initial Screening for Risk of Victimization or Abusiveness: Inmate must be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of arrival at SCDC and again at each subsequent transfer. A trained designated staff member uses the automated PREA Screening Instrument (SCDC Form 18-79, "PREA Screening Checklist") to interview the inmate and complete the checklist.</p> <p>A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:</p> <ul style="list-style-type: none"> • All inmates must have a PREA Risk Assessment screening when they enter the institution and anytime there is an allegation or case. Meaning if you see the inmate or suspected sexual abuse or harassment you will complete another assessment. This will be completed for every inmate that you receive and completed in 24-48 hours at the same time you do intakes. • Prior to the start of all risk assessments, you must inform the inmate: <ul style="list-style-type: none"> o Risk assessment questions are confidential. o You must report any allegation of sexual abuse/harassment that took place in SCDC. o The inmate is not required to answer any questions and there will be not punishment for refusing. <p>Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, do you screen inmates upon admission to your facility or transfer from another facility for risk of sexual abuse victimization or sexual abusiveness toward other inmates? Yes, medical conducts initial transfer assessment.</p> <p>Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who</p>

also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

Seventeen (17) of the interviewed inmates entered the facility within the last 12 months. Four of the inmates reported that they did not recall being asked questions regarding prior history of sexual abuse, or whether they identified as being gay, lesbian, or bisexual. One of the inmates reported that she has been housed at several facility's and received the information each time she entered intake. Several of the inmates were able to recall if they have been asked similar questions again since their arrival at the facility.

During the facility tour, inmates that were pull to the side for an informal interview, stated that they received sexual abuse and sexual harassment information by watching a video, some PREA papers, PREA information is posted in the living unit, it is on their tablets and from staff. They all remember answering questions from the PREA screening process.

115.41 (b)

Intake screening shall ordinarily take place within 72 hours of arrival at the facility.

The South Carolina Department of Corrections Policy Number GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.2.1.1 page 3, indicated that intake screening will be conducted utilizing the PREA screening application within seventy-two (72) hours of the inmate's arrival at any institution the inmate will be permanently or temporarily housed (exclude medical visits and temporary holds).

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, do you screen inmates for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake? Yes, if at all possible, the PREA screening is done within 24 hours, but always within the required 72 hours. There was concern.

115.41 (c)

Such assessments shall be conducted using an objective screening instrument.

The South Carolina Department of Corrections Policy Number GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.2 provide 1.2.1.1 page 3, indicated that Intake screening will be conducted utilizing the PREA Screening Application within seventy-two (72) hours of the inmate's arrival at any institution the inmate will be permanently or temporarily housed (exclude medical visits and temporary holds).

Central Office Staff: Discussion with the agency PREA coordinator indicated that, the PREA Risk Screening now has added features such as a "List Menu" with dropdown categories added to include:

- "Initial Assessment List"
- "Reassessment List"
- Location Search that provides staff with information regarding a certain dorm and if a certain category of resident is housed there.
- "One-to-One Compatibility Search" which is a very useful tool whereby staff can input two resident SCDC numbers to determine if two residents can safely be housed together;
- A search tool that lets staff know where vulnerable residents are currently housed to include dorm; room and bunk information.

Each inmate will receive two scores: one for risk of sexual victimization and one for risk of sexual perpetration. It is possible for an inmate to both be at high risk for victimization and perpetration.

Classification case managers are responsible for reviewing inmate housing assignments to ensure that someone at medium to high risk of victimization is not housed with someone at medium to high risk of perpetration.

It is strongly recommended that someone at medium to high risk of sexual victimization not be housed with someone at medium to high risk of sexual perpetration. If current housing assignments have inmates with opposing risk levels house together, classification case managers must review the individual responses from the risk screening and determine whether or not to continue to house them together, documenting the rationale if so.

Female Inmates:

Victimization

- Max Score: 56
- Low Risk Score Range: 0-3 (Green)
- Medium Risk Score Range: 4-9 (Yellow) Individualized Assessments

- High Risk Score Range: 10+ (Red) Vulnerable

Perpetration

- Max Score: 27
- Low Risk Score Range: 0-3 (Green)
- Medium Risk Score Range: 4-9 (Yellow) Case-By-Case Determination
- High Risk Score Range: 10+ (Red) Risk as Perpetrator

Male Inmates:

Victimization

- Max Score: 66
- Low Risk Score Range: 0-3 (Green)
- Medium Risk Score Range: 4-9 (Yellow) Individualized Assessment
- High Risk Score Range: 10+ (Red) Vulnerable

Perpetration

- Max Score: 27
- Low Risk Score Range: 0-3 (Green)
- Medium Risk Score Range: 4-9 (Yellow) Case-By-Case Determination
- High Risk Score Range: 10+ (Red)

These features further enhance the commitment to provide safe housing, bed, and programming/educational assignments to the Residents at each institution. The auditor requested that the agency PREA coordinator give a demonstration of these functions. The request was honored. This is a good computerized system

Interviewed Staff: The facility uses a screening objective screening instrument to determine proper housing, bed, assignment, work assignment, education and other program assignments, with the goal of keeping inmates at a high risk of being sexually abused or sexually harassed separate from those inmates who are a high risk of being sexually abused.

115.41 (d)

The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- Whether the inmate has a mental, physical, or developmental disability;
- The age of the inmates;
- The physical build of the inmate;
- Whether the inmate has previously been incarcerated;
- Whether the inmate's criminal history is exclusively nonviolent;
- Whether the inmate has prior convictions for sex offenses against an adult or child;
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- Whether the inmate has previously experienced sexual victimization;
- The inmate's own perception of vulnerability; and
- Whether the inmate is detained solely for civil immigration purposes?

A review of the PREA: Vulnerability Risk Factors and Perpetration Risk Factors include the following:

- First time the person has been incarcerated (Adult Jail or Prison, or Juvenile)
- Is the inmate under 18 years old?
- Are the inmate two or more races?
- Are the inmate's convictions solely non-violent?
- Does the inmate have past convictions of committing a violent sexual offense?
- Does the inmate have a mental health status?
- Are you gay or bisexual?
- Are you Transgender?
- Are you Intersex?
- Have you ever experienced sexual abuse?
- Did the sexual abuse happen in a prison, jail, juvenile facility, or any other detention facility?
- In the past 30 days have you been experiencing any serious psychological distress?
- Do you have a developmental disability?
- Have you ever been in protective custody because of the threat of sexual abuse?
- Do you have any reason to fear placement in the general population? If so, why?
- Does this inmate have limited English abilities (speaking and understanding)?
- Could others perceive the inmate to be gay or bisexual?
- Could others perceive the inmate to be gender nonconforming?

- Does the inmate have a slight physical build (i.e., particularly thin for their height)?
- Is this inmate a validated gang member?
- Has this inmate ever been convicted for sexual abuse against a child?
- Has this inmate ever been convicted for sexual abuse against an adult?
- Has this inmate ever been convicted for non-sexual violent or assaultive offenses?
- Aside from any convictions, does this inmate have one or more substantiated reports of institutional sexual abuse or sexual violence?
- Do you have a history of committing sexual abuse?
- Did the act of sexual abuse occur in a correctional facility?
- Was this conviction for an act that took place in an institutional setting?

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, what does the initial risk screening consider? All the requirements listed in the standards and policy are included on the Initial Screening for Risk of Victimization or Abusiveness.

115.41 (e)

The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that inmates who admit to having committed prior acts of sexual abuse, have prior convictions for violent offenses, and/or have a history of prior institutional violence or sexual behavior that is known to the institution or the agency will be identified and kept away from those found to be at high risk for victimization. This will be accomplished through the inmate classification system.

115.41 (f)

Within a set time period, not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

The South Carolina Department of Corrections Policy Number OP-21.04 Inmate Classification Plan 5 Initial Medical Assessment, Orientation, Intake, Assessment, and Referral's provision 5.1.5 Within 30 days of transfer, the Classification Caseworker/CPS will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since the inmate's transfer using the automated PREA screening instrument.

Central Office Staff: Interview with the agency PREA coordinator indicated that inmates stay around 45 days at the R&E Center. Yes, classification staff do the reassessments in 30 days. Inmates who are considered "cadre" or housed at the R&E centers are not in R&E status, but live at the institution and their time there depends on their sentence, programming requirements, medical needs, or a host of other classifications that cause them to be transferred.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, do you reassess an inmate's risk level as needed due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness? Yes, all referrals or request are documented and process.

115.41 (g)

An inmate's risk level shall be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Policy requires within 30 days of transfer, the Classification Caseworker/CPS reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since the inmates' transfer. In addition, relevant information has been received, the classification caseworker assesses the inmate's risk using the automated PREA screening instrument. If no additional, relevant information has been received, the classification caseworker indicated that on the automated PREA Due List.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, how long after arrival are inmates' risk levels reassessed? We following policy and reassessed within 30 days of arrival using the same initial PREA screening questions.

115.41 (h)

Inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d-1, 7, 8, 9) of this section.

A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written

guidance on the following PREA issues:

- Questions contained in the risk screening instrument are private and confidential, however,
- Medical and mental health professionals are required to report any allegation of sexual abuse / harassment that took place in SCDC facility.
- Unless precluded by law medical and mental health professionals are required to report sexual abuse and to inform inmate of the limits of confidentiality at the initiation of services.
- An inmate is not required to answer any questions on the risk assessment instrument and there will be no punishment for refusing.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, are inmates disciplined in any way for refusing to respond to (or for not disclosing complete information related to PREA? No.

115.41 (i)

The agency shall implement 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.

Central Office Staff: Agency PREA coordinator was asked, has the agency outlined who should have access to an inmate's risk assessment within the facility in order to protect sensitive information from exploitation? Response, yes – medical, mental health, classification, PREA compliance managers and staff on a case-by-case basis, and the PREA coordinator.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, has the agency outlined who can have access to an inmate's risk assessment within the facility in order to protect sensitive information from exploitation? Yes, medical, warden, classification, investigations, and needed to know security staff.

Corrective Actions:

Provision (b) states "Intake screening shall ordinarily take place within 72 hours of arrival at the facility."

Concern 1: During the documentation review there are initial PREA screenings that were not completed with the required 72 hours.

Agency/Facility Response:

The agency PREA coordinator submitted documentation stating, since January 2020, due to COVID-19, and guidance from the South Carolina Department of Health and Environmental Control, to mitigate infections, all inmates are quarantined upon arrival to the institution for a minimum of 14 days before meeting with any staff member in person. This process has interrupted the timelines required by PREA standard 115.41 by not allowing medical staff to complete the initial risk screening within the first 72 hours.

Upon arrival, inmates arrive from a county jail and are quarantined together within a living unit and are not allowed contact with general population, or staff, until cleared through medical testing. Due to COVID-19, intake of inmates has been limited to mitigate infections and to ensure the safety of the population and staff. Inmates are monitored continuously by staff and separated within the living facility until cleared. Once cleared, intake screenings are immediately conducted, and the inmates are housed based on the results of the screening.

This is a temporary measure to lower the infection rate from COVID-19 within State of South Carolina and within the South Carolina Department of Corrections. Inmates communicate with intake staff consistently regarding any concerns of their health or safety or to report issues within the living unit.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • List of Residents Who Identify as Transgender and Intersex • List of Residents Who Identify as Lesbian, Gay or Bisexual • Resident Rosters with Housing Assignments • Transgenders and Intersex Documentations • Email Curling Irons and Blow Dryers Transgenders • PREA Training Section 1800 Curriculum • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Form 18-79 PREA Screening Checklist • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy OP-21.04 Inmate Classification Plan • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.42 (a)</p> <p>The agency shall use information from the risk screening required by standard 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 1.2.1.2 page 3 indicated that information provided from the screening assessment will be used to determine the inmate's housing, bed, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p>The South Carolina Department of Corrections Policy Number OP-21.04 Inmate Classification Plan 5 Initial Medical Assessment, Orientation, Intake, Assessment, and Referral's provision 5.1.6 The inmates PREA status will be used when making decisions regarding cell assignment, job assignment, education, and program assignment. Inmates designated as PREA perpetrators will be kept to the extent possible from those designated as PREA victims.</p> <p>Facility Staff: How does the agency or facility use information from risk screening during intake to keep inmates from being sexually victimized or being sexually abusive? The facility PREA compliance manager indicated that the PREA risk screening application use a scoring system depending on how an inmate answers the questions and it will provide a color-coding representing risk levels of victims and abusers. This information is used to keep the victims' ways from the abusers.</p> <p>Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, how does agency/facility use information from the risk screening during intake to keep inmates safe from being sexually victimized or from being sexually abusive? It is up to management and classification team to make work, program and housing assignments.</p> <p>Central Office Staff: The Coordinator for Transgender Services was asked, how will the you collaborate with facility PREA managers at each facility? Response, there is an open line of communication between PREA compliance managers, the clinical coordinator, and the agency PREA coordinator. The clinical coordinator collaborates with the agency PREA coordinator on each transgender inmate on a case-by-case bases. The clinical coordinator also collaborates with the PCM's at each institution to ensure the mental health and safety needs of the transgender inmate's confined within institution are met, based on individual needs.</p> <p>Interviewed Targeted Inmate: There were five (5) inmates at Camille Griffin Graham Correctional Institution, three (3) identified as Transgender and Intersex Inmates and two (2) identified as Gay, Lesbian, and Bi-sexual Inmates. All inmates interviewed reported that the staff asked about their safety while at the facility and on the housing unit. They reported that they are currently housed in the general population and not put in the housing unit for only gay, lesbian, bisexual, transgender, or intersex inmates. When the inmate was asked are you allowed to shower alone, the inmate reported "yes, we don't have to shower with other inmates."</p> <p>115.42 (b)</p>

The agency shall make individualized determinations about how to ensure the safety of each inmate.

Policy requires information from the risk screening instrument are considered when making housing, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, and ensuring that determination about how to ensure the safety of each inmate is individualized.

Central Office Staff: The agency PREA coordinator provided document stating, "Please be advised that as of June 24, 2021, Curling Irons and Blow Dryers are temporarily suspended from being available to transgender females housed at male institutions, per the SCDC Division of Operations. Until further notice, please advise all transgender inmates that they will not be authorized to purchase these items.

115.42 (c)

In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.

SCDC policy require the use of a screening instrument to determine proper housing, be assignment, work assignment, education and other program assignments, with the goal of keeping inmates at a high risk of being sexually abused/sexually harassed separate from those inmates who are at a high risk of being sexually abusive.

Policy requires that the initial housing of LGBT) inmates: Lesbian, gay, bisexual, transgender, or intersex inmates are not housed solely on the basis of their identification unless placed for the purpose of protecting the inmate.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that inmates who self-identify as Transgender or Intersex will be assessed and provided the minimally necessary accommodations on a case-by-case basis. For those inmates who self-identify as Transgender, information will be provided to the agency's Multidisciplinary Management and Treatment Team (MMTT) for individualized case management and review.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that inmates who self-identify as Transgender or Intersex during intake will be not be required to receive gender specific grooming standards until the institution's PREA Compliance Manager (PCM) provides instruction. The PCM will receive instructions from the agency's PREA Coordinator (PC) or designee.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that those inmates' cases that are brought before the agency's MMTT will be discussed on a case-by-case basis with the intention of ensuring the inmate's health and safety, and whether the placement would present management or security problems.

SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria, Section 3. Housing of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria 3.1 states, in deciding whether to house transgender inmate and inmates with gender dysphoria in a facility for male or females, and in making other housing decisions (bathroom and shower access) and programming assignments, the Multidisciplinary Management and Treatment Team will consult with the Division of Operations as well as central Classifications to create a plan with a reasonable outcome for the inmate and institution as a whole. Safety concerns will be taken into account.

Policy GA-06.9 section 3.2 states, the following factors, along with 3.1 above, must be given serious consideration in making housing and placement decisions:

- The inmates' views with respect to safety;
- The inmates' expressed gender identity;
- The inmates' current gender expression;
- The inmates' vulnerability to victimization;
- The likelihood that the inmate will perpetrate abuse;
- Facility considerations such as staffing patterns layout, and inmate population;
- Length of sentence.

115.42 (d)

Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

Policy requires placement and program assignment of transgender and intersex inmates are reassessed every six months to review any threats to safety experienced by the inmate.

115.42 (e)

A transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration.

Policy Number: OP-21.04 section 5.1.1 – on a case-by-case basis, the Gender Dysphoria Multi-Disciplinary Team determine whether to assign a transgender or intersex inmate to an institution for male or female inmates. The placement decision is based on the inmate's own views with respect to his or her health and safety, and whether the decision will present a management or security problem.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, are transgender or intersex inmates' views of his or her safety given serious consideration in placement and programming assignments? Yes.

Facility Staff: Are transgender or intersex inmates' views with respect to his or her own safety given serious consideration in placement and programming assignments? The facility PREA compliance manager indicated yes.

115.42 (f)

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, are transgender and intersex inmates given the opportunity to shower separately from other inmates? No, however, the showers are individual with shower curtains. After probing, it was established that transgender and intersex have an opportunity to shower separately from other inmates.

Interviewed Targeted Inmate: When the inmate was asked "are you allowed to shower alone", the inmate report "yes" we don't have to shower with other inmates."

The shower locations were observed during the facility tour.

115.42 (g)

The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.

Policy requires that the initial housing of LGBT) inmates: Lesbian, gay, bisexual, transgender, or intersex inmates are not housed solely on the basis of their identification unless placed for the purpose of protecting the inmate.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that no inmate will be placed specifically on their identity of lesbian, gay, bisexual, transgender, or intersex.

Inmates identified to be at risk for sexual victimization will not be placed in protective custody or involuntarily segregated, unless there is no available location or method of keeping the inmate separated from likely abusers.

SCDC Policy GA-06.09 The Multidisciplinary Management and Treatment Team, Section 2.1 states, the Multidisciplinary Management and Treatment Team will, on a case-by-case basis, create individualized accommodation plans that will provide for all medically necessary treatment, including personal adjustment and housing needs as search preferences, where deemed medically necessary. These individualized accommodation plans will be documented on SCDC Form M-207, Multidisciplinary Accommodation Plan."

Policy GA-06.09 2.2 states, The Multidisciplinary Management and Treatment Team will be made up of the following:

- Division Director of Behavioral/Mental Health & Substance Abuse Services;
- Assistant Deputy Director of Nursing;
- Chief Medical Doctor;
- Deputy Director of Health Services or designee;
- Chief Psychiatrist or designee;
- Primary care clinician (s) assigned to work with the offender, where appropriate;
- PREA Coordinator
- Deputy Director of Operations or designee;
- Deputy Director of Legal and Compliance or designee, and
- Division Director of Classification and Inmate Records or designee.

The South Carolina Department of Corrections Policy Number OP-21.04 Inmate Classification Plan 5 Initial Medical Assessment, Orientation, Intake, Assessment, and Referral's provision 5.1.7 Initial Housing of LGBT (lesbian, gay, bisexual, and transgender) inmates: Lesbian, gay, bisexual, transgender, or intersex inmates will not be housed solely on the basis of

such identification unless placed for the purpose of protecting the inmate. Transgender and intersex inmates will be given the opportunity to shower separately from other inmates. Placement and program assignment of transgender and intersex inmates will be reassessed every six months to review any threats to safety experienced by the inmate.

Central Office Staff: Agency PREA coordinator (PC) was asked, how does the agency ensure against placing lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units or wings solely on the basis of their sexual orientation, genital status, or gender identity? Response, SCDC has a Multidisciplinary Management and Treatment Team (MMTT) which handles placement of Transgender, inmates suffering from Gender Dysphoria, and Intersex inmates. Agency policy and the classification system ensures against placement of LGBTI in dedicated facilities, units, or wings solely on the basis of their sexual orientation.

Facility Staff: Is the facility subject to a consent decree, legal settlement, or legal judgment requiring that it establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates? The facility PREA compliance manager indicated no.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 480 297">Supporting Information:</p> <ul data-bbox="240 360 1449 790" style="list-style-type: none"> • List of Resident in Segregated Housing for High Risk of Sexual Victimization - 1 • SCDC Policy Number: OP 22.23 Statewide Protective Custody • Form 19-17 Evaluation of Protective Concerns • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy HS-19.04 Mental Health Services – General Provisions • SCDC Policy OP-21.04 Inmate Classification Plan • PREA Audit: Pre-Audit Questionnaire Prisons and Jails • Interviews <p data-bbox="240 819 347 846">115.43 (a)</p> <p data-bbox="240 880 1485 1005">Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is not available alternative means of separation from likely abusers. If a facility cannot conduct such as assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</p> <p data-bbox="240 1037 1481 1131">GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that no inmate will be placed specifically on their identity of lesbian, gay, bisexual, transgender, or intersex.</p> <p data-bbox="240 1162 1445 1220">Inmates identified to be at risk for sexual victimization will not be placed in protective custody or involuntarily segregated, unless there is no available location or method of keeping the inmate separated from likely abusers.</p> <p data-bbox="240 1252 1445 1310">The South Carolina Department of Corrections Policy Number: OP 22.23 – Statewide Protective Custody and utilizes the form Evaluation of Protective Concerns – SCDC Form 19-47.</p> <p data-bbox="240 1341 1474 1435">Policy states when the inmate requests protective custody he or she will be interviewed by the highest supervisor on duty to determine the nature of the concern. The information will be documented in Section I of SCDC Form 19-47, Evaluation of Protective Concerns.</p> <p data-bbox="240 1467 1426 1592">The interviewing official will be responsible for making a recommendation on the form as to his/her assessment of the inmate's reason (s) for requesting protective custody housing. The interviewing official may either recommend that the inmate be returned to the general population or placed in "Pre-Hearing Detention with Protective Custody Concerns for further investigation.</p> <p data-bbox="240 1624 347 1650">115.43 (b)</p> <p data-bbox="240 1682 1458 1776">Inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:</p> <ul data-bbox="240 1807 667 1901" style="list-style-type: none"> • The opportunities that have been limited; • The duration of the limitation; and • The reasons for such limitations. <p data-bbox="240 1933 1246 1960">The South Carolina Department of Corrections Policy Number: OP-22.23 sections provide access to:</p> <ul data-bbox="240 1991 1241 2152" style="list-style-type: none"> • Security Checks – periodically observe inmates at least every 30 minutes on an irregular schedule. • Daily Inmate Evaluation Sheets – responsible for conducting daily cell inspections. • Programs – allowed access to meaningful programs and services. • Religious Programming – requests to see a Chaplain will receive prompt response. • Medical Care – Qualified health care personnel will be required to visit.

- Mental Health
- Access to Legal Materials
- Recreation
- Visitation
- Correspondence Privileges
- Personal Telephone Calls
- Legal Telephone Calls
- Canteen Purchases
- Etc.

115.43 (c)

The facility shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

Policy OP-22.23 section 5.1 – Inmates must be provided with a review within seven (7) calendar days of their initial placement in Protective Concern. The inmate will appear before the IPCC to justify or discuss his/her placement into Statewide Protective Custody housing. If placement in state protective custody is recommended, at least one (1) of the following elements must be established by the IPCC in order for the inmate's request to be considered valid.

The auditor listed PREA related from the policy:

- Record of having been assaulted;
- Verified threats, verbal abuse, or harassment;
- Reliable confirmed evidence of sexual assault.

Facility Staff: The facility PREA compliance manager indicated in that involuntary segregated housing is seldom a consideration unless an assessment of all available alternative has been made, and a determination has been made that there are no available alternatives means of separation form likely abusers.

115.43 (d)

If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall 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 arranged.

Central Office Staff: Interview with the agency PREA coordinator indicated yes to if an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section the facility clearly documents using the Protective Concerns Documentation (SCDC Form 19-47) and incident report (SCDC Form 19-29).

115.43 (d)

Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

Policy OP-22.23 section 2.4 – If placement in Protective Custody is approved by the warden/duty warden or approved designee the inmate will be transferred to available Short Term (ST) bed space for a period of up to seven (7) calendar days for further investigation.

115.51	Inmate reporting
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • MOU between Sexual Trauma Services of the Midlands (STM)/Pathway to Healing • Confidential Letter to Auditor • PREA Zero Tolerance Policy Poster (English) • PREA Zero Tolerance Policy Poster (Spanish) • Let's Talk About Safety – Zero Tolerance Roster • Telephone Calls to Attorneys - None • Attorney Visits - None • Legal Correspondences - None • Email Inmate Phones and Tablets • Inmate Handbook PREA Let's Talk About Safety (Brochure) • Inmate Handbook PREA Let's Talk About Safety (Spanish Brochure) • MOU Between SC Law Enforcement Division (SCLED) and SCDC • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy Number: GA 01.07 Access to the General Counsel • SCDC Policy GA-01.12 Inmate Grievance System • SCDC Policy PS-10.08 Inmate Correspondence Privileges • School for the Deaf and the Blind • SC Victim Assistance Network • SCCAVASA Member Services to Incarcerated Victims • US Depart of State Consular Notification and Access Book • Statewide Partnerships with Sexual Assault Centers • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.51 (a)</p> <p>The agency shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation, by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.</p> <p>The South Carolina Department of Corrections Policy Number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.2 page 4, indicated that inmates incarcerated in an SCDC institution will have multiple ways of reporting actual or suspected acts of sexual abuse or sexual harassment. Inmates may make a report by utilizing the inmate phone system to call in an allegation by dialing *22, or write or make a verbal report to any agency employee, volunteer, intern, or contractor. Inmates may also utilize the kiosk system to write any staff member regarding the allegation, notify medical personnel through the sick call procedure, write to the South Carolina Law Enforcement Division (SLED), notify an emotional support counselor by dialing *63 on the inmate phone system, or ask a family member or friend to file a report on their behalf through the PREA Tips page on the agency's public website at http://www.doc.sc.gov/preaweb/.</p> <p>The inmate can file a written report without giving his/her name or the name of the abuser (s). This information could also include an assault that occurred at any Correctional Facility, Detention Center, County Facility or while under community supervision, prior to or during his/her commitment to the SCDC.</p> <p>Inmates can report PREA related allegations by:</p> <ul style="list-style-type: none"> • File a grievance • File a report to investigations using a facility kiosk • Request to visit medical and ask for help • Ask a lawyer, a friend, or family member to request help • Dial *22 from any inmate phone located each living units (PREA reporting line set up by the SCDC to leave a message regarding any violation in the facility).

- Call Sexual Assault Hotline

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. Staff reported, that staff can privately report sexual abuse and sexual harassment by telling their supervisor, the warden or report it to the PREA compliance manager. They also noted that staff can call the PREA hotline or complete an incident report.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

All inmates interviewed stated that they had multiple ways to report sexual abuse and/or sexual harassment. Most of the inmates reported that they would tell staff, use the hotline number (*22, *63), tell the warden, AW Patterson or tell family members or friends. Several inmates reported that they have used the hotline and their concerns have been addressed by the facility PREA Coordinator.

During the facility tour, inmates that were pull to the side for an informal interview, stated that they can reported sexual abuse and sexual through a grievance, kiosk or call the hotline on the poster next to the phones.

115.51 (b)

The agency shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates detailed solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

The following are ways inmate can report sexual abuse or sexual harassment to public or private entity.

- Dialing *63 on the inmate phone (This call is not recorded and the inmate does not have to put in their Inmate Personal Identification Number (PIN) to make the call. The call goes to a Statewide Partnership with Sexual Assault Center that partnered with SCDC to provide these services. Center: Sexual Trauma Services of the Midlands.
- By Reporting to the Division of Investigations
- Inmate Kiosk System
- Dialing *22 reporting line set up by the SCDC to leave a message regarding any violation in the facility.
- By writing to South Carolina Law Enforcement Division (SLED); Anyone can write to SLED to make a report of sexual abuse inside a correctional institution in South Carolina and can choose to remain anonymous. If you have access to website, you can just click on the link and enter required information.
- Tell a friend or family member to use the SCDC Anonymous PREA Tips website
- Legal Counsel
- Attorney Visits
- Legal Correspondences
- Grievance Process (Mail outside)

Inmates detailed solely for civil immigration purposes are provided contact information regarding the consular officials.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

All inmates interviewed reported that they could make a report to someone who does not work at the facility by telling a family member or calling the hotline. The inmates were able to describe being able to make reports verbally, in writing, anonymously, and from third parties. Some inmates were not aware that they could make a report without giving their name; due to them having to enter their inmate's ID number when using the phones. One inmate reported that she didn't know that she didn't have to give her name when reporting but noted, "when I tell I'm give my name and everybody name who doing the PREA."

115.51 (c)

Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.2.1 indicated that SCDC employees, volunteers, interns, and contractors will accept and report all allegations of sexual abuse from an inmate no matter the source or location of the allegations.

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. The staff reported that the inmates can privately report by using the hotline number, notify staff, family, or friends. Such reports can be made verbally or in writing. All the interviewed staff reported that if an inmate makes a report verbally or in writing, sexual abuse or harassment, the allegations are responded to immediately and they would immediately seek a written statement. The facility reported a total of 14 investigations during the past 12 months.

- Sexual Abuse – Staff on Resident = 7

- e. Substantiated = 2

- f. Unsubstantiated = 0

- g. Unfounded = 1

- h. On-Going/Pending = 4

Note: Arrested/Referred to DA's Office = 2

- Sexual Harassment – Staff on Resident = 3

- a. Substantiated = 1

- b. Unsubstantiated = 1

- c. Unfounded = 0

- d. On-Going/Pending = 1

Note: Arrested/Referred to DA's Office = 0

- Sexual Abuse – Resident on Resident = 1

- a. Substantiated = 1

- b. Unsubstantiated = 0

- c. Unfounded = 0

- d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

- Sexual Harassment – Resident on Resident = 3

- a. Substantiated = 0

- b. Unsubstantiated = 1

- c. Unfounded = 2

- d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

115.51 (d)

The agency shall provide a method for staff to privately report sexual abuse and sexual harassment of inmates.

Facility Random Staff: Twenty random staff (20) reported that inmates can privately reporting by using the hotline number, notify staff, family, or friends. Such reports can be made verbally or in writing. All of the interviewed staff also could articulate at least one method in which staff could make a private report. The majority of staff reported they would notify their supervisor.

Confidential Letter from Inmate

Inmate Concerns noted in Letter:

On September 21, 202, the auditor received a confidential letter from an inmate from Camille Griffin Graham Correctional Institution.

The inmate outlined several concerns as it relates to sexual abuse and sexual harassment. She stated that she was shipped from Leath Correctional Institution to Camille Griffin Graham Correctional Institution Thursday, June 21, 2018. She was declared mentally unstable without knowing until after two months of being at Camille. The inmate also stated that she is a PREA victim, but she was not treated as such. She was sexually assaulted, sexually harassed, and retaliated against after signing PC (protective custody) against another inmate on and off for a period of eight (8) years. She stated that she was

sexually assaulted and harassed for about two (2) months. It happened February through April 20210. She wrote that the incident was reported and investigated while she was at the other facility, but she didn't know the outcome of the investigation. She wrote that she was moved to Camille Griffin Grahams for an assessment and shortly after moving; the accused inmate was transferred to facility as well for assessment. She indicated that it made her upset and didn't understand why they would move her to the facility.

Interview:

The associate auditor met with and interview the inmate. The inmate reported that she was sexually abuse and harassed about 8 years ago at another facility. She reported that the incident was reported but to her knowledge she was not aware of any investigated being conducted. She further stated that once she was transferred to Camille Griffin Graham she went into protective custody for a while. She reported, that after being there for a while, the accused inmate was transferred to the prison. She reported that this made her upset but noted that the inmate did not bother her while she was there. She noted the inmate was released shortly after coming to the prison. She asked the interviewer, "what going to be done about this that happened to be 8 years ago." The interviewer indicated that she will share this information with the lead auditor and the facility PREA compliance manager.

Response from Auditor:

The interview information was shared with the lead auditor and the facility PREA compliance manager and agency PREA coordinator. The auditor and the facility followed-up to ensure inmate was receiving services as she requested for sexual abuse and sexual harassment. The inmate was also receiving mental health services. Inmate reported she was receiving trauma counselling and individual sessions. She reported that she has not had any incidents of sexual abuse or harassment while at Camille Griffin Grahams.

115.52	Exhaustion of administrative remedies
	<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="240 273 480 300">Supporting Information:</p> <ul data-bbox="240 331 1449 654" style="list-style-type: none"> • Grievance Log/Records (Past 12 Months) • Email Grievance Transferal Memo/Grievance Routing Slip • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA-01.12 Inmate Grievance System • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="240 689 347 716">115.52 (a)</p> <p data-bbox="240 748 1449 806">An agency shall be exempt from this standard if it does not have administrative procedures to address inmate grievances regarding sexual abuse.</p> <p data-bbox="240 837 1469 896">The South Carolina Department of Corrections Policy Number: GA-01.12 Inmate Grievance System section 15.1 meets the requirements of this standard.</p> <p data-bbox="240 927 1469 1088">Policy Number: GA-01.12 Inmate Grievance System section 15.2.6 states that the Inmate Grievance Coordinator (IGC) will not investigate allegations of a violation of PREA. A copy of any grievance alleging PREA violations will be provided to the PREA Compliance Manager within 24 hours of receipt for investigation and providing recommended responses to grievances. The PREA Compliance Manager will maintain a copy of the grievance and maintain a log of PREA allegations grievances.</p> <p data-bbox="240 1120 1469 1348">Central Office Staff: The agency PREA coordinator provided the auditor with copies of the PREA Compliance Manager Management Training Minutes. One of the agenda topics: Grievance transferal Memo/Grievance Routing Slip. SCDC Form 19-190, Grievance Transferal Memo: This is the form that the institutional Grievance Coordinator will forward to the PCM (along with the actual grievance) that is a PREA-related grievance. The Grievance Office cannot investigate PREA related grievances, and the PCM must interview the inmate, and provide PREA Coordinator@doc.sc.gov with documentation. All allegations must come to the PCM so that a case can be opened and will follow all the same protocols as every other allegation.</p> <p data-bbox="240 1379 1449 1438">Facility Staff: The facility PREA compliance manager indicated, if a inmate file an alleged PREA allegation through the Inmate Grievance System the grievance coordinator immediately forward the grievance to the facility PREA investigator.</p> <p data-bbox="240 1469 983 1496">The facility reported a total of 14 investigations during the past 12 months.</p> <ul data-bbox="240 1527 496 1688" style="list-style-type: none"> • Sexual Abuse – Staff on Resident = 7 <ul data-bbox="240 1559 496 1688" style="list-style-type: none"> a. Substantiated = 2 b. Unsubstantiated = 0 c. Unfounded = 1 d. On-Going/Pending = 4 <p data-bbox="240 1720 667 1747">Note: Arrested/Referred to DA's Office = 2</p> <ul data-bbox="240 1778 692 1939" style="list-style-type: none"> • Sexual Harassment – Staff on Resident = 3 <ul data-bbox="240 1809 496 1939" style="list-style-type: none"> a. Substantiated = 1 b. Unsubstantiated = 1 c. Unfounded = 0 d. On-Going/Pending = 1 <p data-bbox="240 1971 667 1998">Note: Arrested/Referred to DA's Office = 0</p> <ul data-bbox="240 2029 676 2145" style="list-style-type: none"> • Sexual Abuse – Resident on Resident = 1 <ul data-bbox="240 2060 496 2145" style="list-style-type: none"> a. Substantiated = 1 b. Unsubstantiated = 0 c. Unfounded = 0

d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

• Sexual Harassment – Resident on Resident = 3

a. Substantiated = 0

b. Unsubstantiated = 1

c. Unfounded = 2

d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

115.52 (b)

- The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
- The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.
- The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
- Nothing in this section shall restrict the agency's ability to defend against an inmate lawsuit on the ground that applicable status of limitations has expired.

Policy Number: GA-01.12 Inmate Grievance System section 15.2.1 states, there will be no time frame for filing a grievance alleging sexual abuse. The inmate will not be required to attempt any informal resolution.

SCDC permits inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits. SCDC refrains from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse and sexual harassment.

115.52 (c)

The agency shall ensure that:

- An inmate who alleges sexual abuse may submit a grievance with or without submitting it to a staff member who is the subject of the complaint, and
- Such grievance is not referred to a staff member who is the subject of the complaint.

The agency ensures 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. Inmates can submit grievance through a grievance box.

All grievances are picked up on a daily basis, during normal working hours, by an employee designated by the Warden. All grievances are numbered and entered into the automated system within three working days by an employee designated by the Warden.

Central Office Staff: The agency PREA coordinator indicated that the inmates turn their grievance in using the grievance box at each facility.

115.52 (d)

- The agency shall 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 shall not include time consumed by inmates in preparing any administrative appeal.
- The agency may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
- 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, the inmate may consider the absence of a response to be a denial at that level.

Policy, GA-01.2, Inmate Grievance System requires facilities to 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 with a maximum allowable extension of

time to respond of up to 70 days per 115.52 (b) when the normal time period for response is insufficient to make an appropriate decision.

Policy, GA-01.12, Inmate Grievance System indicates that 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, the inmate may consider the absence of a response to be a denial at that level.

The auditor founded this provision in compliance because policy requires a copy of any grievance alleging PREA violations will be provided to the PREA Compliance Manager within 24 hours of receipt for investigation and providing recommended responses to grievances.

115.52 (e)

- Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing request for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.
- If a third-party file such a request on behalf on 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.
- If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision.

Policy, GA-01.12, Inmate Grievance System allows third parties to file a grievance on the behalf of an inmate.

Central Office Staff: The agency PREA coordinator indicated during his interview that third parties include individuals such as fellow inmates, staff members, family members, attorneys, and outside advocates, are all permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse.

115.52 (f)

- The agency shall establish procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency shall 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, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

SCDC has established documented procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

Central Office Staff: According to the agency PREA coordinator, after receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, SCDC immediately would forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to investigations and/or a level of review at which immediate corrective action may be taken.

Policy, GA-01.12, Inmate Grievance System, Section 15.2.4. If the inmate files an emergency grievance showing substantial risk of imminent sexual abuse, the Agency shall immediately forward the grievance to the Warden for response within 48 hours of receipt of the grievance and an Agency final decision shall be provided within five (5) calendar days. Section 15.2.6. The inmate Grievance Coordinator (IGC) will not investigate allegations of a violation of PREA. A copy of any grievance alleging PREA violations will be provided to the PREA Compliance Manager within 24 hours of receipt for investigation and providing recommended responses to grievances. The PREA Compliance Manager will maintain a copy of the grievance and maintain a log of PREA allegations grievances.

115.52 (g)

The agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmates filed the grievance in bad faith.

Policy Number: GA-01.12 Inmate Grievance System section 15.25 states that the agency may discipline and inmate for filing a grievance related to the alleged sexual abuse if there is evidence that the inmate filed the grievance in bad faith.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • MOU between Sexual Trauma Services of the Midlands (STM)/Pathway to Healing • Let's Talk About Safety – Zero Tolerance Roster • Inmate Handbook PREA Let's Talk About Safety (Brochure) • Inmate Handbook PREA Let's Talk About Safety (Spanish Brochure) • SCDC Anonymous PREA TIPS (Inmates Call Family to Report) • Report Sexual Abuse or Sexual Harassment of an Inmate by (Clicking Here) Website • SCDC Statewide Partnerships with Sexual Assault Centers • US Department of State Consular Notification and Access • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy PS-10.08 Inmate Correspondence Privileges • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.53 (a)</p> <p>The facility shall 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.</p> <p>The South Carolina Department of Corrections website – Prison Rape Elimination Act (PREA) Statewide Partnerships with Sexual Assault Centers. Facilities are provided access to outside victim advocates for emotional support services for inmates related to sexual abuse whether it occurred in prison on or before they became incarcerated.</p> <p>Central Office Staff: Interview with the agency PREA coordinator revealed that Pathways to Healing (PTH), formally Sexual Trauma Services of the Midlands (STSM), under a memorandum of agreement, works with the South Carolina Department of Corrections to provide emotional support services (Standard 115.21, 115.53) and include hospital accompaniment during forensic exams. Pathways to Healing is a Rape Crisis Center which serves survivors of sexual abuse and domestic violence. To further enhance access for inmates, SCDC has provided Pathways to Healing office space within Camille Griffin Graham Correctional Institution and full access to inmates.</p> <p>This service provides that inmates who report sexual abuse or indicates that they were previously abused, prior to incarceration, to facility staff are provided emotional support services within the institution, in-person, by an outside organization are required by standard 115.53.</p> <p>During the summer session of the American Correctional Association (ACA) conference 2021, it was noted that SCDC is one of the only agencies in the nation that houses a rape crisis center inside of a correctional institution. It was also stated that this practice should be considered a national best practice and suggested that other agencies follow suite.</p> <p>Pathways to Healing utilizes the office space within the institution to meet with survivors of sexual abuse, conduct meetings with staff, and coordinating efforts to address PREA issues. Pathways to Healing office space is a confidential space with access only to PTH staff.</p> <p>Rape Crisis Staff: Interview with the incarcerated survivor group coordinator reveal that Pathways to Healing (PTH) has an incarcerated survivor team of three (3) who serve inmates who are victims of sexual abuse throughout Richland, Lexington, Newberry, Clarendon, Sumter counties in addition to access to their crisis hotline. At Camille Griffin Graham Correctional Institution two rape crisis staff provide direct services – the incarcerated survivor advocate and the incarcerated survivor group coordinator. Together they provide individual crisis counseling, trauma recovery groups, and psychoeducational coping skills groups.</p> <p>Inmates can request services in a number of ways:</p>

- Calling the hotline
- Through their mental health counselor
- Turning in a written request to the Pathways to Healing office at Camille Griffin Graham Correctional Institution
- Approaching a Pathways to Healing staff member and directly requesting services

Service request forms are available throughout the institution.

Pathway to Healing has an office alongside mental health staff in the ICS Building. Here they are able to meet privately with survivors to provide counseling services.

Other likely benefits of having Pathway to Healing rape crisis staff member on site:

- Inmates are more aware of the available services
- Pathway to Healing staff is able to address needs more quickly
- Pathway to Healing staff develops rapport with inmates and develops a positive reputation that increases the likelihood that survivors will reach out for services
- Pathway to Healing staff is able to develop a relationship with SCDC staff that allows for better coordination of care and improved communication
- Feedback about the program and SCDC policies can all be delivered in real time allowing for the program to evolve quickly to best meet the needs of SCDC and incarcerated victims of sexual abuse.

The Sexual Trauma Services of the Midlands (STSM)/The Pathway to Healing provided monthly reports to the SCDC. The Incarcerated Survivor Group Coordinator provided documentation that Pathways to Healing provided services to 160 SCDC inmates during the past 12 months, and 76 we're at Camille.

Interviewed Inmates: Thirty-Two (32) Inmates were interviewed; sixteen (16) random, sixteen (16) Targeted Inmates (who also received random questionnaire) include: Five (5) Transgender and Intersex Inmates; Gay, Lesbian, and Bi-sexual Inmates, One (1) Disabled and Limited English Proficient Inmates, Three (3) Inmates who Reported a Sexual Abuse, One (1) Little Person (under 3 feet), One (1) Inmate who wrote an Anonymous Letter, One (1) Inmates Placed in Segregation and Three (3) Inmate who Disclosed Sexual Victimization During Risk Screening were interviewed.

Thirty (30) of the interviewed inmates reported that they were aware of services available outside of the facility that deal with sexual abuse if needed. It should be noted that when probed, only four inmates could describe any outside services. Two inmates reported getting services outside they facility when in the community for their drama and abuse. Most inmates were not aware that The Pathway to Healing is a outside service because it is located at the facility.

During the facility tour, inmates that were pull to the side for an informal interview, stated that outside sexual abuse and sexual harassment information is on the PREA brochure, however, the never had to use it, so they did not know the process.

The facility PREA brochure contains information regarding outside supportive services. When probed, approximately half of the inmates could recall getting the brochure.

115.53 (b)

The facility shall 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.

Central Office Staff: The agency PREA coordinator indicated that inmates are informed at orientation and by Medical and Classification staff when completing the PREA Screening Application the extent to which reports of abuse will be forwarded to authorities as mandated reporters.

115.53 (c)

The agency shall 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. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

SCDC has a statewide partnership agreement with multiple sexual assault centers across the state. The ten sexual assault centers provide hundreds of hours of support to victim of sexual assault, including individual face-to-face contacts, group sessions, written correspondence, and phone calls through toll-free hotline support.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • MOU between Sexual Trauma Services of the Midlands (STM)/Pathway to Healing • Telephone Calls to Attorneys - None • Attorney Visits - None • Legal Correspondences - None • MOU between SCDC and Statewide Partnership for Victim Services • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC PREA Tip Line - Anonymous • SCDC Official Website (Third-Party Reporting) • Report Sexual Abuse or Sexual Harassment of an Inmate by (Clicking Here) Website • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.54 (a)</p> <p>The agency shall establish a method to receive third party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.</p> <p>The auditor reviewed the SCDC website under the PREA section, it gives the public access to third party reporting by writing to South Carolina Law Enforcement Division (SLED) to make a report of sexual abuse inside a correctional institution in South Carolina and can choose to remain anonymous. If the public have access to website, they can just click on the link and enter required information.</p> <p>Tip line allows third-party reporters to indicate the date of the incident, location of the incident, type of incident and describe in details of the incident the third-party is reporting.</p> <p>SCDC has established a reporting line that is housed at Headquarters of the Office of Investigations. This is a system in which an individual can leave a message, either by name or anonymously.</p> <p>The message is then sent to the agency PREA coordinator who is responsible for distribution to the appropriate facility. This exact message is sent to the coordinator via email and he is able to listen to the exact message.</p> <p>Information on how to make a report is displayed on the SCDC website for anyone to access.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Investigation Reports - 14 • SCDC Policy ADM-11.04 Employee Corrective Action • SCDC Policy ADM-11.17 Employee Conduct • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-17.01 Employee Training Standards • SCDC Policy POL-23.01 Investigation • MOU Between South Carolina Law Enforcement Division (SCLED) and South Carolina Department of Correction (SCDOC) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.61 (a)</p> <p>The agency shall 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; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.3 indicated that all employees, volunteers, interns, agents, or contractor of the agency who observe or receive information concerning sexual abuse or sexual harassment, including threats of sexual abuse or a substantial risk of imminent sexual abuse, toward an inmate and/or any person presently under the jurisdiction of the agency, must report it immediately to one of the following: Institutional Investigator, Warden of the Institution, PREA Compliance Manager, appropriate member of the Director's staff Division Director of Human Resources, or the PREA Coordinator.</p> <p>SCDC Policy, HS-18.07, Inmate Health Information, indicated that the Agency is committed to upholding the confidentiality and privacy of an inmate's medical history. Inmate's medical history/record will be accessible to authorized SCDC personnel and others only for duly authorized purposes in accordance with applicable Agency policies/procedures, American Correctional Association Standards, and state and federal statutes.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.3.6 indicated that any person who has knowledge of or has received information of, sexual abuse and fails to report it to the appropriate law enforcement authority, or a person who threatens or attempts to intimidate a witness is guilty of a misdemeanor and upon conviction must be fined not more than \$500.00 or imprisoned for not more than six (6) months, or both.</p> <p>Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. All indicated a clear understanding of the duty to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility; retaliation against Inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident of retaliation immediately. The various ways staff indicated that they could make a report included, by reporting it to their supervisor, the PREA compliance manager or complete an incident report.</p> <p>The interviewed staff was able to described the process for reporting any information related to sexual abuse incidents as: report immediately, take to medical, isolate from other inmates, don't allow the inmate to bath, shower, or brush teeth, preserve evidence; and report to someone else for the investigation.</p> <p>Facility Staff: Are all allegations of sexual abuse and sexual harassment (including those from third-party and anonymous sources) reported directly to designated facility investigators? The acting warden indicated that all incidents are reported to the facility PREA compliance manager, associate Warden for investigation and tracking.</p> <p>Facility Staff: The facility medical staff indicated that they are required to report any knowledge suspicion, or information regarding an incident off sexual abuse or sexual harassment to a designated supervisor or official immediately upon learning of it.</p> <p>115.61 (b)</p>

Apart from reporting to designated supervisors or officials, staff shall not reveal 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.

See Section (a) response.

115.61 (c)

Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.3.5 page 5, indicated that any employee, (to include contract and temporary) who knowingly or intentionally submits inaccurate or untruthful information concerning sexual abuse as defined by state statute is guilty of the misdemeanor of falsely reporting sexual abuse and, upon conviction, must be imprisoned for not more than one (1) year. In addition, such conduct will result in corrective action up to, and including, termination pursuant to SCDC Policy ADM-11.04, "Employee Corrective Action."

Facility Staff: Medical and Mental Health staff confirmed that they are required to inform inmates of their professional duty to report sexual abuse, and the limitations of confidentiality, at the initiation of services.

A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:

- Questions contained in the risk screening instrument are private and confidential, however,
- Medical and mental health professionals are required to report any allegation of sexual abuse / harassment that took place in SCDC facility.
- Unless precluded by law medical and mental health professionals are required to report sexual abuse and to inform inmate of the limits of confidentiality at the initiation of services.
- An inmate is not required to answer any questions on the risk assessment instrument and there will be no punishment for refusing.
- Shall not reveal information related to incident except to designated supervisor
- If 18 or considered a vulnerable adult will report allegations without consent.
- Report all allegation receive from a 3rd party or anonymous reports.

115.61 (d)

If the allege victim is under the age of 18 or considered a vulnerable adult under a state or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

As a part of the medical and mental health training, confidentiality and informed consent were included. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency is required to report the allegations to the designates State or local services agency under applicable mandatory reporting laws.

Central Office Staff: Agency PREA coordinator was asked, how do you respond when an allegation of sexual abuse or sexual harassment is made by someone under the age of 18 or someone considered a vulnerable adult under state or local law?

Response, when an allegation is received, the victim and perpetrator is immediately separated. Security supervisors and the Institutional PREA compliance manager is notified so that the proper procedures, documentation, and notifications are completed. For individuals under the age 18, the Youthful Offenders Program Manager is notified so that the juvenile's family is notified of the allegation and all mandatory required agencies are informed. That juvenile is provided an opportunity to call and work with the local rape crisis center and/or Qualified Health Professional within the institution.

Facility Staff: How do you respond when an allegation of sexual abuse or sexual harassment is made by someone under the age of 18 or someone considered a vulnerable adult under state or local law? The warden indicated that the facility does not have any inmates under 18 years of age at the facility. If the facility did have inmates under the age of 18 and vulnerable adults, the investigations and procedures do not change due to age and vulnerability.

115.61 (e)

The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.

The facility reported a total of 14 investigations during the past 12 months.

• Sexual Abuse – Staff on Resident = 7

e. Substantiated = 2

f. Unsubstantiated = 0

g. Unfounded = 1

h. On-Going/Pending = 4

Note: Arrested/Referred to DA's Office = 2

• Sexual Harassment – Staff on Resident = 3

a. Substantiated = 1

b. Unsubstantiated = 1

c. Unfounded = 0

d. On-Going/Pending = 1

Note: Arrested/Referred to DA's Office = 0

• Sexual Abuse – Resident on Resident = 1

a. Substantiated = 1

b. Unsubstantiated = 0

c. Unfounded = 0

d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

• Sexual Harassment – Resident on Resident = 3

a. Substantiated = 0

b. Unsubstantiated = 1

c. Unfounded = 2

d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

See Section (a & c) responses.

115.62	Agency protection duties
	<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="242 271 480 300">Supporting Information:</p> <ul data-bbox="242 329 1449 622" style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC, Policy, OP-22.23, Statewide Protective Custody • SCDC Policy OP-21.04 Inmate Classification Plan • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="242 651 349 680">115.62 (a)</p> <p data-bbox="242 710 1426 770">When an agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate.</p> <p data-bbox="242 799 1489 1028">Central Office Staff: Deputy director of legal and compliance/agency head designee was asked, when you learn that a resident is subject to a substantial risk of imminent sexual abuse what protective action does the agency take? Response, if there is a specific source of the imminent sexual abuse, the potential abuser will be relocated so that there is no contact between the potential victim and possible perpetrator during an investigation and afterwards, if the investigation supports the potential for sexual abuse. Potential victimization and potential perpetrator conduct are taken into consideration in all housing and work assignments. As a last resort, the potential victim may be housed in protective custody until an investigation can be conducted and potential abuser identified.</p> <p data-bbox="242 1059 1489 1218">Facility Staff: The acting warden response to, when you learn that an inmate is subject to a substantial risk of imminent sexual abuse, what protective action does the facility take? When the facility learns that an inmate is subject to substantial risk of imminent sexual abuse. We will ensure the safety of the inmate's needs are met. If inmate is at a higher risk for sexual abuse, then the inmate will be housed in a unit that requires officers presents 24/7 and inmates' bed will be within sight of the officer's station.</p> <p data-bbox="242 1249 1469 1411">Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. They all reported being aware of the agency procedure for reporting any information related to an inmate who may be at imminent risk of sexual abuse. One hundred percent of the interviewed staff could articulate immediate notification to the supervisor. Several of the interviewed staff also stated that they would have the inmate moved into another area (holding/dry cell) and immediately complete an incident report.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Supporting Information:</p> <ul style="list-style-type: none"> • Notifications of Allegations Received for Other Facilities (Past 12 Months) • Notifications of Allegations Sent to Other Facilities (Past 12 Months) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.63 (a)</p> <p>Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.</p> <p>Policy requires that any inmate allegation of sexual abuse occurring while confined at another facility be reported to the Warden of the facility where the alleged abuse occurred, within 72 hours of receipt of the allegation.</p> <p>Central Office Staff: Deputy director of legal and compliance/agency head designee was asked, if another agency or facility within another agency refers allegations of sexual abuse or sexual harassment that occurred within one of your facilities, is there a designated point of contact? Response, allegations received from another agency or facility are referred to the agency PREA coordinator as the central point of contact.</p> <p>Facility Staff: The acting warden response to, what happen when your facility receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred in your facility? Upon notification of an allegation of sexual abuse that occurred while an inmate was housed at an institution outside the authority of SCDC, the SCDC institutional warden will contact the institution head of the institution where the alleged abuse occurred and will notify SCDC Police Services. This notification will be provided within seventy-two (72) hours of receiving the report and will be documented and provided to the institution's PREA compliance manager and the agency's PREA coordinator.</p> <p>The facility reports 14 PREA investigations.</p> <p>115.63 (b)</p> <p>Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>See Section (a) response.</p> <p>115.63 (c)</p> <p>The agency shall document that it has provided such notification.</p> <p>See Section (a) response.</p> <p>115.63 (d)</p> <p>The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.</p> <p>See Section (a) response.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Form Sexual Abuse Response Checklist • SCDC Form 19-29 Incident Report • SCDC Form Sexual Abuse Response Protocol • SCDC Policy ADM-17.01 Employee Training Standards • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.64 (a)</p> <p>Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:</p> <ul style="list-style-type: none"> • Separate the alleged victim and abuser; • Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; • If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and • If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.3.1.1 indicated that in the event of an actual or suspected case of sexual abuse/victimization, the security staff first responder (s) must complete the following steps:</p> <ul style="list-style-type: none"> o Identify and separate the alleged perpetrator and alleged victim; o Immediately take the alleged victim to Medical; o Escort alleged inmate perpetrator (s) to an isolated area, preferably in a dry cell with restricted access to a toilet or water; o Notify the shift supervisor, PREA Compliance Manager, and Warden as well as Police Services; o Identify and isolate any witness; o Secure the crime scene; o Document all incidents promptly on SCDC Form 19-29A, "Incident Report"; and o Only share information related to the incident with those people who need to know in order to ensure the alleged victim's safety, conduct the investigation, or provide treatment to the alleged victim or alleged perpetrator. <p>Facility staff: Discussed the training they received from SCDC regarding PREA. The training occurs the first day of hire at the New Employee Orientation (NEO), the required training academy course, mandatory annual training at the facility and at shift briefing.</p> <p>Interviewed Targeted Inmates: Inmates who reported sexual abuse. There were three (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. All three inmates reported that once the staff were aware of the incident they responded quickly. Two inmates reported that the incident was reported to administration by someone else but once it was reported they began to investigate and separate the involved people. One stated that the staff who was involved in the incident was removed from the campus. The staff was fired.</p> <p>115.64 (b)</p> <p>If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.</p> <p>Policy Number: OP-21.12 Attachment A – SCDC Sexual Abuse Response Checklist and Attachment B SCDC Sexual Abuse Response Protocol give guidelines to staff that have a duty to respond rapidly, professionally, and thoroughly when an inmate</p>

has been sexually victimized. The guide gives requirements to the duties of the security and none security staff.

Facility Random Staff: Twenty (20) staff, representing first and second shifts, were interviewed. All staff except 1 was able to discuss the duties of a first responder to include, but are not limited to: take immediate action, stay with the victim, separate the victim from the perpetrator, isolate/secure the scene and secure evidence, call for additional staff, complete an incident report, and notify supervisor and PREA compliance manager. Staff also reported that they would send the victim to medical for an initial evaluation of his/her medical condition. One staff noted that she was new and was still going through the training but did know that PREA incidents needed to be reported and that she would notify her supervisor for guidance if she was a first responder. She also noted that she would keep they two inmates apart and not allow anyone to enter the scene until her supervisor gave her guidance.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 480 297">Supporting Information:</p> <ul data-bbox="240 331 1449 656" style="list-style-type: none"> • Written Institutional Plan/ PREA Coordinated Response Protocol • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Form Sexual Abuse Response Checklist • SCDC Form Sexual Abuse Response Protocol • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="240 689 347 716">115.65 (a)</p> <p data-bbox="240 750 1458 808">The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p data-bbox="240 842 1493 931">Policy Number: OP-21.12 Attachment A – SCDC Sexual Abuse Response Checklist and Attachment B SCDC Sexual Abuse Response Protocol give guidelines to staff that have a duty to respond rapidly, professionally, and thoroughly when an inmate has been sexually victimized.</p> <p data-bbox="240 965 1458 1023">The facility provided an institutional plan for addressing issues of sexual abuse and sexual harassment. The plan provides bullet points for the following areas to follow.</p> <ul data-bbox="240 1057 544 1211" style="list-style-type: none"> • Staff First Responders • Shift Commander • PREA Compliance Manager • Medical Staff • Mental Health Staff <p data-bbox="240 1245 1465 1368">Facility Staff: Does the facility have a plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse? The acting warden indicated that policy GA-06.11 details the Prevention, Detection, and Response to sexual abuse and harassment. There are also checklist and forms to assist staff when an allegation is made.</p>

115.66	<p>Preservation of ability to protect inmates from contact with abusers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Copy of any Collective Bargaining Agreements - None • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.66 (a)</p> <p>Neither the agency nor any other governmental entity responsible for collective bargaining on the agency's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p>There are no current agreements that limit the agency's ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. There have not been any collective bargaining agreements since August 20, 2012.</p> <p>Central Office Staff: Deputy director of legal and compliance/agency head designee was asked, has the agency, or any governmental entity responsible for collective bargaining on the agency behalf, entered into or renewed any collective bargaining agreements or other agreement since August 20, 2012? Response, the agency does not have collective bargaining in South Carolina.</p> <p>115.66 (b)</p> <p>Nothing in this standard shall restrict the entering into or renewal of agreement that govern:</p> <ul style="list-style-type: none"> • The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of standards 115.72 and 115.76; or • Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated. <p>See section (a) response.</p>
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115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Documentation of Retaliation Monitoring (Past 12 Months) • Investigation Reports - 14 • SCDC PREA Tip Line Anonymous • PREA Training Section 1800 Curriculum - Retaliation • SCDC Policy Number: ADM 115.15 South Carolina Whistleblower Act Section, Retaliation Against an Employee for Filing a Report • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.67 (a)</p> <p>The agency shall establish 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, and shall designate which staff members or departments are charged with monitoring retaliation.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 4 page 7 indicated that no inmate will be subjected retaliation, reprisal, harassment, or disciplinary action by employees, volunteers, or other inmates for reporting allegations, knowledge, or cooperation with an investigation of sexual abuse against an inmate. Inmates may report retaliation using any of the procedures for reporting sexual abuse, as described in this policy.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that in accordance with SCDC policy ADM-11.15, "South Carolina Whistleblower Act" for more information. No employee, volunteer, intern, or contractor will be subjected to any kind of retaliation for reporting of any wrongdoings.</p> <p>The South Carolina Department of Corrections Policy Number: ADM-11.15 South Carolina Whistleblower Act and SC Code of Laws 8-27-10 A-27-50, an employee must file a report of waste, fraud, mismanagement, or other wrongdoing by the agency and/or by an SCDC employee to an appropriate within sixty (60) days of learning of the misconduct or wrongdoing. Such reports should be filed as quickly as possible.</p> <p>SCDC policy ADM-11.15, Retaliation Against an Employee for Filing a Report – Any employee who files a validated and/or substantiated report of wrongdoing with an appropriate authority will not be dismissed, suspended, or demoted nor incur a reduction in pay, unless the corrective action taken is unrelated to the report of the wrongdoing.</p> <p>Interviewed Targeted Inmates: Inmates who reported sexual abuse There were (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. Two inmates reported that they felt protected against possible revenge from staff or other inmates. One inmate reported that she felt that the facility was not "being fair" by not letting her return to work after the incident of sexual abuse. However, after speaking with leadership, they informed the auditor that they company on site has requested she not return due to several incidents she has been involved in that were sexually related. The facility reported a total of 14 investigations during the past 12 months.</p> <ul style="list-style-type: none"> • Sexual Abuse – Staff on Resident = 7 <ul style="list-style-type: none"> e. Substantiated = 2 f. Unsubstantiated = 0 g. Unfounded = 1 h. On-Going/Pending = 4 <p>Note: Arrested/Referred to DA's Office = 2</p> <ul style="list-style-type: none"> • Sexual Harassment – Staff on Resident = 3 <ul style="list-style-type: none"> a. Substantiated = 1

- b. Unsubstantiated = 1
- c. Unfounded = 0
- d. On-Going/Pending = 1

Note: Arrested/Referred to DA's Office = 0

- Sexual Abuse – Resident on Resident = 1
 - a. Substantiated = 1
 - b. Unsubstantiated = 0
 - c. Unfounded = 0
 - d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

- Sexual Harassment – Resident on Resident = 3
 - a. Substantiated = 0
 - b. Unsubstantiated = 1
 - c. Unfounded = 2
 - d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

115.67 (b)

The agency shall 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.

Facility Staff: The acting warden response to retaliation, indicated that the facility has multiple protection measures, such as changes the inmates housing, transfer of inmates, and increase monitoring.

115.67 (c)

For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and 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, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that wardens will ensure that all inmates, employees, witnesses, and reporters of alleged sexual abuse or sexual harassment are monitored for retaliation or reprisal for a minimum of ninety (90) days while housed or employed at the same institution. Institutional PCMs will ensure all individuals monitored are documented on SCDC Form 19-182, "Sexual Abuse Retaliation Monitoring" and this form is filed for auditing and review.

Central Office Staff: Deputy director of legal and compliance/agency head designee was asked, how do the agency protect residents and staff from retaliation for sexual abuse or sexual harassment allegations? Response, the perpetrator is removed from areas that might all contact with the victim of sexual harassment or sexual abuse. The PREA compliance manager consults with and conducts wellness checks with the victim for at least 90 days to ensure the victim is not subjected to retaliation.

115.67 (d)

In the case of inmates, such monitoring shall also include periodic status checks.

See section (c) response.

115.67 (e)

If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.

The South Carolina Department of Corrections Policy Number: GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 – No inmate will be subjected to retaliation, reprisal, harassment, or disciplinary action by employees, volunteers, or other inmates for reporting allegations or knowledge of sexual abuse against an inmate. Inmates may report retaliation using any of the procedures for reporting

sexual abuse, as described in standard 115.33. Allegations of reprisal may also be investigated by the Inspector General or Division of Investigations.

Employees will not be subjected to any kind of retaliation for reporting of any wrongdoings. Refer to Agency Policy/Procedure ADM-115.15, South Carolina Whistleblower Act.

115.67 (f)

An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded.

Facility Staff: The acting warden response to termination of retaliation monitoring, indicated the facility obligation to monitor will terminate if the facility determines that the allegation is unfounded.

115.68	Post-allegation protective custody
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy Number: OP 22.23 Statewide Protective Custody • SCDC Form 19-47 Evaluation of Protective Concerns • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.68 (a)</p> <p>Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of standards 115.43.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that inmates identified to be at high risk for sexual victimization will not be placed in protective custody or involuntarily segregated, unless there is no available location or method of keeping the inmate separated from likely abusers.</p> <p>Policy states when the inmate requests protective custody he or she will be interviewed by the highest supervisor on duty to determine the nature of the concern. The information will be documented in Section I of SCDC Form 19-47, Evaluation of Protective Concerns.</p> <p>The interviewing official will be responsible for making a recommendation on the form as to his/her assessment of the inmate's reason (s) for requesting protective custody housing. The interviewing official may either recommend that the inmate be returned to the general population or placed in "Pre-Hearing Detention with Protective Custody Concerns for further investigation.</p> <p>The South Carolina Department of Corrections Policy Number: OP 22.23 – Statewide Protective Custody and utilizes the form Evaluation of Protective Concerns – SCDC Form 19-47.</p> <p>Facility Staff: Does agency policy prohibits placing inmates at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers? The acting warden indicated that the facility does not prohibits use from placing them in segregated housing, however, the facility must justify the placement and have a plan to re-integrate the inmate into population for his safety.</p> <p>Interviewed Staff: That staff first consider other alternatives based on the circumstances of the allegation before considering the placement of an inmate in protective custody, alternatives such as placing the inmate in another housing area, or transferring the inmate to another facility.</p> <p>Interviewed Staff: Facility PREA compliance manager confirmed that to the extent possible, access to programs, privileges, education, and work opportunities would not be limited to inmates placed in protective custody for reasons of sexual abuse or sexual harassment. Restrictions of programs, privileges, education, and work opportunities would be documented by the facility.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • Investigation Reports (All Investigation for the Past Months- Complete Packages) - 14 • List of Cases Referred for Prosecution (Past 12 Months) • Email: Retention Policy are not put in policies anymore • NIC Investigation Specialized Training • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA 05.01 Investigations and Procedures • SCDC Form Sexual Abuse Response Protocol Checklist • SCDC Form Sexual Abuse Response Protocol • SCDC Policy POL-23.01 Investigation • MOU Between South Carolina Law Enforcement Division (SLED) and South Carolina Department of Correction (SCDOC) • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.71 (a)</p> <p>When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.4 page 5 states, SCDC will ensure that all allegations of sexual abuse and sexual harassment are thoroughly investigated promptly. PREA allegations of sexual abuse or sexual harassment may be received in numerous ways to include:</p> <ul style="list-style-type: none"> • PREA Tips – SCDC public website page that the public can use to report an allegation of sexual abuse/sexual harassment; • *22 Hotline Call; • Warden-to-warden PREA Notification; • Grievance; • Request to Staff Member (RTSM) or Automated Request to Staff Member (ARTSM); • Note, Letter, or Verbally. <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 states, regardless of how an allegation of sexual abuse or sexual harassment is received, the PMC will ensure SCDC Form 19.29A, "Incident Report" is completed, along with an SCDC Form 19-169. "Incident Report Checklist for PREA Issues." The PMC will assign a case number to the PREA allegation on SCDC Form 19-19-186, "PREA Case Log." The case number and information will also be recorded on the web-based PREA Case Log, which captures information for all institutions. The PCM will interview the alleged victim to gather any other pertinent information regarding the case and ask the inmate to complete SCDC Form 19-187, "PREA Inmate Voluntary Statement." This information, along with a printed inmate face sheet (printed through the Internal Inmate Search Application), will be forwarded to the Agency's PREA Coordinator for review and confirmation that the case is PREA-related. Upon approval by the Agency's PC, the Agency PC, the Agency' PC will forward all inmate-on-inmate sexual harassment cases back to the institutional PCM to begin their administrative investigation, or for those allegations of criminal sexual abuse or staff-on-inmate sexual harassment will be investigated by SCDC's Police Services.</p> <p>All allegations of sexual abuse and sexual harassment, including threats and attempts, will be immediately and aggressively investigated. The Division of Investigations shall initiate the investigation, will notify South Carolina Law Enforcement Division (SLED) and the Inspector General's office when sexual misconduct by staff, contractors or volunteers is alleged, and will conduct an internal investigation in accordance with SCDC Policy and Procedure GA-05.01 Investigations.</p> <p>Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, how long does it take to initiate an investigation following an allegation of sexual abuse or sexual harassment? Response, an investigation is initiated as soon as the allegation is received and reviewed by OII. Time from incident date to referral to OII does vary depending on circumstances out of OII control (institutional processing, means by which the allegation is made, etc.).</p>

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, what would be the first steps in initiating and investigation and how long would they take? Response, all cases are different but normally it would be an interview with the victim. Initial interviews are conducted as quickly as possible after the investigation is initiated. If the victim is taken to the hospital for injuries sustained in an assault and OII are notified immediately. Agents often respond to the hospital to conduct the initial interview.

SCDC Police Services statewide has forty (40) investigators, who are Class 1 Police Officers. These investigators are assigned to a region in the state. Using a regional approach, the state is divided into four (4) regions. Each region has five (5) investigators assigned with one (1) supervising manager for each respective region. Each region is task with the responsibility of performing a variety of types of investigations to include PREA investigations.

The facility reported a total of 14 investigations during the past 12 months.

- Sexual Abuse – Staff on Resident = 7
 - e. Substantiated = 2
 - f. Unsubstantiated = 0
 - g. Unfounded = 1
 - h. On-Going/Pending = 4

Note: Arrested/Referred to DA's Office = 2

- Sexual Harassment – Staff on Resident = 3
 - a. Substantiated = 1
 - b. Unsubstantiated = 1
 - c. Unfounded = 0
 - d. On-Going/Pending = 1

Note: Arrested/Referred to DA's Office = 0

- Sexual Abuse – Resident on Resident = 1
 - a. Substantiated = 1
 - b. Unsubstantiated = 0
 - c. Unfounded = 0
 - d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

- Sexual Harassment – Resident on Resident = 3
 - a. Substantiated = 0
 - b. Unsubstantiated = 1
 - c. Unfounded = 2
 - d. On-Going/Pending = 0

Note: Arrested/Referred to DA's Office = 0

SCDC 2020 Annual Report Summary:

According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

115.71 (b)

Where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to standard 115.34.

The investigators are required to complete the NIC online PREA Specialized Investigations training. The NIC online training include techniques for interviewing sexual abuse victim, proper use of Miranda and Garrity warning, etc. The facility provided a list of individuals that completed the PREA Specialized training and verification by submitting the certificates at were received at the completion of course.

115.71 (c)

Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA

evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

Collection of forensic and other physical evidence will be done in coordination with the facility's medical staff, the Division of Investigations and/or the South Carolina Law Enforcement Division.

Evidence/Security Procedures: if there is evidence that a sexual assault has occurred, the area will be treated as a possible crime scene and the following steps will be implemented immediately upon discovery:

- Identify and maintain the crime scene, preserve evidence, including on the victims' and alleged perpetrator's bodies or clothes, and maintain custody of evidence until released to law enforcement officials;
- Items shall not be cleaned or removed;
- Photos shall be taken of the suspected crime scene and any evidence;
- Allow only authorized personnel to enter the area;
- If the incident occurred within the last 5 days, request that the victim – and ensure that the alleged perpetrator (s) refrain from actions that could destroy evidence, such as bathing, brushing teeth, changing their clothes, urinating, defecating, drinking, or eating until they have been examined by qualified medical personnel.
- Ensure that any alleged staff, volunteer or contractor perpetrators are immediately separated from contact with inmates.
- For additional procedures, see the Sexual Abuse Response Protocol (Policy Number: OP-21.12 Attachment A – SCDC Sexual Abuse Response Checklist and Attachment B SCDC Sexual Abuse Response Protocol).

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OI) was asked, please describe any direct and circumstantial evidence you would be responsible for gathering in an investigation of an incident of sexual abuse. Response, witness statements, video footage, sexual assault evidence collection kit, photographs, fingerprints, etc...

115.71 (d)

When the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

According to policy, if allegations of conduct that appears to be criminal are substantiated, referral will be made to the appropriate solicitor for prosecution. Additionally, staff will be subject to Agency corrective action up to and including termination, and inmates may be charged through the Agency Disciplinary System.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OI) was asked, when you discover evidence that a prosecutable crime may have taken place, do you consult with prosecutors before you conduct compelled interviews? Response, OI agents are trained investigators and are not required to consult with prosecutors before conducting interviews. They proceed and consult with prosecutors if needed and the OI office also has an attorney on staff with who provides guidance when necessary.

115.71 (e)

The credibility of an alleged victim, suspect, or witness shall be assessed on an individual as is and shall not be determined by the person's status as inmate or staff. No agency shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OI) was asked, on what basis do you judge the credibility of an alleged victim, suspect, or witness? Response, there are several ways such as corroborating their information through investigation, prior incidents, they observe their demeanor during interviews, information from SCDC personnel who may have had prior interactions with the person, whether the individual has been credible before.

Interviewed Targeted Inmates: Three inmates who reported sexual abuse. There were (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. All reported they were not required to take polygraph test as a condition for proceeding with a sexual abuse investigation.

115.71 (f)

Administrative Investigations:

- Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and
- Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that Administrative Investigations: All allegations of sexual abuse or sexual harassment that do not meet the level of a criminal offense will be investigated for violations of agency policies, procedures,

rules, or guidelines.

Institutional PCMs are responsible for the thorough investigation of all non-criminal investigations. PCMs will gather and preserve direct and circumstantial evidence, including available physical evidence and any available electronic monitoring data, interview alleged victims (s), perpetrator (s), and witnesses, and review any available prior complaints and reports of sexual abuse or sexual harassment involving the alleged or suspected perpetrators.

All administrative investigations will be 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.

Administrative investigations will utilize preponderance of the evidence as the standard for determining whether an allegation of sexual abuse or sexual harassment is substantiated.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, what efforts do you make during an administrative investigation to determine whether staff actions or failures to act contributed to the sexual abuse? Response, if the investigation is administrative in nature the complete investigation report, with findings, is turned over to the proper authorities for any action they deem necessary.

115.71 (g)

Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that Criminal Investigations: Any allegation that provides evidence of criminal sexual abuse will be forwarded to the proper authorities for prosecution.

Agents with SCDC's Police Services will gather and preserve direct and circumstantial evidence, including available physical evidence, and any available electronic monitoring data, interview alleged victim (s), perpetrator (s), and witnesses, and review prior complaints and reports of sexual abuse involving the alleged or suspected perpetrator.

All criminal investigations will be 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.

115.71 (h)

Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

Policy requires that the Police Services or designee will pursue criminal prosecution against any SCDC employee, inmate, or visitor who participates in a criminal act. Prosecution will be pursued through the appropriate judicial officer, i.e., the State Attorney General Circuit Solicitor, Magistrate, or City Recorder, of the jurisdiction in which the crime occurred.

According to policy, if allegations of conduct that appears to be criminal are substantiated, referral will be made to the appropriate solicitor for prosecution. Additionally, staff will be subject to agency corrective action up to and including termination, and inmates may be charged through the Agency Disciplinary System.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, when do you refer cases for prosecution? Response, anytime the allegation is found to be criminal under the SC Code of Laws.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, please describe the investigation process: Allegation is received and reviewed by OII. Case opened. Victims (s) and witness (es) are then interviewed, and evidence collected if available. Suspect is interviewed and any follow-up interviews take place. Report is written and reviewed through supervisory chain. Once the report is finalized, the appropriate operational staff and PREA staff are notified of the outcome of the investigation so any administrative matter can be handled. If criminal charges are made, the case is then prepared for prosecution through the courts.

115.71 (i)

The agency shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

SCDC has a general investigative record retention schedule of physical destruction of 7 years after adjudication or until the inmate discharges from a sentence, dies while incarcerated, whichever comes first, the records can then be destroyed. The schedule has been corrected to meet standard requirements.

The South Carolina Department of Corrections Policy Number: HS-18.07 Inmate Health Records section 10 – Inactive health records will be maintained by the Central HIR office in hard copy form for 25 years or on microfilm and/or on electronic media

for 99 years.

115.71 (j)

The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, how do you proceed when a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation into his/her conduct? Response, they continue with the investigation, the fact that the suspect is no longer employed has no bearing on the investigation. Their employment status means nothing to the investigative process.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, how do you proceed when a victim who alleges sexual abuse or sexual harassment or an alleged abuser leaves the facility prior to a completed investigation into the incident? Response, they continue with the investigation, where the victim or offender currently resides has no bearing on the case.

115.71 (k)

Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.

Central Office Staff: The agency PREA coordinator indicated that South Carolina Department of Corrections conducts investigations of all allegations that have allegations of events that have the potential to be deemed criminal in nature based on federal, state, and local laws. Those allegations that do not have criminal intent are investigated by internal administrative investigators that have completed specialized investigations training provided online by the National Institute of Corrections. SCDC polices are in line with the guidance and mandates of the PREA Standards and are reviewed by the agency PREA coordinator routinely to ensure consistency.

115.71 (l)

When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

The South Carolina Department of Corrections Policy Number: POL-23.01 Investigations section 3.3 – A letter of agreement/memorandum of understanding will be developed and signed by the agency Director and the Chief of the State Law Enforcement Division (SLED) that delineates which allegations of potential criminal activity will be accepted for investigation by SLED. The Deputy Director of Policy Services will ensure that the provisions of this letter of agreement/memorandum of understanding are complied with by investigative personnel. In all cases that are investigated by SLED, Police Services and SCDC Agents will be available to assist SLED, as needed.

Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, when an outside agency investigates an incident of sexual abuse in the facility, what role do you play? Response, in the event that this should happen, OII would still open a case as an assisting agency and assist the outside agency with the investigation, evidence collection, and interviews.

Central Office Staff: Agency PREA coordinator (PC) was asked, if an outside agency investigates allegations of sexual abuse, how does the agency remain informed of the progress of a sexual abuse investigation? Response, SCDC conducts its own investigations, but if an outside agency assists or investigates, SCDC ensure that all reports are received and are provided to the PREA coordinator. The Office of Investigations and Intelligence stays in constant communication with the outside agencies. SCDC has an agreement with the South Carolina Law Enforcement for investigations.

Facility Staff: If an outside agency investigates allegations of sexual abuse, how does the facility remain informed of the progress of a sexual abuse investigation? The acting warden indicated that the Office of Investigation and Intelligence handles all criminal investigations. They provided the institution with a final report.

115.72	Evidentiary standard for administrative investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA 05.01 Investigations and Procedures • SCDC Form Sexual Abuse Response Protocol Checklist • SCDC Form Sexual Abuse Response Protocol • SCDC Policy Number: OP 21.12 Section 9 Data Collection/Tracking • SCDC Policy POL-23.01 Investigation • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.72 (a)</p> <p>The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, what standards of evidence do you require to substantiate allegation of sexual abuse or sexual harassment? Response, preponderance of the evidence.</p> <p>The facility reported a total of 14 investigations during the past 12 months.</p> <ul style="list-style-type: none"> • Sexual Abuse – Staff on Resident = 7 <ul style="list-style-type: none"> e. Substantiated = 2 f. Unsubstantiated = 0 g. Unfounded = 1 h. On-Going/Pending = 4 <p>Note: Arrested/Referred to DA's Office = 2</p> <ul style="list-style-type: none"> • Sexual Harassment – Staff on Resident = 3 <ul style="list-style-type: none"> a. Substantiated = 1 b. Unsubstantiated = 1 c. Unfounded = 0 d. On-Going/Pending = 1 <p>Note: Arrested/Referred to DA's Office = 0</p> <ul style="list-style-type: none"> • Sexual Abuse – Resident on Resident = 1 <ul style="list-style-type: none"> a. Substantiated = 1 b. Unsubstantiated = 0 c. Unfounded = 0 d. On-Going/Pending = 0 <p>Note: Arrested/Referred to DA's Office = 0</p> <ul style="list-style-type: none"> • Sexual Harassment – Resident on Resident = 3 <ul style="list-style-type: none"> a. Substantiated = 0 b. Unsubstantiated = 1 c. Unfounded = 2 d. On-Going/Pending = 0 <p>Note: Arrested/Referred to DA's Office = 0</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • PREA Investigation Tracking Log • Investigation Reports (All Investigation for the Past Months- Complete Packages) - 14 • Documentation of Resident Notifications (Past 12 Months) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy POL-23.01 Investigation • PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.73 (a)</p> <p>Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 3.4 indicated that following an investigation into an inmate's allegation that he or she suffered sexual abuse in an institution, the institution's PCM will ensure the alleged victim is provided notification of whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded by completing and having the inmate sign that he/she has received a copy of SCDC Form 19-165, "Disposition of PREA Report." The original is placed in the inmate's PREA case file in the PCM's office.</p> <p>Central Office Staff: Deputy Director of the Office of Investigations and Intelligence (OII) was asked, do your agency procedures require that a resident who makes an allegation of sexual abuse must be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation? Response, the responsibility of notifying the victim on the outcome of the investigation falls on the PREA compliance manager of the institution. OII has no procedures or policy that requires them to notify the victim on the outcome, however, in most cases we do.</p> <p>Facility Staff: Does your facility notify an inmate who makes an allegation of sexual abuse when the allegation has been determined to be substantiated, unsubstantiated, unsubstantiated, or unfounded following an investigation? The acting warden indicated that they are provided with a policy form which covers if the allegation was substantiated or not, what steps the agency is taking, and outside counseling service for them to contact. The facility PREA compliance manager will ensure the alleged victim is provided notification by completing and having the inmate sign that he has received a copy of SCDC Form 19-165, "Disposition of PREA Report." The original is placed in the inmate's PREA case file in the PREA compliance Office. There was a concern.</p> <p>Interviewed Targeted Inmates: Inmates who reported sexual abuse. There were (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. Two inmates reported that they know the "prison" must notify them of the outcome of the investigation. One reported she didn't know that and was not told of the outcome of the incident; however, after continuing to talk during the interview she self-reported that she was aware of what the outcome was and the staff was no longer working at the facility.</p> <p>115.73 (b)</p> <p>If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.</p> <p>If the agency did not conduct the investigation, the agency will use the same process as defined in section (a) of the standard.</p> <p>115.73 (c)</p> <p>Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:</p>

- The staff member is no longer posted within the inmate's unit;
- The staff member is no longer employed at the facility;
- The agency learns that the staff member has been indicated on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

115.73 (d)

Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

- The agency learns that the alleged abuser has been indicated on a charge related to sexual abuse within the facility; or
- The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 3.4 indicated that following an investigation into an inmate's allegation that he or she suffered sexual abuse in an institution, the institution's PCM will ensure the alleged victim is provided notification of whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded by completing and having the inmate sign that he/she has received a copy of SCDC Form 19-165, "Disposition of PREA Report." The original is placed in the inmate's PREA case file in the PCM's office.

115.73 (e)

All such notifications or attempted notifications shall be documented.

Policy requires the institution's PCM to ensure that alleged victim is provided notification of whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded by completing and have the inmate sign that he/she has received a copy of SCDC Form 19-165, "Disposition of PREA Report." The original is placed in the inmate's PREA case file in the PCM's office.

115.73 (f)

An agency's obligation to report under this standard shall terminate if the inmate is released from the agency's custody.

Interviewed staff indicated that if the inmate is released from the agency's custody the facility will terminate.

Corrective Actions:

Provision (a) states "Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency/facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

Concern 1: During the documentation review there were three (3) inmates that did not received the required PREA notification.

Agency/Facility Response:

The PREA notifications were completed, and copies were forwarded in November 2021.

115.76	Disciplinary sanctions for staff
	<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="242 271 480 300">Supporting Information:</p> <ul data-bbox="242 329 1449 757" style="list-style-type: none"> • Documentation of Termination, Resignations, other Sanctions Against Staff - 2 • SCDC Policy ADM-11.04 Employee Corrective Action • SCDC Policy ADM-11.17 Employee Conduct • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy ADM-11.34 Employee Inmate Relations • SCDC Policy ADM-11.39 Staff Sexual Misconduct with Inmates • SCDC Policy POL-23.01 Investigation • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="242 788 347 817">115.76 (a)</p> <p data-bbox="242 846 1449 907">Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p data-bbox="242 936 1461 996">Policies ADM 11.17 Employee Conduct and ADM 11.04 Employee Corrective action were viewed and cover the details for termination.</p> <p data-bbox="242 1025 1410 1120">According to policy, if allegations of conduct that appears to be criminal are substantiated, referral will be made to the appropriate solicitor for prosecution. Additionally, staff will be subject to Agency corrective action up to and including termination.</p> <p data-bbox="242 1149 975 1178">The facility reports 14 PREA investigations within the past twelve months.</p> <p data-bbox="242 1207 347 1236">115.76 (b)</p> <p data-bbox="242 1265 1171 1294">Termination shall be the presumptive disciplinary sanction for have engaged in sexual abuse.</p> <p data-bbox="242 1323 1410 1417">According to policy, if allegations of conduct that appears to be criminal are substantiated, referral will be made to the appropriate solicitor for prosecution. Additionally, staff will be subject to Agency corrective action up to and including termination.</p> <p data-bbox="242 1447 347 1476">115.76 (c)</p> <p data-bbox="242 1505 1445 1599">Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually 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.</p> <p data-bbox="242 1628 1390 1688">Through discussions with staff, it is clear that violating agency sexual abuse and sexual harassment policies will be commensurate with past act in the personal files.</p> <p data-bbox="242 1718 347 1747">115.76 (d)</p> <p data-bbox="242 1776 1485 1870">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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p data-bbox="242 1899 1469 1960">Interviewed staff: indicated that if staff or contractors are terminated for violating agency sexual abuse policy, that the State Law Enforcement Division (SLED) are the agency that will investigate.</p> <p data-bbox="242 1989 1469 2018">Interviewed staff seemed aware of the fact that the individual would also need to be reported to the relevant licensing body.</p>

115.77	Corrective action for contractors and volunteers
	<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="240 273 480 300">Supporting Information:</p> <ul data-bbox="240 331 1449 757" style="list-style-type: none"> • Documentation of Termination, Resignations, other Sanctions Against Volunteers and Contractors – 1 contractor • Email Volunteers from Office of Programs and Services • SCDC Policy PS-10.04 Volunteer Services Programs • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy ADM-11.39, Staff Sexual Misconduct with Inmates • Volunteers Training Curriculum Handbook • Volunteers Orientation Training Power Point • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="240 788 347 815">115.77 (a)</p> <p data-bbox="240 846 1489 909">Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.</p> <p data-bbox="240 940 1489 1003">The agency/facility has four (4) contractors that violated agency PREA policy. Three were termination of employment and (1) was resigned by the contract agency to work non correctional services. This case is still pending.</p> <p data-bbox="240 1034 1489 1124">Facility Staff: In the case of any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, what remedial measures does your facility take? Does the facility always prohibit further contact with inmates? The warden indicated that the facility always prohibits further contact.</p> <p data-bbox="240 1155 1414 1218">The acting warden also indicated that the individuals are subject to arrest, the facility can report them to any licensing agencies, barring them from further contract or volunteering with SCDC.</p> <p data-bbox="240 1249 976 1276">The facility reports 14 PREA investigations within the past twelve months.</p> <p data-bbox="240 1308 347 1335">115.77 (b)</p> <p data-bbox="240 1366 1473 1429">The facility shall take appropriate remedial measures, and shall 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.</p> <p data-bbox="240 1460 501 1487">See section (a) response.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA-01.12 Inmate Grievance System • SCDC Policy OP-21.04 Inmate Classification Plan • SCDC Policy OP-22.14 Inmate Disciplinary System • SCDC Policy POL-23.01 Investigation • SCDC Form 19-29A • SCDC Policy Number: HS 19.01 Placement of Inmates in Mental Health Observation and Evaluation Status • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.78 (a)</p> <p>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 or following a criminal finding of guilt for inmate-on-inmate sexual abuse.</p> <p>The SCDC has a discipline process in place for inmates who violate the rules of the facility which includes incidents of sexual abuse. Sanctions for inmates violating agency policy vary depending upon the level of the violation.</p> <p>Sanctions for these violations take into consideration many aspects of the inmate's history and assessments conducted by the staff at the facility. This also includes the inmates' mental health status.</p> <p>The agency will not sanction inmates who have made an allegation in good faith, even if the investigation cannot substantiate the allegation.</p> <p>According to policy, the inmate has the right to refuse administrative resolution and request that the incident be referred to a disciplinary hearing, however, the Hearing Officer has the authority to levy additional sanctions and to take accrued good time if the inmates is found guilty of the incident.</p> <p>The South Carolina Department of Corrections Policy Number: OP 22.14 Inmate Disciplinary System section 7.1 and 7.2 – inmates will be served with notice of disciplinary charges at least forty-eight (48) hours prior to their hearings, Should the inmate refuse to sign SCDC Form 19-69, Inmate Disciplinary Report and Hearing Record, he/she will forfeit the opportunity to request that their accuser and/or witness (s) be present at their scheduled hearing.</p> <p>Policy also requires once the inmate is formally charged (and entered into the Offender Management System), the hearing will be held within 21 calendar days. SCDC Form 19-69, will be used to document the charges and the results of the hearing. The charges will be explained by the Hearing Officer to the inmate in terms she/he can understand. Inmates may not be subjected to any form of coercion designed to persuade them to waive their rights to 48-hour notice. If inmates are offered the opportunity to waive the 48-hour notice, they must be fully informed, in terms understandable to them, of the nature of the right at stake. In addition, an inmate may waive his/her right to a hearing, the Hearing Officer will review the waive section of the SCDC Form 19-69, conduct the hearing in the absence of the inmate, determine guilt or innocence; if guilty, decide on appropriate penalties, and notify the inmate of the same using SCDC Form 19-69. Should an inmate refuse to sign a waiver and/or attend the hearing, the hearing will be held in the inmate's absence and recorded.</p> <p>115.78 (b)</p> <p>Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses on other inmates with similar histories.</p> <p>Facility Staff: Are the sanctions proportionate to the nature and circumstances of the abuses committed, the inmates' disciplinary histories, and the sanctions imposed for similar offenses by other inmates with similar histories? The warden indicated yes; this is all in accordance with SCDC policy OP 22.14 Inmate Discipline.</p> <p>115.78 (c)</p>

The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, in any, should be imposed.

The South Carolina Department of Corrections Policy Number: OP-22.14 section 1.4 – If the inmate has a mental health issue noted on his/her MEDCLASS screen or is acting in such a manner that indicates a mental health concern, then a copy of SCDC Form 19-29A, "Incident Report." Must be forwarded to the mental health staff. This referral must be documented on SCDC Form 19-29A. In these instances, a memorandum from the mental health care professional must be included as an attachment to SCDC Form 19-29A, attesting to the inmate's mental status and accountability for his/her actions. Refer to SCDC Policy HS-19.01, "Placement of Inmates in Mental Health Observation and Evaluation Status," for additional information).

Central Office Staff: The Agency PREA Coordinator indicated that an inmate's mental disabilities or mental illness would be considered when determining the type of sanction, if any, should be imposed.

Facility Staff: Is mental disability or mental illness considered when determining sanctions? The acting warden indicated yes, if the inmate is a mental health classification on L1, L2, L3, LC, or MR, and is found guilty the charges must be reviewed by a Mental Health Disciplinary Treatment Team before sanctions are imposed.

115.78 (d)

If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

Facility Staff: The medical staff indicated that the facility offers therapy, counseling, or other intervention services designed to address and correct the underlying reasons or motivations for sexual abuse and the facility consider offering these services to the offending inmates.

Staff also indicated that when these services are provided, the inmate's participation are not required as a condition of access to programming or other benefits. Participation is on a voluntary basis.

115.78 (e)

The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

Central Office Staff: The agency PREA coordinator indicated that SCDC only discipline offenders when it is proven the staff member did not consent to the conduct.

115.78 (f)

For the purpose of disciplinary action, 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 evidence sufficient to substantiate the allegation.

A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish sufficient to substantiate the allegation. Any inmate conclusively found to have filed an intentionally false report alleging sexual abuse will be subject to disciplinary action through the Inmate Disciplinary System and /or criminal charges.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.2.2 indicated that a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that any inmate conclusively found to have filed an intentionally false report alleging sexual abuse will be subject to disciplinary action through the Inmate Disciplinary System and/or criminal charges.

115.78 (g)

An agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

Central Office Staff: The agency PREA coordinator indicated that SCDC prohibits sexual activity between inmates and may discipline inmates proven, but does not consider such activity sexual abuse unless an investigation and preponderance of the evidence proves otherwise.



115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Documents, Interviews and Observations</p> <ul style="list-style-type: none"> • List of Resident who Report Prior Victimization • Mental Health Screenings – PREA Related (Past 12 Months) • Medical Screenings – PREA Related (Past 12 Months) • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy HS-19.04 Mental Health Services – General Provisions • Online PREA Audit: Pre-Audit Questionnaire Prisons and Jails • Interviews <p>115.81 (a)</p> <p>If the screening pursuant to standard 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p>The SCDC system allows medical and mental health staff to provide an initial assessment and continued re-assessment and follow up services to the inmates.</p> <p>Intake Screening: All newly admitted and interfacility transferred inmates are required to be screened by health services staff upon admission to the facility prior to placement in general population. A mental health referral and evaluation by mental health staff within 24 hours of referral is also required for the following circumstances:</p> <ul style="list-style-type: none"> • Inmates incarcerated for the first time; • Inmates discharged from a psychiatric facility within the last 30 days; • Inmates who, within 30 days of incarceration, have displayed or indicated a suicidal ideation but lacked a plan to carry out the suicide; • Inmates with mental health concerns as identified by the court, or as reported by a concerned party; • Inmates with a history (within the past three years) of suicide attempts or plans, either self-reported or reported by a concerned party. <p>Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, if a screening indicates that an inmate has experienced prior sexual victimization, whether in an institutional setting or in the community, do you offer a follow-up meeting with a medical and/or mental health practitioner? Yes, if is offered, may not except.</p> <p>A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:</p> <ul style="list-style-type: none"> • Prior victimization reports must be seen by mental health within 14 days of intake screening. • Prior perpetrated sexual abuse must be seen by mental health within 14 days of intake. • Shall obtain informed consent before reporting information about prior victimization not occurring in correction unless less than 18 years old. <p>SCDC Policy HS-18.13 Health Screening and Exams Section 1, states immediately upon an inmate's arrival at an SCDC Reception and Evaluation Center, and upon transfer to any SCDC facility, preliminary medical screening will be completed to include:</p> <ul style="list-style-type: none"> • Inquiry into the inmate's health history and observation of his/her current appearance, behavior, and condition. SCDC Supply M-14, "Medical Screen, "will be completed by the medical staff or a health trained staff member. <p>Interviewed Targeted Inmate: There were three (3) inmates interviewed that reported prior victimization during screening. They all reported that they were offered services as needed. (1) reported that they offered her services, but she felt she didn't need them at this time but understands that she can request services at any time.</p> <p>115.81 (b)</p>

If the screening pursuant to standard 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 3.3 Perpetrator Treatment Plan: An individual treatment plan shall be developed and initiated for each sexual perpetrator in order to decrease the individual's potential for continued sexual abuse within the correctional environment and after release to the community.

Facility Staff: Staff who perform screening for risk of victimization and abusiveness response to, if a screening indicates that an inmate previously perpetrated sexual abuse, do you offer a follow-up meeting with a mental health practitioner? Yes. How soon? ASAP, there is an automatic alert that goes to the person that conduct such screening.

115.81 (c)

If the screening pursuant to standard 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner with 14 days of the intake screening.

See Section (a) response.

115.81 (d)

Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

115.81 (e)

Medical and mental health practitioners shall 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.

A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:

- Shall obtain informed consent before reporting information about prior victimization not occurring in correction unless less than 18 years old.

Facility Staff: The medical staff indicated that they do obtain informed consent from inmates reporting about prior sexual victimization that did not occur in an institutional setting.

Facility Staff: The medical staff indicated that there is no separate consent process for inmates under the age of 18. There are no youthful inmates housed at this facility.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Documents, Interviews and Observations</p> <ul style="list-style-type: none"> • Documentation of Inmates Receiving Access to Emergency Medical Services (PREA Only) - None • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy HS-19.04 Mental Health Services – General Provisions • SCDC Policy Number: HS 18.15 Level of Care • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.82 (a)</p> <p>Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.</p> <p>A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:</p> <ul style="list-style-type: none"> • You may not use an inmate interpreter – only staff or outside services. • Inmate must receive immediate, unimpeded access to emergency treatment and crisis intervention. • If medical/mental health not on duty cases will be reported to the covering institution. • Must provide information about emergency contraception and STD prophylaxis. • There will be no financial cost to the inmate. • If female, she gets pregnant OB care will be provided. <p>Facility Staff: Medical staff indicated that inmate victims of sexual abuse receive immediate timely and unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of these services are determined according to their professional judgement.</p> <p>115.82 (b)</p> <p>If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to standard 115.62 and shall immediately notify the appropriate medical and mental health practitioners.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 2.3.1.1 indicated that in the event of an actual or suspected case of sexual abuse/victimization, the security staff first responder (s) must complete the following steps:</p> <ul style="list-style-type: none"> o Identify and separate the alleged perpetrator and alleged victim; o Immediately take the alleged victim to Medical; o Escort alleged inmate perpetrator (s) to an isolated area, preferably in a dry cell with restricted access to a toilet or water; o Notify the shift supervisor, PREA Compliance Manager, and Warden as well as Police Services; o Identify and isolate any witness; o Secure the crime scene; o Document all incidents promptly on SCDC Form 19-29A, "Incident Report"; and o Only share information related to the incident with those people who need to know in order to ensure the alleged victim's safety, conduct the investigation, or provide treatment to the alleged victim or alleged perpetrator. <p>See Section (a) response.</p> <p>115.82 (C)</p> <p>Inmate victims of sexual abuse while incarcerated shall be 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.</p>

Facility Staff: Medical staff indicated that victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis.

Interviewed Targeted Inmates: Three inmates who reported sexual abuse were interviewed at Camille Griffin Graham Correctional Institution. Two of the inmates reported they were able to see mental health but did not need to see medical and the incident did not warrant medical treatment. One inmate reported she did not see mental health or medical but "there was no need, we were just talking, and somebody told we were in a relationship." All reported that they were informed that they had access to emergency contraception and /or sexually transmitted infection prophylaxis.

115.82 (d)

Treatment services shall be 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.

Facility Staff: The medical staff indicated the treatment services provided are without financial cost.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Documents, Interviews and Observations</p> <ul style="list-style-type: none"> • Documentation of Inmates Receiving Access to Emergency Medical Services (PREA Only) • MOU Between Livesay Correctional Institutions and SAFE Homes-Rape Crisis Coalition • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy Number: HS 18.15 Level of Care • SCDC Policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria • SCDC Policy HS-19.04 Mental Health Services – General Provisions • SCDC Policy Number: HS 18.13 Health Screening and Exams • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.83 (a)</p> <p>The facility shall 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.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that victim support: an individual treatment plan shall be developed and initiated for each victim of sexual abuse to address post-traumatic stress resulting from the sexual abuse. The treatment plan shall include, at a minimum, mental health counseling, medical follow-up (i.e., baseline testing for infectious diseases, etc.). In the case of female inmates, a pregnancy test will be completed as appropriate.</p> <p>The facility offers medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse.</p> <p>A Memo from the Director of Nursing for the SCDC dated July 3, 2019 gives the Health Services – HCA-HN staff written guidance on the following PREA issues:</p> <ul style="list-style-type: none"> • Inmate will be offered medical and mental health evaluation and treatment. • Will receive on going treatment needed with follow up services and referral for any outside care needed. • Provide services consistent with community level of care. • Vaginal perpetration will be offered pregnancy test. • If pregnancy results lawful pregnancy related services will be provided. • STD testing will be offered as medically appropriate. • Treatment will be provided at no financial cost regardless if victim names abuser or not. • Victim and perpetrator will be followed by mental health. <p>115.83 (b)</p> <p>The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or replacement in, other facilities, or their release from custody.</p> <p>Facility Staff: Medical staff indicated that evaluation and treatment of inmates who have been victimized entail basic first aid, lab work/STDs, noninvasive assessment (medical), referral to trauma counseling.</p> <p>Interviewed Targeted Inmate: Three inmates who reported sexual abuse. There were (3) inmates at Camille Griffin Graham Correctional Institution who were interviewed. All 3 inmates reported that they were not in need for follow-up treatment by medical or mental health, but all were aware if they need any services how to access them. They also reported that they were not asked to pay for any treatment related to the incident of sexual abuse.</p> <p>115.83 (c)</p> <p>The facility shall provide such victims with medical and mental health services consistent with the community level of care.</p> <p>SCDC Policy Number: HS 18.15 Level of Care policy statement – The Agency is committed to providing medically necessary</p>

care to inmates throughout their incarceration period. Services provided by Agency medical staff will be in keeping with generally accepted medical standards of the community and will be the most reasonable level of service available for the diagnosis, symptoms, and treatment of the medical condition.

Facility Staff: Medical staff indicated that medical and mental health services offered consistent with community level of care.

115.83 (d)

Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.

Facility Staff: Medical staff indicated that this is a female only facility, and inmates' victims are given timely information and access to all female pregnancy related services.

115.83 (e)

If pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

See Section (a) response.

115.83 (f)

Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

See Section (a) response.

115.83 (g)

Treatment services shall be 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.

Facility Staff: The medical staff indicated the treatment services provided are without financial cost.

115.83 (h)

All prisons shall 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.

Facility Staff: Medical staff indicated that mental health evaluation of all known inmate-on-inmate abusers and offer treatment if appropriate within a 60-day period of learning.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • PREA Incident Reports (Past 12 Months) • Review Team Meetings (30 days) After Completing Investigations • Email Updating the PREA Event Database • Annual PREA Report – August 29, 2019 • Annual PREA Report 2020 – September 2021 • SSV Summary Report • Department of Justice SSV Reports • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA-04.01, Strategic Planning • SCDC Policy POL-23.01 Investigation • SCDC Policy POL-23.12 Case File Requirements • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.86 (a)</p> <p>The facility shall 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.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 3.5 indicated that following an investigation into an allegation of sexual abuse or sexual harassment, the institution's PMC will ensure an incident review is conducted with thirty (30) calendar days following the PCM receiving Police Services' written investigative report, or upon the PCM's completion of an administrative investigation and completing SCDC Form 19-188, "PCM Report of Findings".</p> <p>115.86 (b)</p> <p>Such review shall ordinarily occur within 30 days of the conclusion of the investigation.</p> <p>See section (a) response.</p> <p>115.86 (c)</p> <p>The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.</p> <p>Facility Staff: Does your facility have a sexual abuse incident review team? If yes, does the team include upper-level management officials and allow for input from line supervisors, investigators, and medical or mental health practitioners? The warden indicated yes, the warden, associate wardens, major, admin captain, investigators, medical, mental health, line staff are all part of the review team. There was a concern.</p> <p>115.86 (d)</p> <p>The review team shall:</p> <ul style="list-style-type: none"> • Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; • Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian; gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise cause by other group dynamics at the facility; • Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; • Assess the adequacy of staffing levels in that area during different shifts; • Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and

- Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.

Facility Staff: How does the team use the information from the sexual abuse incident review? The acting warden indicated, to see if anything could have been done to prevent the incident. Are any policy changes needed, was the incident motivated by race, gender identity, gang affiliation, LGBT, etc. Did staffing create a higher risk, could physical barriers have prevented the assault.

115.86 (e)

The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

SCDC 2020 Annual Report Summary:

According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

The 2020 Annual Report included but not limited to:

- Introduction and Report Summary
- 2020 PREA Audits
- Areas of Concern
- Agency Aggregate Data
- 2020 Aggregated Allegations of Sexual Abuse/Sexual Harassment
- Comparison Data 2018 – 2020
- Data by Institution
- Allegation Breakdown
- Notable Successes
- Corrective Actions
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- Definitions

Central Office Staff: The agency PREA coordinator indicated that SCDC Policy GA-06.11B, Applying the PREA Standard, Section 9.2 mandates that all SCDC Institutional SART's will conduct a sexual abuse incident review with 30 days of receiving a substantiated or substantiated investigation report of an allegation of sexual abuse or sexual harassment. Additionally, the incident review will be documented on SCDC Form 19-183. All SCDC Incident Reviews are conducted with the company of an SCDC attorney.

Corrective Actions:

Provision (b) states "Such review shall ordinarily occur within 30 days of the conclusion of the investigation."

Concern 1: During the documentation review there are three (3) investigations that did not do the required sexual abuse incident reviews.

Agency/Facility Response:

The investigations were completed, and copies of the said documents were forwarded on November 10, 2021.

115.87	Data collection
	Auditor Overall Determination: Exceeds Standard
	<p>Auditor Discussion</p> <p>Supporting Documents, Interviews and Observations</p> <ul style="list-style-type: none"> • PREA Incident Reports (Past 12 Months) • Staffing Plan (Definitions) • Email Updating the PREA Event Database • Annual PREA Report – August 29, 2019 • Annual PREA Report – September 2021 • SSV Summary Report • Department of Justice SSV Reports • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • SCDC Policy GA-04.01, Strategic Planning • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p>115.87 (a)</p> <p>The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that all institutions operated by or contracted with SCDC will collect data regarding all allegations of sexual abuse and sexual harassment on a daily basis. All information regarding allegations, investigations, dispositions, and subsequent actions will be electronically filed and a hard copy retained by the institution.</p> <p>SCDC Policy OP-22-25, Reporting Incidents and Accidents "Management Information Notes" (MIN) and other Methods of Reporting section 2 Reporting indicates that all significant incidents, events, and/or accidents at SCDC facilities, at the Broad River Complex, or other SCDC locations, or involving SCDC vehicles and/or employees during their work time will be entered into the CRT system as a MIN. The significant incident, event, or accident (s) will be automated as MIN by a designated creator as soon as possible after the incident/accident/event occurs. Note: MINs must be entered into the CRT immediately following an incident as soon as is feasible. All MINs will include a concise description of the significant incident, event, or accident, to include the basic reporting elements, i.e., when, where, who, what, why, and how. These elements must be including:</p> <ul style="list-style-type: none"> • Date and time of incident; • Person submitting the MIN, i.e., individual who observes/documents the incident; • Codes denoting the type of incidents • Location where incident occurred • SCDC number (s) if inmate (s) are involved; • Job titles (s) and location if employee (s) are involved; • Race, sex, and age if inmate (s); • Institutional assignment; • SCDC vehicle number if vehicle involved; • Concise factual description of the incident/accident, including steps taken to aid the inmate and/or employee involved; and • Any additional pertinent information. <p>GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 section 6 indicated the standardized set of definitions for sexual abuse and sexual harassment.</p> <p>115.87 (b)</p> <p>The agency shall aggregate the incident-based sexual abuse data at least annually.</p> <p>SCDC 2020 Annual Report Summary:</p> <p>According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual</p>

abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

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Central Office Staff: The agency PREA coordinator indicated that the 2020 SCDC Annual Report is being reviewed by the SCDC Executive Management Team and will be published once the Executive Director has had an opportunity to review and sign.

115.87 (c)

The incident-based data collected shall 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.

The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistic (BJS) is tasked with annual data collection responsibilities under PREA. The South Carolina Department of Corrections has collected the required data using the Survey of Sexual Violence (SSV) including administrative data reported to the Central Office. The SCDC website listed a links of SSV reports from 2006 through 2018 submitted to BJS.

The agency PREA coordinator provided the auditor with the latest copy.

115.87 (d)

The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Interviewed Staff: with staff indicated that the agency maintains, review, and collect the required data, including reports, investigation files, and sexual abuse incident reviews.

115.87 (e)

The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

The agency provided an Annual PREA Report Addendum dated September 16, 2019 stating that the SCDC (private facility) contract with CoreCivic for the housing of certain SCDC inmates in confinement. CoreCivic must also comply with the Federal PREA Standards. The CoreCivic Safety – Tallahatchie County Correctional Facility.

The agency PREA coordinator provided the auditor with a copy of CoreCivic 2020 PREA Annual Report.

115.87 (f)

Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistic (BJS) is tasked with annual data collection responsibilities under PREA. The South Carolina Department of Corrections has collected the required data using the Survey of Sexual Violence (SSV) including administrative data reported to the Central Office. The SCDC website listed a links of SSV reports from 2006 through 2019 submitted to BJS.

115.88	Data review for corrective action
	<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="240 273 770 300">Supporting Documents, Interviews and Observations</p> <ul data-bbox="240 331 1449 689" style="list-style-type: none"> • Email Updating the PREA Event Database • Annual PREA Report – August 29, 2019 (Correction Actions) • Annual PREA Report 2020- September 2021 • SCDC Policy Number: HS 18.07 Inmate health Records • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended • Online PREA Audit: Pre-Audit Questionnaire • Interviews <p data-bbox="240 721 347 748">115.88 (a)</p> <p data-bbox="240 779 1437 837">The agency shall review data collected and aggregated pursuant to standard 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:</p> <ul data-bbox="240 869 1394 963" style="list-style-type: none"> • Identifying problem areas; • Taking corrective action on an ongoing basis; and • Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. <p data-bbox="240 994 1481 1120">GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that the Institutional PCMs are responsible for the management and production of PREA files for auditing and reviewing purposes. As a means of ensuring PCMs have complete documentation in these PREA Case files, PCMs should utilize SCDC Form 19-189, PREA Investigative Folder Checklist.”</p> <p data-bbox="240 1151 1442 1276">The policy also requires the Institutional PCMs to provide the agency PC a Monthly Report of PREA Allegations in Excel spreadsheet format listing all allegations opened each month for review. Each SCDC institution is required to conduct quarterly PREA meetings with the intention of discussing each allegation and determining if changes are needed to the agency's policies or institution's procedures and/or practices.</p> <p data-bbox="240 1308 1453 1402">The PMCs are responsible for reviewing each allegation reported within the quarter with the institution's Sexual Assault Response Team (SART) and document the meeting utilizing meeting notes, which will be filed in the institution's provided electronic shared folder.</p> <p data-bbox="240 1433 1477 1491">The PMC utilize the “PREA Quarterly Meeting” outline provided by the agency's PREA coordinator's office as a reference to ensure the meeting covers all aspects which include but are not limited to:</p> <ul data-bbox="240 1523 552 1684" style="list-style-type: none"> • Identifying problem areas; • Training needs; • Improvement needs; • Corrective actions taken; and • Corrective action plans. <p data-bbox="240 1715 1495 1774">The agency provided the auditor with a copy of the 2020 Annual PREA Report dated September 2021. A review of the report reveals that the Agency has identified areas of concerns and provided corrective actions.</p> <p data-bbox="240 1805 624 1832">SCDC 2020 Annual Report Summary:</p> <p data-bbox="240 1863 1461 2056">According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.</p> <p data-bbox="240 2087 759 2114">The 2020 Annual Report included but not limited to:</p>

- Introduction and Report Summary
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The Facility PREA compliance manager forwards data to the SCDC PREA Coordinator. An annual report is prepared by the Agency PREA Coordinator and placed on the SCDC website after review and approval from upper management to the SCDC Director.

Central Office Staff: Deputy Director of Legal and Compliance/Agency Head Designee was asked, how do you use incident-based sexual abuse data to assess and improve sexual abuse prevention, detection, and response policies, practices, and training? Response, the agency review incident-based information relating to sexual abuse to analyze locations of abuse, the frequency with which offenders may be identified as a perpetrator or victims, patterns within certain institutions, and the times and days of abuse. The information is used to determine locations for electronic surveillance equipment, facility renovation needs, staffing allocations within institutions, institutional training, and the need to take protective measure for specific inmates.

Facility Staff: If the agency reviews data collected and aggregated pursuant to 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, what role does the facility and facility data play in this review? The facility PREA compliance manager indicated the facility will submit facility data to the agency PREA coordinator who will collect data from all institutions. The data will be aggregated into an annual report with corrective actions. The agency PREA coordinator holds semi-annual meetings to discuss the data with division heads.

115.88 (b)

Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

The Agency provided the auditor with a copy of the Annual PREA Report dated September 2021. The auditor reviews the following information within the report.

SCDC 2020 Annual Report Summary:

According to the SCDC 2020 Annual Report in calendar year 2020, SCDC received 379 reported allegations of sexual abuse/sexual harassment. SCDC Office of Investigations and Intelligence investigated (30%) allegations of sexual abuse/sexual harassment for criminal intent. 70% of the allegations were investigated by institutional investigators. 22% of reports were allegations of inmate-on-inmate abuse, and 23% were allegations of staff-on-inmate abuse. Of the 379 allegations, 6% of the allegations were substantiated, 40% were unsubstantiated, 38% were unfounded, and 16% of the cases are ongoing.

The 2020 Annual Report included but not limited to:

- Introduction and Report Summary
- 2020 PREA Audits
- Areas of Concern
- Agency Aggregate Data
- 2020 Aggregated Allegations of Sexual Abuse/Sexual Harassment
- Comparison Data 2018 – 2020
- Data by Institution
- Allegation Breakdown
- Notable Successes
- Corrective Actions
- Schedule of Audits
- Definitions

115.88 (c)

The agency's report shall be approved by the agency heard and made readily available to the public through its website or, if it does not have one, through other means.

The Annual PREA Report (2020) was approved by the Agency Heard and the Chief Legal & Compliance Officer on September 2021 and posted on the agency website. Note: Signatures on File.

Central Office Staff: Deputy Director of Legal and Compliance/Agency Head Designee was asked, do you approve written annual PREA reports? Response, the Deputy Director of Legal and Compliance and the Director of the South Carolina Department of Corrections reviews and approve written PREA annual reports. The annual reports are available on the agency website.

115.88 (d)

The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicated the nature of the material redacted.

A review of the Annual PREA Report (2020), the agency redacts specific material from the report that would present a threat to the safety and security each facility. The report is publication on the SCDC website.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Supporting Documents, Interviews and Observations

- Need Documentation of Retention Records
- Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79: Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
- SCDC POLICY Number: HS 18.07 Inmate Health Records
- Email: Retention Policy are not put in policies anymore
- PREA Audit: Pre-Audit Questionnaire for Community
- Online PREA Audit: Pre-Audit Questionnaire
- Interviews

115.89 (a)

The agency shall ensure that data collected pursuant to standard 115.87 are securely retained.

GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020 indicated that all case records associated with claims of sexual abuse, including incident reports, investigative reports, inmate information, case disposition, medical and counseling evaluation findings and recommendations for post-release treatment and/or counseling are retained in accordance with SCDC Policy OP-21.09 "Inmate Records Plan, and SCDC Policy HS- 18.07, "Inmate Health Information."

115.89 (b)

The agency shall 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.

The agency provided an Annual PREA Report Addendum dated September 16, 2019 stating that the SCDC (private facility) contract with CoreCivic for the housing of certain SCDC inmates in confinement. CoreCivic must also comply with the Federal PREA Standards. The CoreCivic Safety – Tallahatchie County Correctional Facility.

The Auditor review the CoreCive 2018 PREA Annual Report. The report provides a review of the incident-based and aggregated data for calendar year 2018 and a comparison of aggregated data for calendar years 2015, 2016, 2017 and 2018. The report provides corrective actions developed to further reduce sexual abuse and sexual harassment within CoreCivi facilities.

A review of the South Carolina Department of Corrections 2019 PREA Annual Report and the CoreCivic 2018 PREA Annual Report indicated that both reports are located on the internet.

115.89 (c)

Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.

Interview with the Agency PREA Coordinator and review of the Annual Report indicated that all personal identifiers were removed.

115.89 (d)

The agency shall 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.

Interviewed staff indicated that the record retention standard is determined in state statutes and would require the legislature to make a change to the state law. This is an area that the SCDC and Police Services do not have control over. This provision will be rated compliance with the understanding that the PREA Coordinator explores options and recommendations to the SC legislators to change state law.

The South Carolina Department of Corrections Policy Number: HS-18.07 Inmate Health Records section 10 – Inactive health records will be maintained by the Central HIR office in hard copy form for 25 years or on microfilm and/or on electronic media for 99 years.

See section (a) response.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Supporting Information:</p> <ul style="list-style-type: none"> • GA-06.11 Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment (formerly numbered SCDC Policy OP-21.12) Updated July 8, 2020. • GA-06.11 Applying the Prison Rape Elimination Act (PREA) • CoreCivic 2020 PREA Annual Report • Audit Reports • SCDC Audit Schedule • Agency PREA Website • Facility Posting of PREA Notices • Department of Justice SSV Report Summary • Interviews • Agency Annual Report 2020 • Interviews <p>115.401 (a)</p> <p>During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency shall ensure that each facility operated by the agency, or a private organization on behalf of the agency, is audited at least once.</p> <p>A review of the agency's website provided PREA audit reports according to cycles.</p> <p>The facility PREA reports are included on the agency website.</p> <p>115.401 (b)</p> <p>During each one-year period starting on August 20, 2013, the agency shall ensure that at least one third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited.</p> <p>A review of the agency's website provided PREA audit reports according to cycles.</p> <p>The facility PREA reports are included on the agency website.</p> <p>115.401 (c)</p> <p>The Department of Justice may send a recommendation to an agency for an expedited audit if the department has reason to believe that a particular facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist the agency with PREA related issues.</p> <p>The PREA coordinator and the facility acknowledges this provision.</p> <p>115.401 (d)</p> <p>The Department of Justice shall develop and issue an audit instrument that will provide guidance on the conduct of and contents of the audit.</p> <p>The auditor uses the required Prison Rape Elimination Act (PREA) Audit Prison and Jails standards audit instrument to enter collected information online, 28 C.F.R Part 115 Docket No. OAG-131 RIN 1105-AB34 May 17, 2012.</p> <p>115.401 (e)</p> <p>The agency shall bear the burden of demonstrating compliance with the standards.</p> <p>The PREA coordinator and facility acknowledge this provision. The agency and the facility provided requested information to bear the burden of demonstrating compliance with the standards.</p> <p>115.401 (f)</p> <p>The auditor shall review all relevant agency-wide policies, procedures, reports, internal and external audits, and accreditation for each facility type.</p> <p>The auditor has requested all relevant policies, procedures, reports, internal and external audits for the facility during the pre-</p>

audit, onsite and post audit phases.

115.401 (g)

The audits shall review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period.

The auditor sample size is based on the number of residents at the facility on the first day. The random staff sample size based on a minimum of twelve or more based on interview outcomes and facility size.

115.401 (h)

The auditor shall have access to, and shall observe, all areas of the audited facilities.

Site Review/Tour:

On the first day of the audit after the entrance conference, the auditor conducted a comprehensive tour of the facility. It was requested that when the auditor paused to speak to a resident or staff, that staff on the tour to please step away so the conversation might remain private. This request was well respected.

The following staff accompanied the auditor on tour and responded to the auditor's questions concerning the facility operations:

- o Adam Barnett, USDOJ Certified PREA Auditor
- o Sharon Patterson, Acting Warden/Facility PREA Compliance Manager
- o Amelia Williams, Major
- o Kenneth James, Agency PREA Coordinator

During the tour, the auditor reviewed PREA related documentation and materials located on bulletin boards and walls. The auditor observed camera surveillance, physical supervision, and electronic monitoring capabilities. Other areas of focus during the tour included, but were not limited to, levels of staff supervision, and limits to cross-gender viewing.

PREA posters were posted in English and Spanish to include phone numbers according to residents informally interviewed. In 2017, SCDC developed a resident educational brochure, which was previously provided on hardcopy to residents. During the tour the auditor discussed with the residents regarding the process of operating the GTL (Global Tel Link) Kiosk System. The GTL Genesis in-pod kiosk allows residents to receive and send electronic messages to family and friends that have created an account of OffenderConnect.com.

During the tour the auditor observed residents with tablets. A demonstration of the tablet showed an app for a PREA video for resident review for refresher education. The tablets allow residents to call the family members.

There are telephones in the dorms. Family members and friends of residents are given the option of setting up prepaid calling accounts using credit cards, checks, money orders or Western Union. Calls that may otherwise be blocked are now completed through GTL's Advance Pay Program. Residents can call the appropriate center for prison they are housed in by dialing *63 or *22 on the resident phone. This call is not recorded and the resident does not have to put in their Resident Personal Identification Number (PIN) to make the call.

If a resident chooses not to call, the residents are provided with the mailing address of the sexual assault center. According to the SCDC History, 2010-2019: Sentencing Reform and Changing Resident Population (page 25) Resident requests included Automated Request to Staff (ARTSM) system for residents which begins March 31, 2014. The ARTSM allows residents through kiosks at each prison, to enter complaints or requests which are directly routed to the applicable SCDC personnel. Residents then receive responses to the request via the same system. SCDC is one of the first correctional facilities in the country to institute an electronic resident request system.

The agency website provides an "Anonymous PREA Tips" line that is open to the public (residents families, friends, etc.).

The auditor was provided unimpeded access to all parts of the facility, to include residents living areas (did not enter the building), storage areas in the facility as requested. While inspecting the facility, doors and offices were checked consistently to ensure they are secured and locked. The auditor observed the location of staff. Informal dialogue occurred with residents and staff, asking PREA related questions and agency procedures a safety consideration. Residents that engaged in conversation with the auditor discussed feeling safe at the facility.

The auditor did observed announcements of male's staff entering the female living areas. The auditor had opportunities to view inmate and staff interaction. There was also ample time to observe the nature and quality of inmate supervision throughout the on-site audit process, and in all instances the auditor observed appropriate respect on the part of both inmates and staff.

The PREA standards require the auditor to tour the facility to verify compliance with the standards. The following areas and locations were visit.

Living Units:

Blue Ridge A–B

Admin Medical

Sierra A–B

Whitney A-B

Zion A-B

Dana (Auditor did not tour this living unit due to Covid-19).

Non-Living Areas

Cafeteria

Kitchen

Education

Administration

Industries

Maintenance

Commissary

Canteen

Mailroom

Training Room

Holding Cell

Group Rooms

Law Library

Laundry

Horticulture

Visitation

Hair Care

Tool Shed

Infirmary

R&E Processing/Intake

Note: There were concerns noted during the facility tour, these concerns required corrective actions which is detail under Summary of Audit Findings titled, Summary of Corrective Actions and Facilities Responses.

115.401 (i)

The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information).

The PREA coordinator and the facility provided the auditor all relevant documents to include electronically stored information.

115.401 (j)

The auditor shall retain and preserve all documentation relied upon in making audit determinations. Such documentation shall be provided to the Department of Justice upon request.

The auditor has upload additional information in OMS. Other reviewed information will be maintained for the required timeframe before destruction.

115.401 (k)

The auditor shall interview a representative sample of inmates, residents, and detainees, and of staff, supervisors, and administrators.

The auditor requested and was provided a staff roster with non-security and security staff. There was a total of 19 random and 20 specialized staff interviewed.

o Warden/facility director/superintendent or designee - 1

o PREA Coordinator (Agency) - 1

o PREA Compliance Manager - 1

o Intermediate or higher-Level facility staff (Unannounced Rounds) - 1

- o Line Staff Supervise Youthful Inmates - 0
- o Education and Program Staff Youth Inmates - 0
- o Medical Staff - 1
- o Mental Health Staff - 0
- o Non-medical staff involved in cross-gender strip or visual searches - 1
- o Administrative (Human Resources) Staff - 1
- o Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner - 0
- o Volunteers - 0
- o Contractors – 1 Not in the count
- o Investigative staff responsible for conducting administrative investigations - 1
- o Investigative staff responsible for conducting criminal investigations - 1
- o Staff who perform screening for risk of victimization and abusiveness - 1
- o Staff who supervise inmates in segregated housing/isolation - 1
- o Staff on the Sexual abuse incident review team – 1 Not in the count
- o Designated staff member charged with monitoring retaliation – 1 Not in the count
- o Security staff first responder – 1 not in the count
- o Non-Security staff first responder - 1
- o Intake Staff - 1
- o Other (s):

Other Facility Staff:

- ID Officer
- Director of Food Services
- Commissary Manager
- Canteen Manager
- Mail Room Supervisor
- Chaplain

Agency Central Office Staff – Previously Interviewed): 4

- Deputy Director of Legal and Compliance (Agency Contract Administrator/Agency Head Designee)
- Agency PREA Coordinator
- Clinical Coordinator for Transgender Services
- Agency Investigations

Interviews with random and specialized staff confirmed that the facility's staff understood the agency's position regarding the Prison Rape Elimination Act (PREA). Random and specialized staff were all knowledgeable about their roles in the prevention, reporting, and detection of sexual abuse and sexual harassment, and their responsibilities in the event of a PREA related incident, particularly as a first responder.

115.401 (l)

The auditor shall be permitted to conduct private interviews with inmates, residents, and detainees.

Inmates Interviewed:

On the first day of the audit, the number of inmates housed was 542. The auditor conducted the following resident interviews during the on-site phase of the audit and was permitted to conduct private interviews with residents.

The auditor requested and was provided an inmate roster by living units and a list of targeted inmates. There was a total of 16 random, 16 target inmates interviewed and 11 informally interviewed.

- o Inmate wrote Confidential Communication - 1
- o Youthful inmates - 0
- o Physical disability who was interviewed - 1
- o Blind, deaf, or hard of hearing who were interviewed - 0
- o Cognitive disability who was interviewed - 1
- o Limited English Proficient (LEP) who were interviewed - 0
- o Transgender or Intersex who were interviewed - 2
- o Lesbian, Gay, Bisexual who were interviewed - 3
- o Reported Sexual Abuse who were interviewed - 3
- o Segregated Housing for risk of sexual Victimization in isolation - 1
- o Disclosed Prior Sexual Victimization during risk screening – 3
- o Little Person - 1

Inmates that were formally interviewed were asked the required random interview questions provided by the National PREA Resource Center.

Inmates were respectful and cooperative with auditor and the associate auditor. All inmates wore masks and maintained social distancing practices during the formal interviews. The inmate's uniforms were clean, and their hygiene satisfactory.

Interviews with inmates revealed that they understand PREA safeguards and the facility's zero-tolerance policy.

Comprehensive resident PREA education is provided in written form during resident orientation, and through the handbook, kiosks, personal instruction, videos, and posters.

115.401 (m)

Inmates, residents, and detainees shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.

During the pre-audit period, the facility received instructions to post the required PREA Audit Notice of the upcoming audit prior to the on-site visit for confidential communications. The facility posted the notices in English and Spanish. The auditor received email, pictures confirming the posted notices and observed the posted notices on-site.

As of 11/11/21, there was one communication from an inmate and none from staff. Staff interview indicated that residents are permitted to send confidential information or correspondence in the same manner as if they were communicating with legal counsel.

115.401 (n)

Auditors shall attempt to communicate with community-based or victim advocates who may have insight into relevant conditions in the facility.

Advocacy Organizations:

The PREA auditor's manual, pages 37 and 38, requires the auditor to conduct outreach to relevant national and local advocacy organizations and to communicate with community-based or victim advocates who may have insight into relevant conditions in the facility. The following national advocacy, State, and/or community advocacy organizations were contacted.

- Just Detention International (JDI) – is a health and human rights organization that seeks to end sexual abuse in all forms of detention. Founded in 1980, JDI is the only organization in the U.S. – and the world – dedicated exclusively to ending sexual abuse behind bars. They hold government officials accountable for prisoner rape; challenge the attitudes and misperception that enable sexual abuse to flourish; and make sure that survivors get the help they need.

Contact: Just Detention International (JDI) / Wilshire Blvd., Suite 340 Los Angeles, CA 90010 / Email sent: 5/11/21 9:25am. Response received 5/11/21 2:15pm.

- National Sexual Violence Resource Center (NSVRC) – is the leading nonprofit in providing information and tools to prevent and respond to sexual violence. NSVRC translates research and trends into best practices that help individuals, communities and service providers achieve real and lasting change. NSVRC also work with the media to promote informed reporting.

Contact: National Sexual Violence Resources Center (NSVRC) /2101 N. Front Street Governor's Plaza North, building #2 Harrisburg, PA 17110 / Email sent: 10/16/21. On 11/20/21 the auditor received a email response for NSVRC.

- MOU between The Sexual Trauma Services of the Midlands (STSM)/ The Pathway to Healing. The STSM/The Pathway to Healing is responsible for:

- o Responding to calls from inmates received on STSM's 24-hour crisis hotline;
- o Providing inmates with confidential emotional support services related to sexual abuse during their residency at an institution and during their transition from the corrections facility into the community;
- o Providing follow-up services to victims of sexual assault as resources allow, including in-person visits;
- o Maintaining confidentiality of communications with inmates;
- o Working with designated staff to obtain security clearance as needed and follow all facility guidelines for safety and security;
- o Attending any and all Sexual Abuse Incident Reviews at the request of an inmate with the understanding that STSM cannot disclose any communication with an inmate without a signed release from said inmate.
- o Communicating any questions or concerns to PREA Coordinator that are not in violation of confidentiality.

Note: This MOU services provided as agreed pursuant to the approved project goals and objectives listed in the awarded Justice Assistance Grant Program (Grant No. 1GPR19001).

For providing services as the sole service provider of the STSM/The Pathway to Healing is responsible for:

- o Providing emotional support services to inmate and juveniles adjudicated to the SCDC and the SCDJJ for sexual assault and sexual misconduct;
- o Providing awareness and knowledge to inmates and juveniles about sexual assault, misconduct, and harassment through group education sessions provided by a qualified instructor;
- o Providing training and education to the staff of SCDC and SCDJJ, to included correctional officers, medical and mental health practitioners, and others (including train-the-trainer) regarding information on the PREA, sexual assault, trauma informed care, youth violence prevention, SAFE/SANE requirements, and how to assist survivors of sexual abuse;
- o Submitting monthly reports of services and those served;
- o Providing timely invoices for payment with descriptive line items describing services provided, dates, times, locations, and costs;
- o Providing training agreed upon within each quarter of the grant.

Contact: Sexual Trauma Services of the Midlands/The Pathway to Healing 3830 Forest Drive -Suite 201, Columbia, SC 29204. The Sexual Trauma Services of the Midlands (STSM)/The Pathway to Healing provided monthly reports to the SCDC.

According to the South Carolina Department of Corrections website, residents are provided with access to outside victim advocates for emotional support services for residents related to sexual abuse whether it occurred in prison or before they became incarcerated. The Sexual Trauma Services of the Midlands/The Pathway to Healing serves the Camille Griffin Graham Correctional Institution.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Supporting Information:</p> <ul style="list-style-type: none"> • Agency Website (PREA Cycles) • Interviews • camille21audit - password <p>115.403 (a)</p> <p>Each audit shall include a certification by the auditor that no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.</p> <p>Compliant.</p> <p>115.403 (b)</p> <p>Audit reports shall state whether agency-wide policies and procedures comply with relevant PREA standards.</p> <p>The auditor report state whether agency wide policies and procedures comply with relevant PREA standards.</p> <p>115.403 (c)</p> <p>For each PREA standard, the auditor shall determine whether the audited facility reaches one of the following findings: Exceeds Standards, Meets Standards; Or Does Not Meet Standard. The audit summary shall indicate, among other things, the number of provisions the facility has achieved at each grade level.</p> <p>The auditor has assigned a finding to each standard.</p> <p>115.403 (d)</p> <p>Audit reports shall describe the methodology, sampling sizes, and basis for the auditor's conclusions about each standard provision for each audited facility and shall include recommendations for any required corrective action.</p> <p>The auditor uses a triangular approach, by connecting the PREA audit documentation, on-site observation, site review of the entire facility and complex, determination of facility practice, interviewed staff and inmates, local and national advocates, etc. to make determinations for each standard. Each standard and/or provision is designed with documentation reviewed, online PREA Audit: Pre-Audit Questionnaire, overall findings, and interview results.</p> <p>The auditor is using the stylistic rules for the Field Training Program (FTP) Auditor Trainee Report Writing Reference Manual as best practices.</p> <p>The auditor sample size is based on the number of residents at the facility on the first day. The random staff sample size based on a minimum of twelve or more based on interview outcomes and facility size.</p> <p>115.403 (e)</p> <p>Auditor shall redact any personally identifiable inmate or staff information from their reports, but shall provide such information to the agency upon request, and may provide such information to the Department of Justice.</p> <p>The auditor has redacted personally identifiable residents from the report, and can provide such information to the agency upon request, and may provide such information to the Department of Justice.</p> <p>115.403 (f)</p> <p>The agency shall ensure that the auditor's final report is published on the agency's website if it has one or is otherwise made readily available to the public.</p> <p>The facility final PREA reports are published on the agency website.</p>

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.)	yes
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)?	yes

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

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

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.)	na
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.)	na
	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.)	na
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?	yes

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

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?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
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?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
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.)	na
	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.)	na
	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.)	na
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.)	na
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.	yes
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).)	na

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?	yes
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.)	na
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).	na
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.)	yes
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.)	yes
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.)	na