

PREA Facility Audit Report: Final

Name of Facility: Wateree River Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 11/23/2021

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: SONYA LOVE	Date of Signature: 11/23/2021

AUDITOR INFORMATION	
Auditor name:	Love, Sonya
Email:	sonya.love57@outlook.com
Start Date of On-Site Audit:	10/04/2021
End Date of On-Site Audit:	11/05/2021

FACILITY INFORMATION	
Facility name:	Wateree River Correctional Institution
Facility physical address:	8200 State Farm Road, Rembert, South Carolina - 29128
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Warden Don Beckwith
Email Address:	beckwith.donald@doc.sc.gov
Telephone Number:	803-896-3400

Warden/Jail Administrator/Sheriff/Director	
Name:	Don Beckwith
Email Address:	beckwith.donald@doc.sc.gov
Telephone Number:	803-896-3400

Facility PREA Compliance Manager	
Name:	Christine Long
Email Address:	long.christine@doc.sc.gov
Telephone Number:	O: (803) 896-3446

Facility Health Service Administrator On-site	
Name:	Allison Gordon
Email Address:	gordon.allison@doc.sc.gov
Telephone Number:	803-896-3440

Facility Characteristics	
Designed facility capacity:	883
Current population of facility:	385
Average daily population for the past 12 months:	496
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	20-72
Facility security levels/inmate custody levels:	minimum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	174
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

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

AUDIT FINDINGS

Narrative:

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

Techniques the Auditor(s) used to sample documentation and select interviewees

The Auditors used a data triangulated model to confirm PREA compliance with each standard and substandard. The triangulation method to compare, and contrast two or more data points obtained from different sources to confirm PREA compliance. By using data triangulation or cross examination model provided the Auditor with a dual method or in some cases a three-way method to confirm data obtained from multiple sources regarding a standard. Ideally, the triangulated model enhances reliability of data collected and analyzed about a specific facility or agency's overall compliance with the Prison Rape Elimination Act (PREA).

The population on the first day of the audit was 385. The rated capacity is 883. The age range of the population was 19 and 70. The average population for the last 12 months was 496. Average length of stay 24 months. Wateree River has 55 buildings, 19 housing units, zero single cells, 5 multiple occupancy cell housing units, 7 open bay/dorm housing units, and 6 segregation cells.

To gain compliance a Wateree River was required to meet each standard. To meet each standard the Auditor relied upon several factors to determine compliance such as: Resident interviews (random and targeted), the facility tour, staff interviews (random and specialized) (contractor and agency staff) and documented evidence of compliance with an applicable standard. The number of residents interviewed was determined by the required inmate interviews, Table 1. , inmate population size (251-500), the sample size was 26. After interviewing random inmates and an examination of inmate documents the Auditor determined that two (2) inmates not chosen for the random sampling and not identified as targeted by the facility met the criteria for the targeted group. The Auditor identified and interviewed two inmates for the targeted group. In total, Twenty-six (26) random inmates and 2 inmates from the targeted population were interviewed. Inmates were selected from each living unit to participate in the sample. Random staff were sampled by shift.

The Auditor completed a document review of the Wateree River, Pre-Audit Questionnaire (PAQ), applicable policies, procedures, program statements and supplemental information. Telephone calls and emails were exchanged between the PREA Coordinator, the facility PREA Compliance Manager and the Auditor. The following documentation was requested for the onsite visit:

- Roster of residents by unit (random sample cohort)
- Roster of residents with disabilities (targeted sample cohort)
- Roster of residents who were Limited English Proficient (LEP) (targeted sample cohort)
- LGBTI residents (targeted sample cohort)
- Residents who reported sexual abuse (targeted sample cohort)
- Residents who reported sexual victimization during risk screening (targeted sample cohort)
- Staff roster by shifts (random sample staff cohort)
- Specialized staff roster
- Inmates census the first day of the audit
- A roster of new employees hired in the past 12 months
- Staffing Plan
- Unannounced institutional rounds
- List of contact information for volunteers
- SANE/SAFE point of contact information
- Copies of training roster/documentation

An internet search confirmed that Wateree River completed an onsite PREA audit, Cycle 2, in 2019. SCDC did not agree with the findings and has appealed. The audit was completed but no report was provided to the agency. According to the PREA Coordinator the Department of Justice has been advised.

On site during the facility tour the Auditor noted PREA related information posted in every living unit in English and Spanish. Open bay dorm had closet without doors which present a potential blind-spot. The configuration of the shower area was unique designed. Inmate used string fashioned from bedsheet to create string lines to place a sheet across for privacy from each other. The Auditor will follow-up with the facility to determine the best course of action to address this issue.

AUDIT FINDINGS

Facility Characteristics:

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

Wateree River opened: 1890's

The number of staff employed was 174

Custody level: Minimum (Male)

Agriculture: This institution provides inmate labor for the Agriculture and Food Service Division's 7,000 acre row crop operation, the new dairy which provides milk for SCDC and the Department of Juvenile Justice, and beef cattle operations located adjacent to the facility.

Education: Literacy, GED preparation, and high school courses.

Vocational Training: Construction Engineering Operations (CEO) and the Thoroughbred Retirement Foundation (TRF).

Health Care: Routine medical and dental care provided on site, five days per week.

Programs: Religious services, volunteer services, recreational services, Alcoholics Anonymous.

Community Services

Community Services: Provides inmate labor crews to the Office of the Adjutant General, the City of Camden, Kershaw County, Lee County, the City of Sumter, Sumter County Public Works, and the Department of Transportation; provides three correctional officer-supervised inmate litter crews who pick up trash along the I-20 and adjacent secondary roads; and an institution work crew which fills sandbags for use in coastal areas during hurricanes/floods due to storms.

AUDIT FINDINGS

Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy). 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.

Number of standards exceeded:	0
Number of standards met:	45
Number of standards not met:	0

OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations.

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: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1485 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment issued October 24, 2014 supports Standard 115.11 pursuant to the Prison Rape Elimination Act (PREA). Other applicable state and federal statutes include: Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended.</p> <p data-bbox="242 488 1469 647">115.11 (a) The agency elected to take a zero-tolerance position against sexual abuse and sexual harassment of inmates in their custody. The agency has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment. GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment issued October 24, 2014, supports Standard 115.11 pursuant to the Prison Rape Elimination Act (PREA). The written policy outlines the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment.</p> <p data-bbox="242 734 1461 862">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.</p> <p data-bbox="242 949 1493 1178">115.11 (b) South Carolina Department of Corrections employed or designated an agency - wide PREA Coordinator, Kenneth James. The position of PREA Coordinator is in the upper- level of the agency hierarchy. During his interview with the Auditor the PREA Coordinator confirmed having sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all its facilities. The PREA Coordinator, is responsible for the oversight of one PREA Compliance Manager (PCM) at each facility in the SCDC system. Further the position of PREA Coordinator reports directly to the Chief Legal & Compliance Officer/Director's PREA designee. The new PREA Coordinator assumed his position as PREA Coordinator in April 2019.</p> <p data-bbox="242 1265 1493 1393">115.11 (c) South Carolina Department of Corrections operates more than one facility. The agency has mandated that each facility designated a PREA Compliance Manager. Wateree River Correctional Institution has a designated PREA Compliance Manager. The Auditor interviewed the PCM during the onsite portion of the PREA audit. The PCM confirmed having sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.</p> <p data-bbox="242 1480 1481 1574">Wateree River Correctional Institution or Wateree has designated the Associate Warden as the PREA Compliance Manager (PCM). The Associate Warden was designated by the facility Warden to serve as the PCM for this facility. During an interview with the Associate Warden, she indicated that he has sufficient time to complete all the PREA responsibilities.</p> <p data-bbox="242 1662 871 1688">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1720 1469 2157" style="list-style-type: none"> <li data-bbox="242 1720 560 1747">1. Pre-Audit Questionnaire <li data-bbox="242 1778 1442 1839">2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment <li data-bbox="242 1870 1469 1930">3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended <li data-bbox="242 1962 1294 1989">4. NEO Employee PREA Training Curriculum, Agency Orientation, Section 1800, and Sign-in sheets <li data-bbox="242 2020 584 2047">5. Inmate Orientation Manual <li data-bbox="242 2078 528 2105">6. Organizational Chart <li data-bbox="242 2136 687 2163">7. Interview with the PREA Coordinator

8. Interview with the Associate Warden, Operations, PREA Compliance Manager (PCM)
9. Interview with the Chief Legal & Compliance Officer

115.12	Contracting with other entities for the confinement of inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment issued October 24, 2014 supports Standard 115.11 pursuant to the Prison Rape Elimination Act (PREA). Other applicable state and federal statutes include: Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended.</p> <p data-bbox="240 434 1485 560">115.12 (a) South Carolina Department of Corrections is public entity, and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, by examination the Auditor determined that 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.</p> <p data-bbox="240 595 1485 851">In an interview with the Warden, Associate Warden/PCM, confirmed information contained in the PAQ specifically related to the standard. The Wateree PAQ confirms that the agency and facility requires contractual entities which they contract for the confinement of inmates (privatized prisons and/or inmate re-entry centers) to adopt and comply with the PREA standards. The PREA Coordinator also confirmed that the agency's contractual agreements were modified, to incorporate the language requiring contractors to adopt and comply with PREA standards. The agency has a contract for the confinement of inmates with a private entity. By examination the Auditor determined that language in the contract between SCDC and private contractor confirms that the contractual entity has an obligation to comply with PREA standards. The PREA Coordinator provided the Auditor with a fully executed copy of the contract between SCDC and Core Civic.</p> <p data-bbox="240 936 1485 1097">115.12 (b) The PREA Coordinator confirmed that any new contracts or contract renewal signed on or after August 20, 2012, provides for agency contract monitoring to ensure that the contractor is complying with the PREA standards. The Office of Legal and Compliance provided an addendum to the Annual PREA Report dated September 16, 2019, regarding requirements of the Core Civic Safety – Tallahatchie County Correctional Facility Annual Report files. At the time of this onsite audit, the SCDC did not have any inmates out of the state in other facilities.</p> <p data-bbox="240 1182 871 1209">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1299 1485 1747" style="list-style-type: none"> <li data-bbox="240 1299 579 1326">1. Pre-Audit Questionnaire <li data-bbox="240 1357 1265 1384">2. Letter from Deputy Director, Division of Legal and Compliance Confirming the Agency PREA <li data-bbox="240 1415 1485 1541">3. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment issued October 24, 2014, supports Standard 115.11 pursuant to the Prison Rape Elimination Act (PREA). Other applicable state and federal statutes include: Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended. <li data-bbox="240 1572 1485 1630">4. Addendum: Core Civic Private Contractor of SCDC Resident Confinement (September 16, 2019). Coordinator as PREA Compliance Monitor (June 25, 2019) <li data-bbox="240 1662 834 1688">5. Interview with the following the PREA Coordinator <li data-bbox="240 1720 871 1747">6. Interview with the PREA Compliance Manager (PCM)

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1490 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment issued October 24, 2014, supports Standard 115.11 pursuant to the Prison Rape Elimination Act (PREA). Other applicable state and federal statutes include Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended.</p> <p data-bbox="240 488 1490 748">115.13 (a) Wateree River has a documented 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 determining the need for video monitoring, the staffing plan takes into consideration: Generally accepted detention and correctional practices, any judicial findings of inadequacy, any findings of inadequacy from Federal investigative agencies, 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, the institution programs occurring on a particular shift, 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> <p data-bbox="240 837 1458 927">115.13 (b), in circumstances where the staffing plan is not complied with, the facility should document, and justify all deviations from the institutional staffing plan. According to the PCM during this reporting period there were zero deviations from the staffing plan.</p> <p data-bbox="240 1016 1490 1173">115.13 (c), the Auditor examined the institutional staffing plan for the past 12 months. The plan was developed by the facility and approved by the Warden on 10/21/2020. Problematic, Wateree River failed to provide evidence that the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed as outlined in 115.13 (a and c). SCDC mandates that deviations from the approved institutional staffing plan are documented in a memorandum or on SCDC Form 19-29 A, "Incident Report" and filed for review during auditing.</p> <p data-bbox="240 1263 1490 1554">Wateree River has outlined a strategy to address blind spots by heightened officer awareness and the recognition of the locations of blind spots, thereby minimizing or eliminating a potential problem. More, Wateree River has also place convex safety lens in some blinds spots to improve visibility and sight lines. Staff vacancy rates are due in part to the location of the facility (rural farmland), big city employment competition, escalating salaries and the pandemic. SCDC has a process in place to recruit staff to the agency. The Auditor determined by examination that SCDC continuously seeks qualified individuals statewide who have a passion for providing the highest quality service in a secure environment. South Carolina Department of Corrections is the second largest state agency with over 5,000 employees with 21 institutions across the state. SCDC continues to seek eligible applicants to fill vacancies throughout statewide and makes its best effort to comply with this standard by offering hiring bonuses for some qualified applicants and in some cases offering referral incentives for staff.</p> <p data-bbox="240 1644 1458 1711">115.13 (d), mandates that the agency/facility 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.</p> <p data-bbox="240 1800 979 1823">On January 18-25, 2021, the Duty Warden indicated unannounced rounds</p> <p data-bbox="240 1854 979 1877">On February 1-8th, 2021, the Duty Warden indicated unannounced rounds</p> <p data-bbox="240 1908 963 1930">On March 8-15th, 2021, the Duty Warden indicated unannounced rounds</p> <p data-bbox="240 1962 948 1984">On April 5-12th. 2021, the Duty Warden indicated unannounced rounds</p> <p data-bbox="240 2016 963 2038">On May 17-23rd, 2021, the Duty Warden indicated unannounced rounds</p> <p data-bbox="240 2069 1027 2092">On May 29th - June 7th, 2020 the Duty Warden indicated unannounced rounds</p>

Interviews with random staff (100%) confirmed that the facility/agency has 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. After corrective action, Wateree River met the requirements of Standard 115.13.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. Interviews with the following:
 - a. PREA Coordinator
 - b. Associate Warden, PREA Compliance Manager (PCM)
 - c. Random staff
3. Examined documentation of unannounced rounds by intermediate or higher-level supervisors
4. Review of the initial staffing report
5. Review of the revised staffing report

Corrective Action:

1. Wateree River submitted a staffing plan specifically created for the facility, indicate minimum staffing numbers, obtain the review and signature of the facility Warden. The PREA Coordinator confirmed the review of the facility staffing plan.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Wateree River Correctional Institution does not house inmates under the age of 18. The PREA Coordinator and PREA Compliance Manager both confirmed that the facility does not house youthful inmates.</p> <p>Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 4. Interview with the following <ol style="list-style-type: none"> a. PREA Coordinator b. Associate Warden, PREA Compliance Manager (PCM)

115.15	Limits to cross-gender viewing and searches
	<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 1485 432">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, OP-22.19, Searches of Inmates; South Carolina Department of Corrections, Policy, GA-06.09, Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.15.</p> <p data-bbox="242 519 1473 647">115.15 (a) Wateree River always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners. Staff (specialized and random) interviewed (100%) confirmed that the facility refrains from conducting any cross-gender strip or cross-gender visual body cavity search, except in exigent circumstances or when such viewing is incidental to routine cell checks.</p> <p data-bbox="242 734 871 763">115.15 (b) This is a male facility. This provision does not apply.</p> <p data-bbox="242 851 1485 1144">115.15 (c) Does the facility document all cross-gender pat-down searches of female inmates. This provision does not apply. Wateree is an all-male facility. The facility always refrains from conducting cross-gender pat-down searches of male inmates, except in exigent circumstances. Random and specialized staff (100%) interviewed during the audit affirmed in exigent circumstances, Wateree River would document all cross-gender strip searches and cross-gender visual body cavity searches. Random staff (100%) interviewed denied conducting a cross-gender strip search or cross gender visual body cavity search in the past 12 months. Furthermore, staff (specialized and random) were able to provide the Auditor with at least one example of an exigent circumstance which could justify a need for a cross-gender strip or body cavity search such as a mass disturbance, drug overdose or gas leak. Random and targeted inmates interviewed during the onsite portion of this audit denied being subjected to a cross-gender pat or strip searched in the past 12 months.</p> <p data-bbox="242 1232 1469 1328">More, the PREA Compliance Manager and Major confirmed that the facility refrains from conducting any cross-gender strip or cross-gender visual body cavity search, except in exigent circumstances or by medical practitioners. In exigent circumstances the facility would document all cross-gender strip searches and cross-gender visual body cavity searches.</p> <p data-bbox="242 1415 1477 1512">Each targeted inmate confirmed that Wateree River staff conducted security searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with the security needs of the facility. Furthermore, the same targeted inmates also denied being searched or physically examined for the sole purpose of determining their genital status.</p> <p data-bbox="242 1630 1477 1823">Staff (random and targeted) (100%) interviewed at the facility were aware of the facility/Agency prohibition to search a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Staff were aware that an inmate's genital status could be determined in a myriad of manners, 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. During the onsite portion of this audit there were zero intersex inmates assigned to the facility. The Auditor inspected each housing unit and confirmed that inmates have individual shower stalls with the goal being to provide a measure of privacy for all inmates.</p> <p data-bbox="242 1944 1453 2072">During the past 12 months, the PAQ indicated there were zero cross-gender strip or cross-gender visual body cavity searches of an inmate by staff at Wateree River Correctional Institution. The PREA Compliance Manager confirmed documentation contained in the PAQ under this standard and indicated zero exigent circumstances that required opposite gender searches as described in Standard 115.15.</p>

115.15 (d) Wateree River/agency has a policy 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.

Wateree River/agency has 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. Wateree River/agency requires staff of the opposite gender to announce their presence when entering an inmate housing unit. Random and targeted inmates sampled during the audit indicate that opposite gender staff announce their presence 85% of the time. Some inmates (2%) indicated that because of the size and configuration of some living units, it is possible that they did not hear an announcement when the opposite gender staff entered the dormitory style living unit. Inmates declined to be more specific regarding which opposite gender staff neglect to make opposite gender announcements.

115.15 (e) According to random and specialized staff (100%) sampled, Wateree River always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status. The same staff sample cohort confirmed with the Auditor that if an inmate's genital status is unknown, a determination of genital status could be determined during a conversation 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.

115.15 (f) Wateree River Correctional Institution has conducted training as required in Standard 115.15 (f). SCDC utilizes the training curriculum provided by the PREA Resource Center termed Guidance in Cross-Gender and Transgender Pat-Searches. This training was designed to be used in a 3.5-hour session. Through completing all parts of the training, Wateree River corrections staff developed skills for performing cross-gender pat searches and searches of transgender and intersex inmates per PREA Standards §115.15 (f). Specifically, correctional staff training using training identified as, Guidance in Cross-Gender and Transgender Pat-Searches curriculum included:

- 1). Learning the relevant PREA Standards for cross-gender pat searches and for searches of transgender and intersex inmates and residents.
- 2). Understanding and apply the definition of exigent circumstances.
- 3.) Learning and understanding key terms relevant to conducting appropriate searches and considerations for searches of transgender or intersex inmates and residents.
- 4.) Practicing the steps of cross-gender pat searches and searches of transgender or intersex inmates and residents; and
- 5.) 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.

It should be noted that search training is not offered during the New Employee Onboarding (NEO). Search training is completed by security staff at the training academy. Interviews with random staff (100%) confirmed that staff were trained regarding how to appropriately search inmates at the facility in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Wateree River records support that custody staff attended training from the SCDC Division of Training on how to conduct cross-gender pat down searches. Further, the training curriculum supports that Wateree River/SCDC trains 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.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, OP-22.19, Searches of Inmates
4. South Carolina Department of Corrections, Policy, GA-06.09, Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria
5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
6. Interview with the Associate Warden, PREA Compliance Manager
7. Interview with the Major
8. Interview with inmates (targeted)
9. Interview with inmates (random)
10. Interview with staff (random)
11. Interview with PREA Coordinator
12. Training curriculum
13. Training files (Transgender and Cross gender searches) dated 9/10/2020
14. Training files (Transgender and Cross gender searches) dated 9/09/2020
15. Training files (Transgender and Cross gender searches) dated 9/05/2020

115.16	Inmates with disabilities and inmates who are limited English proficient
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, OP-21.04, Inmate Classification Plan; and Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address the requirements in Standard 115.16.</p> <p>The agency has established procedures to provide disabled inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>115.16 (a) SCDC/Wateree River is a work camp. The agency takes 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, inmates who are blind or have low vision, inmates who have intellectual disabilities, inmates who have psychiatric disabilities, inmates who have speech disabilities, blind, with limited reading skills, who are limited English proficient, or low vision. During the reception process each inmate is interviewed to determine if he requires immediate medical or mental health attention in compliance with Medical services/Behavioral Health procedures. Inmates with hearing impairments are provided with sign language services and those who are visually impaired or low vision are read the orientation material.</p> <p>115.16 (b) According to the PREA Compliance Manager and PREA Coordinator, SCDC/Wateree River takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient. Inmates receive written orientation material to include PREA related information. Inmates who do not speak English or limited English proficient (LEP) are provided assistance/translation in a language they understand using a language service or staff who speak the language. More, these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.</p> <p>115.16 (c) According to the PREA Compliance Manager, SCDC/Wateree River 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. Random and specialized staff (100%) sampled during the audit denied 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. The PREA Compliance Manager denied relying on inmate interpreters, inmate readers, or other types of inmate assistance for a PREA related incident in the past 12 months.</p> <p>Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. South Carolina Department of Corrections, Policy, OP-22.19, Searches of Inmates 4. South Carolina Department of Corrections, Policy, GA-06.09, Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria 5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

6. South Carolina Department of Corrections, Policy, OP-22-19 Searches of Inmates
7. South Carolina Department of Corrections, GA-06.11B, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
8. South Carolina Department of Corrections, GA-06.09, Care and Custody of Transgender Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
9. Language line instructions
10. Interview with the Associate Warden, PREA Compliance Manager
11. Interviews with random and targeted inmates
12. Interview with intake staff

115.17	Hiring and promotion decisions
	<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 1458 432">South Carolina Department of Corrections, Policy, ADM 9.12, Applicant Criminal History, ADM11.28, Applicant Selection Process OP-21.12, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, ADM11.28, Applicant Selection Process; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.17.</p> <p data-bbox="240 521 1490 880">South Carolina Department of Corrections, 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. The policy indicates that any applicant with a felony conviction(s), drug related conviction(s) within ten (10) years 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. Further, the policy 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 or refused will NOT be hired by the Agency for ANY position.</p> <p data-bbox="240 969 1474 1032">All other arrests/convictions will be forwarded to the Division Director of Human Resources /Designee, and if necessary, the Division Director of Security for approval.</p> <p data-bbox="240 1059 1490 1290">Approval/disapproval for hire will be indicated on the original application and entered the Applicant Referral System (ARS). According to the Headquarters 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 consideration as to whether s/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 five (5) years will NOT be hired by the Agency. (4-ACRS-7F-04, 4-ACRS-7F-04, 4ACRS-7B-07, 4-ACRS-7D-06, 4-4055, 4-4061, 4-4102); (PREA Standard 115.17).</p> <p data-bbox="240 1379 1474 1574">South Carolina Department of Corrections provided the Auditor with documentation to confirm that the Agency has processes, policies, and procedures in place that specifically address previous concerns noted for Standard 115.17. Moreover, 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. Documentation to validate initial background checks were included in personnel files reviewed by the Auditor.</p> <p data-bbox="240 1664 1458 1856">During an interview with the Assistant Director, Recruiting & Employment, he detailed the criminal background verification process. The same system for verifying criminal histories was also confirmed by the PREA Coordinator and the Captain conducting criminal background verifications. The Agency also has a system in place to capture criminal background updates for all current employees on a continuous basis. Furthermore, 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.</p> <p data-bbox="240 1946 1458 2139">The fingerprints are sent to the State Law Enforcement Division (SLED) and the Federal Bureau of Investigation (FBI) for processing. If 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 incident. Types of misconduct notifications include arrest warrants, indictments, or restraining order(s). The disposition of the arrest warrant, indictment, or restraining order(s) must also be reported within twenty-four (24) hours of the receipt of the disposition by the employee. According to the policy, under no circumstances should an employee report to work without prior notification and providing the required information</p>

relating to and found in ADM-11.17, Employee Conduct, 6.2, Section 4.1.

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 South Carolina Department of Corrections. During an official investigation, employees are to cooperate fully by providing all pertinent information that they may have. Full cooperation requires truthfully responding to all questions and providing a signed statement or affidavit, if necessary. (See SCDC Policy ADM-11.04, "Employee Corrective Action," for additional information.) All such cases will be investigated and when required, referred to the appropriate law enforcement agency and/or solicitor's office. (4-ACRS7E-04, 4-4056)

South Carolina Department of Corrections also requires all potential applicants and employees including promotions and new hires, who may have contact with inmates directly to disclose any previous misconducts.

The Agency by policy imposes upon employees a continuing affirmative duty to disclose all such misconduct immediately to a supervisor. Failure to report an arrest warrant, and the disposition of an arrest, indictment or restraining order within twenty-four (24) hours as defined in ADM-11.17, Employee Conduct, 6.2, before physically reporting to work will result in corrective action up to and including termination, regardless of the severity. According to the PREA Compliance Manager any material omission or failure to disclose a misconduct by an employee is grounds for termination from employment.

The Auditor sampled a total of twenty (20) of forty-four (44) background checks of staff hired in the past 12 months. South Carolina Department of Corrections completed 100% of all background checks prior to the employee's hire or promotion date as required in this standard.

Review of the SCDC employment application was provided to the Auditor for her review. Specific verbiage contained in 115.17 (a) was not included in the employment application. The required questions found in substandard 115.17 (a) are as follows.

1. Has the individual engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997).
2. Has the individual been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
3. Has the individual been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

The Auditor found the following questions contained in the employment application captured the spirit and intent of Standard 115.17, and in total met applicable substandard found in Standard 115.17.

Question 22: I agree that as a condition of employment, I will report to the Director of Human Resources 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? (28 CFR 115)

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 all arrests or charges that may be brought against me after filing this application.

Documentation on file supports a finding that the facility follows this standard. Wateree River Correctional Institution met the requirements for Standard 115.17.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, ADM-11.28, Applicant Selection Process
4. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
5. Section 24-3-950, South Carolina Code of Laws, 1976, as amended; Section VII (707.02),

South Carolina 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; S.C. Code Ann. §8-11-170; Section 8-13-1110 of the South Carolina Code of Laws

6. SCDC Policy ADM-11.04, Employee Corrective Action
7. ADM-11.28, Applicant Selection Process
8. SCDC Form 19-29A
9. SCDC Form 19-29B
10. Interview the Associate Warden, PREA Compliance Manager (PCM)
11. Interview with the Assistant Director, Recruiting & Employment
12. Interview with a Human Resource representative

115.18	Upgrades to facilities and technologies
	<p data-bbox="242 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 273 1484 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, ADM-12.01, Procurement of Supplies and Services; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.18.</p> <p data-bbox="242 488 1476 613">Wateree River Correctional Institution employs video surveillance. At Wateree River cameras are strategically located in the facility. Wateree River utilizes video surveillance to augment physical security presence to ensure the safety and security of both inmates and staff. The facility Preaudit Questionnaire (PAQ) specifies zero expansions, modifications, or updates occurred to the existing facility structure.</p> <p data-bbox="242 703 1476 797">During an interview with both the PREA Compliance Manager (PCM) she confirmed that Wateree River would consider how video technology could enhance the agency’s ability to protect inmates from sexual abuse and sexual harassment. Moreover, the PCM also confirmed that there have been no significant upgrades to the video monitoring system since 2012.</p> <p data-bbox="242 887 871 913">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1003 1476 1435" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. South Carolina Department of Corrections, Policy, ADM-12.01, Procurement of Supplies and Services 4. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 5. Auditor’s observations during the facility tour 6. Interviews with the following: <ol style="list-style-type: none"> a. Associate Warden, PREA Compliance Manager (PCM)

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1469 398">South Carolina Department of Corrections, formerly OP-21-12, GA-06.11B, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Section 6: Investigations of Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy/Procedure, GA 05.01, Investigations; South Carolina Department of Corrections, Policy, POL-23.38, Evidence Protocol; and the Prison Rape Elimination Act of 2003 address Standard 115.21.</p> <p data-bbox="240 488 1485 647">115.21 (a) SCDC is responsible for investigating allegations of sexual abuse, the agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. South Carolina Department of Corrections is responsible for investigating allegations of sexual abuse. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution based on the Auditors interview with the Assistant Director of Police Services.</p> <p data-bbox="240 734 1481 965">SCDC Police Services consists of Police Service Agents who are South Carolina Criminal Justice Academy (SCCJA) certified Class I Law Enforcement officers. Police Services is responsible for assigning agents as needed to investigate criminal acts (suspected and/or alleged) which are believed to have been committed by SCDC inmates, employees, or others when the crime relates to the Agency. Police Services is also responsible for assigning Agents as needed to conduct administrative investigations of serious violations of agency policies, procedures, rules, or regulations. More, by examination of sexual abuse incident reports from SCDC Police Services, the Auditor determined that inmates are taken to the closest local hospital with SANE examiners on duty.</p> <p data-bbox="240 1052 1469 1144">115.21 (b) The protocol developmentally appropriate for youth where applicable , however Wateree is an adult male facility. SCDC 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</p> <p data-bbox="240 1232 1490 1563">115.21 (c) South Carolina Department of Corrections, formerly OP-21-12, GA-06.11B, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment mandates that SCDC facilities 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 are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible at a local hospital. According to the PREA Coordinator if for some reason a SAFEs or SANEs examiner is unavailable the examination would be performed by other qualified medical practitioners specially trained in how to forensic sexual assault forensic examinations. Forensic examinations are conducted by qualified medical practitioners. The Auditor also spoke by phone to a representative from the South Carolina Victim Witness Assistance Network (SCVAN), the Statewide Forensic Nurse Examiner (FNE) Program Coordinator of the Statewide FNE Program. SCVAN has begun talks with locale rural, to provide SANE training to nurses at the hospital.</p> <p data-bbox="240 1650 1481 1980">115.21 (d) SCDC attempts to make available to the victim a victim advocate from a rape crisis center. The agency has a MOU with Sexual Trauma Services of Midlands. Sexual Trauma Services of Midlands is a rape crisis center available to provide victim advocate services. SCDC documents its efforts to secure services from a rape crisis centers. South Carolina Department of Corrections has a statewide partnership agreement with ten (10) sexual assault centers across the state. The sexual assault centers provide hundreds of hours of support to victims of sexual assault, including individual face-to-face contacts, group sessions, written correspondence, and phone calls through toll-free hotline support. The Sexual Assault Trauma Services (STSM) of Midland services area: Richland, Lexington, Newberry, Sumter, and Clarendon Counties. Wateree River Correctional Institution is in the service area for STSM. The Auditor verified that STSM offers highly specialized and comprehensive services to assist all victims of domestic violence and sexual assault. A specially trained advocate is always available to answer your questions.</p> <p data-bbox="240 2067 1474 2159">The agency is working with the South Carolina Victim Assistance Network (SCVAN), a 501 (c) (3) organization, that was created in response to a mandate in the South Carolina Crime Victims Bill of Right for a network of service providers to be formed to better protect and serve victims of crime. In 2010, SCVAN created the Statewide Forensic Nurse Examiner (FNE)</p>

Program, through a VAWA-funded grant, to coordinate and support existing and developing programs by building alliances with services providers to promote victim-oriented medical response and treatment of sexual assault victims. The coordinator also assists with the development of Sexual Assault Response Teams across South Carolina to ensure victims are provided compassionate and comprehensive support and to increase the likelihood of successful prosecution of offenders. The specialized services offered by Forensic Nurse Examiners, the collection of forensic evidence and providing expert testimony at trial, are essential to the prosecutor's case.

115.21 (e) If requested by the victim, the victim advocate, (SART) qualified agency staff member, or qualified community-based organization staff member may accompany and support the victim through the forensic medical examination process, investigatory interviews and provide emotional support, crisis intervention, information, and referrals.

115.21 (f) SCDC and Police Services is responsible for investigating allegations of sexual abuse.

115.21 (g) Auditor is not required to audit this provision.

115.21 (h) SCDC always makes a victim advocate from a rape crisis center available to victims. The Auditor confirmed with the PREA Coordinator and the PREA Compliance Manager that the role and responsibility of an agency medical and mental health practitioner in the event of a sexual assault is to: triage the inmate victim of sexual assault for serious life-threatening injuries, emergency physical and emotional stabilization, and provide after care and follow-up services. South Carolina Department of Corrections offers all victims of sexual abuse access to forensic medical examinations, without financial cost, where evidentiarily or medically appropriate.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Section 6: Investigations of Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy/Procedure, GA-05.01, Investigations
4. South Carolina Department of Corrections, Policy, POL-23.38, Evidence Protocol
5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
6. Interview with the Assistant Director of Police Services
7. Interview with random and targeted inmates
8. Interview with random and specialized staff
9. Interview with the PREA Coordinator
10. Contract: Sexual Trauma Services for Midland
11. Interview with South Carolina Victim Witness Assistance Network (SCVAN), the Statewide Forensic Nurse Examiner (FNE) Program Coordinator

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, POL-23.01 Investigations all address the requirements of Standard 115.22.</p> <p data-bbox="240 454 1490 913">115.22 (a) The agency/Wateree River ensures an administrative or criminal investigation is completed for all allegations of sexual abuse, and sexual harassment investigations, according to the PREA Compliance Manager. South Carolina Department of Corrections has a policy in place governing the conduct of both criminal and administrative investigations. More, SCDC Policy (OP-21-12: Prevention, Detection and Response to Sexual Abuse/Sexual Harassment and POL-23.01 Investigations) and ensures that allegations of sexual abuse or sexual harassment are referred for investigation and completed on all administrative and criminal investigations. The PREA Compliance Manager indicated during her interview that criminal investigations are investigated by an independent state organization, State Law Enforcement Division (SLED). SCDC has a MOU with South Carolina Law Enforcement Division (SLED) and the South Carolina Department of Corrections (SCDC) that provides guidelines for conducting criminal investigations and property control by SCDC. The primary mission of the State Law Enforcement Division (SLED) is to provide technical assistance to law enforcement agencies and to conduct investigations on behalf of the state as directed by the Governor and Attorney General. The four Regional Investigative Units conduct field investigations of crimes. The four Regional Units are: Low Country, Midlands, Pee Dee and Piedmont Regions. All related documentation is captured in the Police Case Management System. Wateree River administrative investigations are maintained in files at the facility and secured by the PREA Compliance Manager.</p> <p data-bbox="240 1003 1469 1160">115.22 (b) SCDC has a Policy OP-21-12: Prevention, Detection and Response to Sexual Abuse/Sexual Harassment and POL-23.01 Investigations are 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. SCDC has published such policy on its website (http://doc.sc.gov). The agency documents all such referral to SLED.</p> <p data-bbox="240 1249 1485 1447">115.22 (c) When allegations are made at the facility, information is collected by Wateree River, then forwarded to the facility PREA Compliance Manager for action. Administrative investigations are documented in investigative files at the facility and maintained by the PREA Compliance Manager. Evidence collected and circumstances surrounding an incident 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.</p> <p data-bbox="240 1536 871 1563">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1592 1469 2119" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 4. South Carolina Department of Corrections, GA-06.11B , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 5. POL-23.01 Investigations 6. Interview with the PREA Coordinator 7. Interview with the PREA Compliance Manager (PCM) 8. Interview with SCDC Police Services

9. MOU between South Carolina Law Enforcement Division (SLED) and the South Carolina Department of Corrections (SCDC) guidelines for conducting criminal investigations

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.31.</p> <p data-bbox="240 454 1485 913">115.31 (a) The agency trains all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment in accordance with Standard 115.31 (a, b, and c). Based on the training curriculum the Auditor determined that PREA training included training 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. SCDOC documents, through employee training rosters, signatures, or electronic verification, that employees understand the PREA training they have received from the agency. By examination the Auditor determined that staff training includes: The 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, common reactions of sexual abuse and sexual harassment victims, how to detect and respond to signs of threatened and actual sexual abuse, how to avoid inappropriate relationships with inmates, 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> <p data-bbox="240 1003 1485 1097">115.31 (b) The said training (2021 PREA) is gender neutral but tailored to the gender of the inmates at the employee's facility. According to the PREA Compliance Manager new employee for Wateree River complete orientation training which is specific to the facility (work camp, male).</p> <p data-bbox="240 1187 1485 1346">115.31 (c) By examination of a sample (12) employee training records the Auditor determined that SCDC staff receive PREA related training. Further, the agency provides each employee with refresher training annually but at least 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 provides refresher information on current sexual abuse and sexual harassment policies.</p> <p data-bbox="240 1435 1485 1563">115.31 (d) By examination the Auditor determined that SCDC documents, through employee signature or electronic verification, at least every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures and that employees understand the training they have received. Interviews with random and specialized staff confirmed participation in PREA related staff training each year in compliance with this standard.</p> <p data-bbox="240 1653 1485 1912">The Auditor examined a sample of training records (12) while on sight. Random and targeted staff were aware of the agency's current sexual abuse and sexual harassment policies and procedures. Staff random and specialized confirmed during separate interviews that agency PREA training included topics such as, how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures, how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates, how to avoid inappropriate relationships with inmates. According to the PREA Compliance Manager, as confirmed by the Pre-Audit Questionnaire all current employees who may have contact with inmates received general PREA training at least yearly but always every two years.</p> <p data-bbox="240 2002 871 2029">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 2119 528 2145" style="list-style-type: none"> 1. Pre-Audit Questionnaire

2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended.

South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

3. Examination of Training, 2021 PREA
4. Examination of PREA 2021 lesson plan
5. Training certificates from the National Institute of Corrections (NIC)
6. Facility Investigator Training/NIC Certificates
7. Agency Investigator Training/NIC Certificates
8. List of Agency Investigators (45)
9. Interview with the PREA Coordinator
10. Interview with the Deputy Warden, PREA Compliance Manager (PCM)/administrative PREA investigator
11. Interview with the Assistant Director of Police Services
12. Interview with staff (specialized and random)
13. Internet search: National Institute of Corrections (NIC) website and training curriculum
14. Examination of training records (12) sampled

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1490 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as Amended, and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act all address the mandates of this Standard 115.32.</p> <p data-bbox="240 488 1453 580">The facility has been closed to volunteerism since early in 2020, due to the pandemic. Job specific contractors, employed through contractual agreement to repair or provide a limited service to equipment, on the premises are under supervised escort by security staff. medical, mental health and foodservice staff are employees of the state.</p> <p data-bbox="240 669 1490 862">The Auditor also examined the volunteer agreement for volunteer was sampled during the audit. The agreement includes acknowledgement of policies and procedures such as: Prison Rape Elimination Act and reporting duties, contraband control, employee-inmate relations, staff sexual misconduct, and searches of employees. More, SCDC Volunteer Orientation Agenda and Topics include SCDC Mission, Inmate Profile, Types of Volunteer Service, Volunteer Conduct and Sexual Abuse, Harassment, and Misconduct, the agency's Zero Tolerance Policy regarding sexual abuse and sexual harassment and how to report inappropriate conduct.</p> <p data-bbox="240 952 871 978">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1010 1469 1444" style="list-style-type: none"> 1 Pre-Audit Questionnaire 2 South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3 South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4 SCDC Volunteer Orientation Agenda and Topics 5 SCDC Volunteer Service Agreement 6 Interview with the PREA Compliance Manager 7 Interview with the PREA Coordinator

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1477 365">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.33.</p> <p data-bbox="242 454 1477 647">115.33 (a) During the intake process, inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment, according to the Intake Officer. Random and targeted inmates sampled during the on-site portion of this audit confirm receiving PREA related training and education from staff either on the same day or next business day. Most inmates interviewed indicated that the training took place within 72-hours of their arrival at the facility. Confirmed by the same sample of random and targeted inmates were topics discussed such as how to report incidents or suspicions of sexual abuse and sexual harassment.</p> <p data-bbox="242 736 1477 1032">During intake, all inmates assigned to Wateree River Correctional Institution receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. More, inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment. SCDC has created a brochure called "Let's Talk About Safety". The brochure discusses the agency's Zero Tolerance Policy, sexual safety tips, PREA reporting information, sexual assault and inmate rights regarding sexual abuse and sexual harassment. Inclusive in the brochure was the address to the South Carolina Law Enforcement Division (SLED) at: P.O Box 21398 Columbia, SC 29221. The Auditor found a section in the brochure termed "How Can I Help You," equally beneficial to victims of abuse. This section of the brochure provides inmates with options to alert staff or others of sexual abuse or sexual harassment taking place in a SCDC correctional setting by:</p> <ol data-bbox="242 1061 1038 1317" style="list-style-type: none"> 1). File a grievance 2). File a report to investigations using a facility kiosk, tablets, telephone hotline 3). Request to visit medical and ask for help there, 4). Ask a lawyer, a friend, or family member to request help for you and, 5). Dial *22 from any inmate phone located in each living units. <p data-bbox="242 1406 1477 1666">115.33 (b) Within 30 days of intake, a sample of random and targeted inmates during separate interviews confirmed receiving PREA related education within 72 hours of their arrival. In addition, inmates (random and targeted) 100% confirm that within 30 days of their respective intake date they received a comprehensive education an explanation of the agency's Zero Tolerance Policy of sexual abuse and sexual harassment, prevention, detection, and response policies and procedures, their rights to be free from retaliation for reporting such incidents, and the SCDC policies and procedures for responding to such incidents. After receiving orientation and inmate education, each inmate is issued a PREA educational brochure, "Let's Talk About Safety" and signs the acknowledgement of receipt of PREA education training form addressing the mandates of Standard 115.33.</p> <p data-bbox="242 1756 1430 1816">115.33 (c) According to the PREA Compliance Manager and related PAQ, all inmates including inmates transferring to Wateree River have received the comprehensive education referenced in 115.33(b).</p> <p data-bbox="242 1906 1437 2098">115.33 (d) SCDC provides inmate education in formats accessible to all inmates including those who are limited English proficient, deaf, with low vision, visually impaired or otherwise disable. During the reception process each inmate is interviewed to determine if he requires immediate medical or mental health attention in compliance with Medical services/Behavioral Health procedures. Inmates with hearing impairments are provided with sign language services and those who are visually impaired or low vision are read the orientation material. SCDC has some bi-lingual staff and the agency has a contract for interpretive services as needed.</p>

According to the PREA Compliance Manager and PREA Coordinator, SCDC/Wateree River takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient. Inmates receive written orientation material to include PREA related information. Inmates who do not speak English or limited English proficient (LEP) are provided assistance/translation in a language they understand using a language service or staff who speak the language. More, these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

115.33 (e) By examination the Auditor determined that SCDC/Wateree River maintains documentation of inmate participation in PREA related education and training.

115.33 (f) In addition to providing such education, the agency ensures that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats. The Auditor noted during her tour of the facility that other PREA related information explaining sexual abuse, victim advocacy and how to report abuse were posted on all living units throughout the facility in English and Spanish. More, victim advocacy information was posted on bulletin boards, on all living units near telephones and in unit entrances to provide accessibility and continuous availability to all inmates. Inmates were well versed about the Prison Rape Elimination Act (PREA). Inmates are also able to access staff regarding PREA complaints or questions using their personal electronic tablets.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. "Let's Talk About Safety" brochure
5. PREA Playing Cards
6. Auditor tour and observation
7. Interview with the PREA Coordinator
8. Interview with the Associate Warden, PREA Compliance Manager (PCM)
9. Interview with Intake Staff
10. Interview with inmates (random and targeted)
11. Zero Tolerance Male poster (English)
12. Zero Tolerance poster (Spanish)
13. Sexual Trauma Services of Midlands Hotline poster *63
14. Sexual Trauma Services of Midlands Crisis Counseling *63

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.34.</p> <p data-bbox="240 454 1477 813">115.34 (a) In addition to the general training provided to all employees pursuant to §115.31, according to the PREA Coordinator, SCDC ensures that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting PREA investigations in confinement settings. South Carolina Department of Corrections policy requires SCDC Police Services Investigators to complete a multiple-tier training regimen of Specialized Training for Investigators. Mandated training for Police Services Investigators includes specialized training for investigators as mandated in Standard 115.34. The training and the curriculum can be found on the National Institute of Corrections (NIC) website. NIC curriculum of specialized training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, how to properly conduct interviews, and the criteria and evidence required to substantiate a case for administrative action and prosecution referral. Wateree River provided the Auditor with evidence that facility SCDC PREA Investigators completed the required training as prescribed in 115.34 and 115.31, in the form of certificates.</p> <p data-bbox="240 902 1493 996">115.34 (b) By examination of curriculum from the National Institute of Corrections lesson plan, the Auditor determined that the specialized training for investigators included techniques for interviewing sexual abuse victims, and the proper use of Miranda and Garrity warnings.</p> <p data-bbox="240 1086 1422 1144">115.34 (c) By examination the Auditor determined that SCDC maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p data-bbox="240 1234 847 1261">115.34 (d) This Auditor is not required to audit this provision.</p> <p data-bbox="240 1350 871 1377">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1462 1485 2130" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended. 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. Training certificates from the National Institute of Corrections (NIC) 5. Facility Investigator Training/NIC Certificates 6. Agency Investigator Training/NIC Certificates 7. List of Agency Investigators (45) 8. Interview with the PREA Coordinator 9. Interview with the PREA Compliance Manager 10. Interview with the Assistant Director of Police Services 11. Interview with two SCDC agency investigators (2)

115.35	Specialized training: Medical and mental health care
	<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 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.35.</p> <p data-bbox="242 396 1489 589">115.35 (a) By examination the Auditor determined that SCDC ensures 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, 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. The Auditor interviewed a sample of medical practitioners who confirmed completing specialized PREA related[SL1] training as outlined in this standard.</p> <p data-bbox="242 678 1449 772">115.35 (b) Wateree River medical practitioners do not conduct forensic examinations. Inmate victims of sexual abuse are transported to a local hospital for a forensic medical examination by a SANE/SAFE examiner. Interviews with specialized medical practitioners confirmed that medical practitioners do not perform forensic examinations.</p> <p data-bbox="242 862 1485 956">115.35 (c) By examination of seven (7) training logs the Auditor determined that Wateree River/SCDC maintains documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.</p> <p data-bbox="242 1046 1473 1205">115.35 (d) By examination of seven (7) training logs the Auditor determined that Wateree/SCDC medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31. Furthermore, interviews with medical and mental health practitioners all confirmed an awareness of their role and responsibility to detect, assess signs of sexual abuse and sexual harassment, preserve physical evidence of sexual abuse and how to respond and report PREA related incidents. Volunteerism has been suspended since early 2020.</p> <p data-bbox="242 1294 871 1323">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1406 1114 1892" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 4. Staff Training Agenda 2019, 2021 Annual Refresher Training 5. Training Logs/Records for Medical and Mental Health Professionals 6. Interviews with the staff (specialized) 7. Interview with the PREA Coordinator

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both addressed the requirements of Standard 115.41.</p> <p data-bbox="240 454 1493 613">115.41 (a) According to the PREA Compliance Manager, all inmates are assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. All inmates are assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. The Auditor examined ten (10) inmate risk assessments and companion documents to determine compliance with this standard. SCDC has developed an objective screening instrument to conduct PREA screenings termed the SCDC PREA Screening Checklist</p> <p data-bbox="240 701 1123 728">115.41 (b) Intake screenings ordinarily take place within 72 hours of arrival at the facility.</p> <p data-bbox="240 817 1493 1043">115.41 (c) By examination, PREA screening assessments conducted using an objective screening instrument., termed the SCDC PREA Screening Checklist. SCDC mandates that all inmates are assessed within 72 hours of arrival as part of the PREA intake screening for any risk of being sexually abused or sexually abusive toward other inmates. The PREA screening instrument is used to determine proper housing, bed assignment, work assignment, education, and other program assignments, with the goal of keeping inmates at high risk of being sexually abused or harassed separate from those inmates who are at high risk of being sexually abusive. PREA intake screening considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization.</p> <p data-bbox="240 1133 1477 1359">115.41 (d) By examination, the intake screening considers, 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 inmate, physical build, any previous history of incarceration, prior convictions for sex offenses against an adult, prior convictions for sex offenses against a child, whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming, any history of previous sexual victimization, the inmate's own perception of vulnerability, if the inmate is detained solely for civil immigration purposes, prior acts of sexual abuse, any history of prior institutional violence or sexual abuse and prior convictions for violent offenses.</p> <p data-bbox="240 1449 1461 1543">115.41 (e) By examination the risk assessment of inmates for risk of being sexually abusive or sexual abused, the initial PREA risk screening considers, as known to SCDC, prior acts of sexual abuse, any history of prior institutional violence or sexual abuse and prior convictions for violent offenses.</p> <p data-bbox="240 1632 1493 1758">115.41 (i) SCDC/Wateree River has implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Desktop stations are password protected and access to electronic medical information is highly restricted but limited to medical and mental health practitioners or limited to correctional managers with a need to know.</p> <p data-bbox="240 1848 871 1874">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1964 1115 2157" style="list-style-type: none"> <li data-bbox="240 1964 512 1991">1. Pre-Audit Questionnaire <li data-bbox="240 2018 1067 2101">2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment <li data-bbox="240 2128 1115 2157">3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South

Carolina Code of Laws, 1076) as amended

4. Intake Screening Form

5. Interviews with the following:

a. Intake screener

b. Staff (Random and Specialized)

c. Inmates (random and targeted)

d. PREA Compliance Manager

e. Classification Manager

f. PREA Coordinator

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1477 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria both addressed the requirements of Standard 115.42.</p> <p data-bbox="242 488 1485 712">115.42 (a) South Carolina Department of Corrections uses information from the risk screening required by § 115.41. SCDC requires Wateree River to use information from the risk screening instrument to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk for being sexually victimized from those at high risk of being sexually abusive. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, requires Wateree River to make individualized determinations about how to ensure the sexual safety of each inmate. Staff interviewed confirmed that they understood their responsibility to adhere to agency policy and Standard 115.42.</p> <p data-bbox="242 801 1485 965">115.42 (b) South Carolina Department of Corrections makes individualized determinations about how to ensure the safety of each inmate. According to the intake screener, PREA Compliance Manager, and PREA Coordinator, housing and program assignments at Wateree River are made on a case-by-case basis and inmates are not placed in housing units based solely on their sexual identification or status. As mentioned in § 115.41, the Auditor initial sample size totaled ten (10) risk screening and intake documents.</p> <p data-bbox="242 1055 1485 1218">115.42 (c) South Carolina Department of Corrections, GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria. When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, South Carolina Department of Corrections considers, 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, as confirmed by the PREA Coordinator and review of applicable policies, absent exigent circumstances.</p> <p data-bbox="242 1308 1485 1532">115.42 (d) During the past 12-month review period, zero transgender or intersex inmates were assigned to Wateree River. The PREA Compliance Manager was aware of the provision in Standard 115.42 that requires placement and programming assignments for each transgender or intersex inmate to be reassessed at least twice each year to review any threats to safety experienced by the inmate. Ten inmates sampled were reassessed within 30 days of arrival or transfer to the facility. Factors outlined in § 115.41 (d) were considered based on evidence gleaned from the SCDC PREA Screening Checklist, as examined by the Auditor. The Auditor determined that risk screening for victimization or abusiveness was a consideration in housing, bed, work, education, and program assignment decisions.</p> <p data-bbox="242 1621 1485 1883">The Auditor also determined that when appropriate, according to a medical practitioner, inmates with histories of victimizations, abusiveness or acute distress within the last 30 days were referred to mental health for further assessment. Inmates suffering with chronic mental illness would typically be excluded from placement at Wateree River. Wateree River is a farm work camp. According to the PREA Coordinator, inmates with serious mental health challenges would be diverted to a more appropriate setting to address their mental health needs. Wateree River has the capacity to provide telemedical services on a limited basis. If someone reported a history of victimization or abusiveness, SCDC would notify mental health and a practitioner would go to Wateree River to assess the need for follow-up services or refer them to the Rape Crisis Center for emotional support.</p> <p data-bbox="242 1973 1485 2157">115.42 (e) South Carolina Department of Corrections, GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria, mandates that transgender or intersex inmate's own views with respect to his or her own safety be given serious consideration when making facility and housing placement decisions and programming assignments. The PREA Coordinator explained that individualized medical and mental health evaluations for gender dysphoric inmates will be made by appropriately licensed and qualified medical professionals at the South Carolina Department of Corrections or by referral to or in consultation with licensed, qualified medical community-based professionals.</p>

Inmates will be referred to the Multidisciplinary Management and Treatment Team and will receive medical and mental health evaluations and treatment as appropriate, housing assignments, and be searched in accordance with SCDC policy GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria. Moreover, if the agency has knowledge that an inmate identifies as transgender or have been diagnosed with gender dysphoria, each transgender or intersex inmate's own views with respect to his or her own safety is given serious consideration.

115.42 (f) According to the PREA Compliance Manager transgender and intersex inmates would be given the opportunity to shower separately from other inmates. The number of single cell housing units at Wateree is zero. The number of multiple occupancy cell housing is limited to five units. The number of open bay dorm housing units is seven.

115.42 (g) The Auditor interviewed random and targeted inmates during the onsite audit. Targeted inmates sampled, denied being placed in a dedicated living unit because of their gender identity, whether the inmate is or was perceived to be gay, bisexual, transgender, intersex, or gender nonconforming. The PREA Compliance Manager confirmed that Wateree River was not operating under a consent decree, legal settlement, or legal judgment that required the facility to establish a dedicated facility, unit, or wing for gay, bisexual, transgender, or intersex inmates.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
4. South Carolina Department of Corrections, GA-06.09 Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria
5. Interviews with the following:
 - a. Staff (Random and Specialized)
 - b. Inmates (Random and Targeted)
 - c. PREA Coordinator
 - d. Associate Warden, PREA Compliance Manager (PCM)
 - e. PREA Coordinator
 - f. Classification Manager

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1461 432">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act collectively address the requirements of this Standard 115.43.</p> <p data-bbox="240 521 1469 611">115.43 (a) The agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.</p> <p data-bbox="240 701 1485 992">During her interview the PREA Compliance Manager confirmed that Wateree River always refrains from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and there is no available alternative means of separation from likely abusers. During the onsite portion of the audit there were zero inmates placed in segregation for PREA related reasons. According to the PAQ as confirmed by the PCM, the number of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of an assessment was zero. Interviews with random and targeted inmates all deny being placed in involuntary segregation because of a high risk of being victimized. The PCM explained to the Auditor that if Wateree River cannot conduct a risk assessment immediately, the facility would limit the placement in involuntary segregated housing for less than 24 hours while completing the assessment and request a transfer of the abuser.</p> <p data-bbox="240 1081 1493 1350">115.43 (b) The PCM confirmed that if inmates who are placed in segregated housing because they are at high risk of sexual victimization have limited access to: Programs, education, and some privileges but work would be very limited. Further, if Wateree River were to restrict any access to programs, privileges, education, or work opportunities, the facility would document the opportunities that have been limited in the unit logbook, document the duration and the reasons for the limitations. The unit segregation logbook documents the reason why an inmate was placed on the unit, the duration and status (e.g., pending transfer, protective custody, disciplinary), zero were PREA related. The Auditor toured the unit and briefly spoke to any inmate awake during the tour. None expressed a desire to speak to the Auditor other than to find out who I was and what was my purpose. After Identifying myself, zero inmates requested to speak with the Auditor.</p> <p data-bbox="240 1440 1485 1563">115.43 (c) According to the PCM, the facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. Assignment to involuntary segregated housing ordinarily would not exceed a period of 30 days. Moreover, during the facility tour the Auditor found zero inmates in segregated housing for PREA related reasons.</p> <p data-bbox="240 1653 1485 1977">115.43 (d) According to the PCM if an inmate was placed in involuntary segregated housing pursuant to paragraph (a) of this standard, Wateree River would document the basis for the facility's concern for the inmate's safety and notify the PREA Coordinator. Housing options for placement at Wateree River are limited. Wateree River has six (6) segregation cell, seven (7) open bay living units and five (5) multiple occupancy cells. Further, if an involuntary segregated housing assignment was necessary pursuant to this standard specifically paragraph (a), the facility would clearly document the reason why no alternative means of separation could be arranged such as transferring the abuser or placement of the abuser in another living unit away from the victim. During the facility tour zero inmates were assigned to segregation because of PREA (e.g., victimization, likely victimization, abuser). The facility and the PREA Coordinator have an option to alert Central Classification to request an emergency/immediate transfer by an automated message system termed CRT detailing the circumstances for the transfer.</p> <p data-bbox="240 2067 1390 2157">115.43 (e) In the case of each inmate who is placed in involuntary segregation because he is at high risk of sexual victimization, the PCM confirmed that Wateree River would conduct a status review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS.</p>

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. South Carolina Department of Corrections, OP-21.04, Inmate Classification Plan
5. Interview with Segregated Housing Officer
6. Interview with staff (random and targeted)
7. Interview with random and targeted inmate sample
8. Interview with Segregation Supervisor
9. Interview with the PREA Compliance Manager

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1469 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, GA-01.12, Inmate Grievance System; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address the requirements of the Standard 115.51.</p> <p data-bbox="242 488 1453 580">115.51 (a) SCDC provides multiple internal ways for inmates to privately report sexual abuse, sexual harassment, and retaliation. SCDC provides multiple internal ways for inmates to privately report staff neglect or violation of responsibilities that may have contributed to such incidents.</p> <p data-bbox="242 669 1461 862">115.51 (b) SCDC provides 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. Inmates are informed during the intake process how to report sexual abuse or sexual harassment to the outside entity, South Carolina Law Enforcement Division (SLED). SLED can receive and immediately forward inmate reports of sexual abuse and sexual harassment to SCDC officials. SLED allows inmates to remain anonymous upon request. Inmates are informed through a PREA related brochure, "Let's Talk About Safety" that calls to the outside entity, SLED can remain anonymous.</p> <p data-bbox="242 952 1469 1144">"Let's Talk About Safety" discusses the agency's Zero Tolerance Policy, sexual safety tips, PREA reporting information, sexual assault and inmate rights regarding sexual abuse and sexual harassment. Inclusive in the brochure was the address to the South Carolina Law Enforcement Division (SLED) at: P.O Box 21398 Columbia, SC 29221. The Auditor found a section in the brochure termed "How Can I Help You," equally beneficial to victims of abuse. This section of the brochure provides inmates with options to alert staff or others of sexual abuse or sexual harassment taking place in a SCDC correctional setting:</p> <ol data-bbox="242 1234 1453 1525" style="list-style-type: none"> 1). File a grievance, 2). File a report to investigations using a facility kiosk, 3). Request to visit medical and ask for help there, 4). Ask a lawyer, a friend, or family member to request help for you and, 5). Inmates incarcerated in an SCDC facility may report any act of sexual abuse by calling *22, and/or by written or verbal reports to any Agency staff member, contract employee, volunteer, or the Division of Investigations, or SLED (address). <p data-bbox="242 1615 1477 1807">An inmate can also file a written report in the form of a grievance without giving his/her name or the name of the abuser(s). This guidance for inmates if an assault occurred at another correctional facility, detention center, county facility, lockup or while under community supervision, prior to or during his/her commitment to the SCDC. Wateree River staff can also call the reporting line (*22) set up by the SCDC to leave a message regarding any violation in the facility. According to the PREA Coordinator and the PCM, no inmate is detained solely for civil immigration purposes at the facility. Wateree River never houses inmates detained solely for civil immigration purposes.</p> <p data-bbox="242 1897 1485 2089">115.51 (c) According to random and specialized staff (100%) sampled during the onsite portion of this audit, confirmed to the Auditor that they would accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Investigative reports indicate inmate choice of how to report varies on a case-by-case basis. According to random and specialized staff (100%) sampled confirmed to the Auditor that a disclosure of sexual abuse, sexual harassment or retaliation would immediately prompt documenting the incident and the notification of the shift supervisor and the PREA Compliance Manager.</p>

Inmates interviewed (random and targeted) (100%) indicated feeling comfortable with staff to relate an incident of sexual abuse or sexual harassment but each was versed in multiple ways to privately report sexual abuse and sexual harassment. A review of supporting documentation and staff/inmate interviews indicated that there are multiple ways (verbally, in writing, anonymously, privately and from a third party) for inmates to report sexual abuse/sexual harassment. The facility has procedures in place for staff to document all allegations. There are posters and other documents on display throughout the facility which also explain reporting methods. The Auditor tested the telephone system in the living units all were in good working condition. The Auditor was able to contact an external entity to report sexual abuse from the inmate living units. Inmates at Wateree River Correctional Institution are not detained solely for civil immigration purposes.

115.51 (d) SCDC provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff random and specialized sampled during the onsite portion of this audit indicated that they could privately report a PREA incident verbally, by email, telephone, or by calling or writing SLED.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, GA-01.12, Inmate Grievance System
4. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
5. PREA zero tolerance Policy poster (English)
6. PREA zero tolerance Policy poster (Spanish)
7. Inmate Orientation Manual (English)
8. Inmate Orientation Manual (Spanish)
9. Auditor's observations during the facility tour
10. Sexual Trauma Hotline
11. Sexual Trauma Posters

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1469 365">South Carolina Department of Corrections, Policy, GA-01.12, Inmate Grievance System, OP21.12, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.52.</p> <p data-bbox="240 398 1477 490">115.52 (a) SCDC is not exempt from this standard. The agency has an administrative remedy process. SCDC permits inmates to submit a PREA related grievance regarding an allegation of sexual abuse without any type of time limits. GA-01.12, "Inmate Grievance System," was modified to include language to better align with Standard 115.52 on May 12, 2014.</p> <p data-bbox="240 577 1477 804">115.52 (b) SCDC (Policy, GA-01.12, Inmate Grievance System Section 15.2 PRISON RAPE ELIMINATION ACT (PREA)) permits inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (Otherwise-applicable time limits are applied to any portion of a grievance that does not allege an incident of sexual abuse). SCDC always 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. Policy, GA-01.12, Inmate Grievance System Section 15.2 PRISON RAPE ELIMINATION ACT (PREA) stipulated that the inmates is not required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.</p> <p data-bbox="240 891 1493 983">115.52 (c) SCDC Policy, GA-01.12, Inmate Grievance System Section 15.2 PRISON RAPE ELIMINATION ACT (PREA) stipulates 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 nor is the said grievance referred to a staff member who is the subject of the complaint.</p> <p data-bbox="240 1016 1485 1279">115.52 (d) SCDC Policy, GA-01.12, Inmate Grievance System Section 15.2 PRISON RAPE ELIMINATION ACT (PREA) stipulates the issuance of a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. If 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 for response is insufficient to make an appropriate decision, SCDC/Wateree River would 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. 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 should then consider the absence of a response to be a denial at that level.</p> <p data-bbox="240 1366 1477 1659">115.52 (e) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse. Specifically, SCDC Policy, GA-01.12, Inmate Grievance System allows third parties to file a grievance on behalf of an inmate. The 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. Random and specialized staff (100%) sampled during the onsite audit all agreed that a third party could file a grievance on behalf of an inmate. The same sample of random and specialized staff provided the Auditor with at least one example of who would represent a third party such as another inmate, friend, relative, lawyer or girlfriend.</p> <p data-bbox="240 1747 1485 2141">115.52 (f) SCDC has established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. SCDC Policy GA-06-11 mandates all employees, volunteers, contractors, interns, agents to immediately report the incident to the Institutional Investigator, Warden of the facility, PREA Compliance Manager, appropriate members of the Warden's staff, Division Director of Human Resources and the PREA Coordinator after the inmate safety is safeguarded by first responders. The grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review (Warden's level and the PREA Coordinator) 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 SCDC/Wateree River shall immediately forward the grievance to the Warden for response within 48 hours of receipt of the grievance and an a SCDC 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</p>

maintain a copy of the grievance and maintain a log of PREA allegation grievances. According to the PREA Compliance Manager, and confirmed in the PAQ, in the past 12 months, the number of grievances filed that alleged sexual abuse was zero. The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months was zero. Interviews with random and targeted inmates deny filing a PREA related grievances in the past 12-month period. Zero investigative report originated from a grievance.

115.52 (g) If SCDC disciplines an inmate for filing a grievance related to alleged sexual abuse, it does so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith. Random and targeted inmates sampled during the audit denied being disciplined for filing a grievance in bad faith since placed at Wateree River. All SCDC rules and regulations for which an inmate may be disciplined must be in written form describing the disciplinary offense, sanctions, penalties; must provide adequate notice of the conduct prohibited by SCDC.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. South Carolina Department of Corrections OP-22.14 Inmate Disciplinary System
5. South Carolina Department of Corrections GA-01.12 Inmate Grievance Process
6. Interview with random and specialized staff
7. Interview with random and targeted inmates
8. Interview with the PREA Coordinator
9. Interview with the PREA Compliance Manager
10. Review of investigative reports

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.53. SCDC nor Wateree River detained inmates solely for civil immigration purposes.</p> <p data-bbox="240 488 1477 680">115.53 (a) Wateree River provides 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. South Carolina Department of Corrections 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 hotlines support.</p> <p data-bbox="240 770 1477 898">The Sexual Trauma Services of the Midlands (STSM) is a private, nonprofit, 501(c)(3) organization, incorporated in 1983. One of 15 rape crisis centers in South Carolina, STSM advocates for and supports survivors of sexual assault and abuse in Richland, Lexington, Newberry, Clarendon, and Sumter counties and educates the community to identify and prevent sexual violence. Wateree River Correctional Institution is in the service area.</p> <p data-bbox="240 987 1477 1180">The Auditor verified that the Sexual Trauma Services of the Midlands offers highly specialized and comprehensive services to assist all victims of domestic violence and sexual assault. The Sexual Trauma Services of the Midlands a 24-hour crisis hotline: (803) 771-7273, emergency services, counseling, support services, family support services, victim advocacy, community educational services and shelter placement. Specifically, support services offered by STSM includes prevention education goal planning, job skills training, parenting skills training, resources and referrals, qualified counselors provide individual and group therapy, medical accompaniment, and advice and referrals.</p> <p data-bbox="240 1270 1477 1462">The facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. The call is confidential, inmates are not required to enter their inmate Personal Identification Number (PIN) to make the call. All services provided by the center are completely free, completely confidential and the client's safety is a priority according to the website and victim advocate. The Auditor tested phone access to STSM from several living units during the onsite portion of the audit. The Auditor determined that inmates have appropriate access to confidential support services in the community.</p> <p data-bbox="240 1552 1477 1776">115.53 (b) Wateree River informs all 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. Random and targeted inmates interviewed confirmed receiving notice from intake staff and the PREA brochure regarding the extent to which calls would be monitored by the facility/agency. Further, despite the notice provided by the agency/Wateree River, the inmates (random and targeted) sampled were not aware if the conversation with STSM would be confidential. Most inmates sampled believed the telephone call to the STSM was a monitored call. Inmates are not required to enter pins to make a *63 call on the inmate phones.</p> <p data-bbox="240 1865 1477 2159">115.53 (c) SCDC maintains a memorandum of understanding or other agreements with community service providers that can provide inmates with confidential emotional support services related to sexual abuse. According to the PREA Coordinator, South Carolina Department of Corrections offers all victims of sexual abuse access to forensic medical examinations, at an outside facility, without financial cost, where evidentiarily or medically appropriate. SCDC maintains a contractual agreement termed, "Statewide Partnerships with Sexual Assault Centers", with sexual advocacy organizations throughout the state of South Carolina. Through the statewide agreement qualified staff provide emotional support and other victim services to victims of sexual abuse. Inmates in need of emotional support or victim advocacy would dial *63 from the living unit and he/she is connected to a call center in proximity to the prison. Wateree River Correctional Institution has a good communicative relationship with the statewide advocacy organization.</p>

Very few inmates (random and targeted) sampled could provide the Auditor with details of the types of services provided in the community by STSM, available to inmates of sexual abuse. However, the inmates were able to tell the Auditor multiple ways they could obtain additional information regarding the advocacy services provided by the STSM, if necessary. Wateree River met requirements for Standard 115.53.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
4. South Carolina Department of Corrections, GA-06.11B, Applying Prison Rape Elimination Act
5. MOU between SCDC and Statewide Partnership for Victim Services (10) (Sexual Trauma Services of Midlands)
5. Inmate Handbook (English)
6. Inmate Handbook (Spanish)
7. STSM Services Poster
8. STSM Hotline Poster
9. PREA Poster (Spanish)
10. Zero Tolerance Poster Male-Spanish
11. Zero Tolerance Poster Male-English
12. Interviews with staff (random and specialized)
13. Interviews with random and targeted inmates
14. Interview with the PREA Compliance Manager
15. Interview with the PREA Coordinator
16. Facility tour

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.54 (a) By examination the Auditor determined that SCDC has established a method to receive third-party reports of sexual abuse and sexual harassment. SCDC has distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.</p> <p>Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 4. South Carolina Department of Corrections, GA-06.11B, Applying Prison Rape Elimination Act 5. Interview with the PREA Coordinator 6. Internet search www.doc.sc.gov/preaweb

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 271 1469 465">South Carolina Department of Corrections, Policy, HS-18.07, Inmate Health Information, Prevention, OP-21.12, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act both address the requirements of Standard 115.61.</p> <p data-bbox="242 555 1485 880">115.61 (a) SCDC requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse, sexual harassment or retaliation that occurred in a facility, whether it is part of the agency. Specifically, South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation. Further, SCDC requires all staff to immediately report any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation.</p> <p data-bbox="242 913 1477 1070">Interviews with sample participants (random and specialized staff) confirmed their understanding of each staff members role and responsibility in the event of an incident of sexual abuse or sexual harassment is reported. Likewise, SCDC staff (random and specialized) (100%) acknowledged an immediate responsibility to report 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.</p> <p data-bbox="242 1160 1490 1384">115.61 (b) Apart from reporting to designated supervisors or officials, Wateree River staff always refrains 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. SCDC Policy, HS-18.07, Inmate Health Information, indicates that the agency is committed to upholding the confidentiality and privacy of an inmate's medical history. Therefore, an 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 data-bbox="242 1473 1481 1637">Medical practitioners (100%) sampled during the audit also 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. This information is consistent with a distributed 2019 memorandum from the Director of Nursing for the South Carolina Department of Corrections. The memorandum gives medical and mental health professionals clear written guidance that at the onset of every risk assessment staff shall inform inmates that:</p> <ul data-bbox="242 1671 1490 1966" style="list-style-type: none"> • 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 a South Carolina Department of Corrections 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. <p data-bbox="242 2056 1490 2145">115.61 (c) Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners are required to report sexual abuse pursuant to this standard. South Carolina laws do not preclude medical and mental health practitioners from informing inmates of a practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.</p>

During interviews with a medical practitioner, they confirmed a duty to disclose to the inmate the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. The discussion is documented in the inmate's health record.

115.61 (d) This standard does not apply to Wateree River. Wateree River is an adult male facility work camp. Youthful inmates are not a placement consideration at Wateree River.

115.61 (e) According to the PREA Compliance Manager, Wateree River reports any allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators. Random and specialized staff (100%) interviewed confirmed their understanding that apart from reporting to designated supervisors or officials, Wateree River staff always refrains from revealing any information related to a sexual abuse report to anyone other than decisionmakers involved in the investigation but only to the extent necessary, as specified in agency policy, to make a treatment plan, as part of the investigative process, and other security and management decisions. By examination of investigative reports, the Auditor determined that Wateree River accepts sexual abuse and sexual harassment reports from inmates, a third-party or anonymous report, then immediately notifies the facility's designated investigator.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire

2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and

Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act

4. South Carolina Department of Corrections, HS-18.07, Inmate Health Information

5. Interviews with staff (random and specialized)

6. Interview with the PREA Coordinator

7. Interview with the PREA Compliance Manager

8. Examination of medical records

115.62	Agency protection duties
	<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 1453 432">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act collectively address the requirements of Standard 115.62.</p> <p data-bbox="240 521 1453 611">115.62 (a) When SCDC learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate. Staff (random and specialized) (100%) interviewed were very aware of their duties and responsibilities when they become aware or suspect that an inmate is being sexually abused or sexually harassed.</p> <p data-bbox="240 701 1453 831">All staff (random and specialized) (100%) indicated they would act immediately to protect the inmate, including separating the victim/predator, securing the scene to protect possible evidence, preventing the destruction of potential evidence, and contacting the shift supervision, PREA Coordinator, Warden, Associate Warden/PREA Compliance Manager, Major, facility investigator, mental health, and medical practitioners.</p> <p data-bbox="240 920 1453 1010">During the Auditor's interview with the PREA Compliance Manager she confirmed information contained in the PAQ that in the past 12 months, there was zero incidents in which Wateree River staff determined that an inmate was subject to a substantial risk of imminent sexual abuse.</p> <p data-bbox="240 1099 871 1126">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1162 1453 1655" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws,1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. Interviews with staff (random and specialized) 5. Interviews with inmates (random and targeted) 6. Review of investigative reports 7. Interview with the PREA Compliance Manager 8. Interview with the PREA Coordinator

115.63	Reporting to other confinement facilities
	<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 1477 365">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.63.</p> <p data-bbox="240 396 1485 555">115.63 (a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation notifies the head of the facility or appropriate office of the agency where the alleged abuse occurred. More, when the inmate reports sexual abuse/sexual harassment from state, non-bureau privatized facilities, jails, juvenile facilities, or inmate reentry centers, the Warden contacts the appropriate office of the facility and/or notifies the SCDC Police Services investigative unit, if appropriate.</p> <p data-bbox="240 645 1469 804">According to the PREA Compliance Manager, in the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility was zero. Her response during the interview was consistent with the PAQ relative to this standard. The PCM was aware that upon notification she would alert the Warden. Either on his behalf from his email or the Warden himself would alert the facility where the inmate made the allegation of sexual abuse. The Warden was not interviewed during the onsite portion of this audit. The Warden was unavailable and offsite.</p> <p data-bbox="240 896 1493 987">115.63 (b) During her interview the PCM indicated, the notification to the facility where the inmate was confined an alleged an incident of sexual abuse or sexual harassment occurred would be notified by the Warden as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p data-bbox="240 1077 1267 1104">115.63 (c) According to the PCM, Wateree River would document that it has provided such notification.</p> <p data-bbox="240 1193 1485 1487">115.63 (d) The facility head or agency office that receives such notification would ensure that the allegation is investigated in accordance with these standards. The notification is to occur as soon as possible, but always within 72 hours of receiving the allegation. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act Policy also require that an investigation be initiated. In the past 12 months the number of allegations the facility received that an inmate was abused while confined at another facility was zero. Further, in the past 12 months, the number of allegations of sexual abuse the facility received from other facilities was zero. By examination of investigative reports and staff interview the Auditor confirmed information contained in the PAQ specific to this standard.</p> <p data-bbox="240 1576 871 1603">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1693 1469 2009" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. Interview with the Associate Warden, PREA Compliance Manager (PCM) 5. Interview with the PREA Coordinator

115.64	Staff first responder duties
	<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 1477 365">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended address the requirements of Standard 115.64.</p> <p data-bbox="240 456 1490 880">115.64 (a) Each staff member interviewed during the Wateree River audit were all well versed in the First Responder Protocol for Wateree River Correctional Institution. Each staff member described in detail a role and responsibility to execute in the event there was an allegation of sexual abuse at the facility. All staff could discuss first responder training they received from SCDC regarding PREA. These trainings occur 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 briefings. Upon learning of an allegation that an inmate was sexually abused, Wateree River first security staff member to respond to the incident are required to: Separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time 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, if the abuse occurred within a time period that still allows for the collection of physical evidence.</p> <p data-bbox="240 972 1457 1167">Staff (random and specialized) indicated they would separate the inmates, protect the victim, secure the crime scene, prevent the destruction of usable physical evidence, and contact the Team Responder, Security First Responder, Shift Supervisor, Warden, Deputy Warden/PREA Compliance Manager, Major, Police Services, and medical and mental health staff. If applicable the facility would confer with the Sexual Assault Nurse/SANE Examiner at a Tuomey/PRISMA Richland Hospital and contact the Sexual Assault Trauma Services for Midland. 115.64 (a)-8 In the past 12 months, the number of allegations where staff were notified within a time that still allowed for the collection of physical evidence was one (1).</p> <p data-bbox="240 1258 1485 1615">115.64 (b) Medical practitioners interviewed confirmed an understanding of their role and responsibilities as a first staff responder that is not a security staff member. As a first responder (non-security) they are required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security shift supervisor, Warden, PCM and Major of the incident then document the occurrence. By examination of investigative reports, staff (random and specialized) and inmate (random and targeted) interviews the Auditor determine compliance. During her interview the PCM confirmed information contained in the PAQ relative to this standard. More, of these allegations in the past 12 months where staff were notified within a time that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating was one (1). The incident remains under investigation. 115.64 (b)-3 Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.</p> <p data-bbox="240 1706 871 1733">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1762 1477 2141" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. South Carolina Department of Corrections, PREA Coordinated Response Protocol, Wateree River Correctional Institution 5. Interviews with the Associate Warden, PREA Compliance Manager (PCM) 6. Interview with the PREA Coordinator

7. Interview with staff (random and specialized)

8. Victim Witness Assistance Network

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address the requirements of Standard 115.65.</p> <p>115.65 (a) 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. More, Wateree River Correctional Institution Coordinated Response and sexual assault response team (SART) consist of security and non-security first responders. The response team includes positions such as the Shift Supervisor, Warden, Deputy Warden/PREA Compliance Manager, Major, Police Services, and medical and mental health staff. For further assistance, when applicable, the facility would confer with a qualified medical examiner a Sexual Assault Nurse/SANE Examiner at the Tuomey/PRISMA Richland Hospital, and the Sexual Assault Trauma Services for Midland for victim advocacy and medical accompaniment.</p> <p>Staff (random and specialized) sampled during the onsite portion of this audit confirmed that they would separate the inmates, safeguard the victim, secure the crime scene, prevent the destruction of usable physical evidence, and contact the shift supervisor Warden and PREA Compliance Manager.</p> <p>Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. PREA Incident Checklist 5 Wateree River Correctional Institution Sexual Abuse Response Team Protocol 6. Interview with the Associate Warden, PREA Compliance Manager (PCM) 7. Interview with the PREA Coordinator 8. Interview with staff (random and specialized) 9. Interview with the Victim Witness Assistance Network

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1477 499">115.66 (a) SCDC and any other governmental entities responsible for collective bargaining on the agency's behalf are not prohibited from entering or renewing 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. 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 been no collective bargaining agreements since August 20, 2012.</p> <p data-bbox="244 589 871 616">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="244 645 999 784" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. Interview with the Associate Warden, PREA Compliance Manager (PCM) 3. Interview with the PREA Coordinator

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act both address Standard 115.67.</p> <p data-bbox="240 488 1490 745">115.67 (a) SCDC has established policies 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. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act both establish protection policies for victims of sexual abuse, sexual harassment, and retaliation. Further, the same SCDC policies designated which staff members or departments are charged with monitoring retaliation. Wateree River has designated the Associate Warden as the Retaliation Monitor.</p> <p data-bbox="240 835 1481 1032">115.67 (b) The PREA Coordinator confirmed during her interview that SCDC employs multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services, for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. As confirmed in SCDC Policy OP-21.04 Inmate Classification Plan, the facility and the PREA Coordinator have an option to alert Central Classification to request an emergency/immediate transfer by an automated message system termed CRT detailing the circumstances for the transfer.</p> <p data-bbox="240 1122 1465 1379">115.67 (c) Except in instances where SCDC determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, Wateree River/SCDC does: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, monitor 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, promptly to remedy any such retaliation, monitor any inmate disciplinary reports, monitor inmate housing changes, monitor inmate program changes, negative performance reviews of staff, reassignments of staff, and when necessary, continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.</p> <p data-bbox="240 1469 1474 1597">Further, the PREA Compliance Manager is charged with monitoring retaliation. During the interview, the PCM indicated that she conducts 30, 60 and 90-day reviews to ensure policy is being enforced and conducts periodic status checks, monitors the frequency of incident reports, housing reassignments, and negative performance reviews/staff job reassignments, as required in 115.67c.</p> <p data-bbox="240 1686 1442 1812">115.67 (d) According to the PREA Compliance Manager/Retaliation Monitor, inmate monitoring of sexual abuse victims includes a periodic face-to-face status check. By examination, the Auditor determined that Wateree River completed retaliation monitoring on inmates who alleged sexual abuse pursuant to this standard. The PREA Compliance Manager indicated she would monitor the situation indefinitely if required by the circumstances.</p> <p data-bbox="240 1901 1461 2058">115.67 (e) If any other individual who cooperates with an investigation expresses a fear of retaliation, South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act both mandate that the facility take immediate and appropriate measures to protect that individual against retaliation.</p>

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. SCDC Policy OP-22.23, State-wide Protective Custody
5. SCDC Policy OP-21.04, Inmate Classification Plan
6. Interview with the Associate Warden, PREA Compliance Manager (PCM)
7. Interview with the PREA Coordinator

115.68	Post-allegation protective custody
	<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 1485 432">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076), South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act as amended collectively address the requirement of Standard 115.68.</p> <p data-bbox="242 519 1485 846">115.68 (a) Is all use of segregated housing by Wateree River to protect an inmate who is alleged to have suffered sexual abuse is subject to the requirements of § 115.43. By examination of investigative reports, interviews with random and targeted inmates and incident reviews the Auditor determined that Wateree River is compliant with this standard. Wateree River’s use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse is based on the requirements of Standard 115.43. Further, interviews and documentation reviewed at Wateree River indicates that inmates at high risk for sexual victimization are prohibited from being placed in involuntary segregated housing unless an assessment of all available alternatives have been made and a determination has been made that there is no available alternative means of separation from likely abusers. 115.68 (a)-2 The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero.</p> <p data-bbox="242 936 1485 1064">Interviews with staff that supervise inmates in segregation indicated that if an assessment cannot be immediately completed, Wateree River Correctional Institution would hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment. The placement of a victim requires staff to assess and consider all appropriate alternatives for safeguarding alleged inmate victims of sexual abuse/sexual harassment.</p> <p data-bbox="242 1153 1485 1312">Moreover, the PREA Compliance Manager confirmed with the Auditor that staff must 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 unit or transferring the inmate to another facility. Interviews with staff and the tour of the facility confirmed that there are usually viable alternatives to placing victims of sexual abuse/sexual harassment in protective custody.</p> <p data-bbox="242 1402 1485 1561">The PREA Compliance Manager and Custody Segregation Supervisor each confirmed that to the extent possible, access to programs, privileges, and education would not be limited to inmates placed in protective custody for reasons of sexual abuse or sexual harassment. Restrictions of programs, privileges, education, or work would be documented by the facility. Work would be extremely limited. Educators had been furloughed because of the pandemic. Compliance with this standard was determined by a review of policy and supporting documentation, as well as a tour of the facility and staff interviews.</p> <p data-bbox="242 1650 871 1680">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1709 1485 2145" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, South Carolina Department of Corrections, Policy, OP-22.23, Statewide Protective Custody Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. Interview with the Associate Warden, PREA Compliance Manger (PCM) 5. Interview with the PREA Coordinator 6. Interview with the Custody Segregation Supervisor 7. Interview with staff (random and specialized)

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act, South Carolina Department of Corrections, Pol-23.01 Investigations all address the requirement in Standard 115.71.</p> <p data-bbox="240 488 1485 712">115.71 (a) SCDC, Police Services initiates a PREA investigation that is potentially criminal along with SLED. SCDC conducts administrative investigations into all allegations of sexual harassment or retaliation. When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it do so promptly, thoroughly, and objectively. SCDC investigations for all allegations, including third party and anonymous reports. According to the Assistant Deputy Director of Police Services, SCDC conducts its own investigations into allegations of sexual abuse and sexual harassment, and it does so promptly, thoroughly, and objectively. Agency employees who, in the course of their duties, discover a criminal act are required to</p> <p data-bbox="240 745 1477 801">immediately report this information to their appropriate Warden/Division Director or designee for transmission to Police Services. Responses to emergency situations are handled pursuant to SCDC Policy OP-22.29, "Emergency Preparedness.</p> <p data-bbox="240 891 1485 1216">115.71 (b) Where sexual abuse is alleged, SCDC use investigators who have received specialized training in sexual abuse investigations as required by 115.34. SCDC conducts such investigations for all allegations, including third party and anonymous reports. The Auditor interviewed the Assistant Deputy Director of Police Services. The Assistant Deputy Director detailed the SCDC and SLED investigative process from the initiation of an investigation to the closure of an investigation or referral to prosecution in the District Attorney's office. Currently, 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 Auditor sample and verified certificates of completion of specialized investigators training complied with Standard 115.34.</p> <p data-bbox="240 1305 1461 1406">115.71 (c) Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. Investigators interview alleged victims, suspected perpetrators, and witnesses, review prior reports and complaints of sexual abuse involving the suspected perpetrator.</p> <p data-bbox="240 1496 1485 1585">115.71 (d) By examination of investigative reports the Auditor determined that when the quality of evidence appears to support criminal prosecution, SCDC Police Services/SLED would compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.</p> <p data-bbox="240 1675 1485 1798">115.71 (e) SCDC investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not based on that individual's status as inmate or staff. By examination of investigative records, the Auditor determined that SCDC conducts investigations without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation.</p> <p data-bbox="240 1888 1461 2011">115.71 (f) The PREA Compliance Manager confirms as an administrative investigator of sexual harassment administrative investigator include an effort to determine whether staff actions or failures to act contributed to the abuse, a written report that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.</p> <p data-bbox="240 2101 1422 2157">115.71 (g) SCDC criminal investigations are 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. The</p>

Auditor reviewed a sample of PREA investigations from Wateree River. Each report included a narrative from all parties, the original complaint from the victim and witness statements along with a description of evident related to the incident. SCDC implemented a policy change to address dissent in the record retention language. The changes include language such as:

5.1 The Agency's PREA Coordinator will be responsible for compiling records and reporting statistical data to the US Department of Justice (DOJ) as required by PREA of 2003, and to all state oversight agencies.

5.2 Case Records: All institutions operated by or contracted with SCDC will collect data regarding all allegations of sexual abuse and sexual harassment daily. All information regarding allegations, investigations, dispositions, and subsequent actions will be electronically filed and a hard copy retained by the institution.

5.3 All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings and recommendations for post-release treatment and/or counseling are retained in accordance with OP-21.09, "Inmate Records" and HS-18.07, "Inmate Health Information". (4- 4281-8).

10.4 The agency, through the PREA Coordinator, will retain all investigative written reports regarding sexual abuse/sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

115.71 (h) The PREA Coordinator confirmed during his interview with the Auditor that all substantiated allegations of conduct that appears to be criminal referred for prosecution. By examination the Auditor determined that Wateree River/SCDC/Police Services/SLED refers all substantiated allegation that are potentially criminal to the prosecutor's office for action.

115.71 (i) SCDC 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. Furthermore, SCDC has task the PREA Coordinator with the responsibility to ensure that data collection pursuant to the PREA Standards is securely retained for at least 10 years after the date of the initial collection. [PREA Standard(s) §115.89].

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

115.71 (l) When an outside entity (SLED) investigates sexual abuse, SCDC/Wateree River fully cooperates with outside investigators and endeavor to remain informed about the progress of the investigation.

The Auditor reviewed a sample of PREA investigations from Wateree River. Each report included a narrative from all parties, the original complaint from the victim and witness statements along with a description of evident related to the incident. SCDC implemented a policy change to address dissent in the record retention language. The changes include language such as:

5.1 The Agency's PREA Coordinator will be responsible for compiling records and reporting statistical data to the US Department of Justice (DOJ) as required by PREA of 2003, and to all state oversight agencies.

5.2 Case Records: All institutions operated by or contracted with SCDC will collect data regarding all allegations of sexual abuse and sexual harassment daily. All information regarding allegations, investigations, dispositions, and subsequent actions will be electronically filed and a hard copy retained by the institution.

5.3 All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings and recommendations for post-release treatment and/or counseling are retained in accordance with OP-21.09, "Inmate Records" and HS-18.07, "Inmate Health Information". (4- 4281-8).

10.4 The agency, through the PREA Coordinator, will retain all investigative written reports regarding sexual abuse/sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. The new language mentioned above requires the PREA Coordinator to maintain data collected in accordance standards outlined in the Prison Rape Elimination Act (PREA). Compliance with this standard was determined by a review of policy/documentation, investigative files, and staff interviews.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. South Carolina Department of Corrections OP-21.09, Inmate Records
5. South Carolina Department of Corrections HS-18.07, Inmate Health Information
6. Interviews with the Assistant Director of Police Services
7. Interview with the Associate Warden, PREA Compliance Manager (PCM)
8. Interview with PREA Coordinator
9. Interview with staff (random and specialized)
10. Review of the record retention schedule

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1477 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended and South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act, collectively address the requirement of Standard 115.72.</p> <p data-bbox="240 488 1465 647">115.72 (a) SCDC does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The evidence standard is a preponderance of the evidence in determining whether allegations of sexual abuse/sexual harassment is substantiated. When interviewed, the PREA Coordinator , PCM and Assistant Director of Police Services were all aware of the evidence standard. The evidence standard was utilized in the cases reviewed by the Auditor.</p> <p data-bbox="240 734 871 761">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 792 1485 1227" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. Interview with the PREA Coordinator 5. Interview with the PREA Compliance Manager, Administrative Investigator 6. Interview with the Assistant Director of Police Services 7. Investigative files

115.73	Reporting to inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1484 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act, collectively address the requirement of Standard 115.73.</p> <p data-bbox="240 488 1484 712">115.73 (a) As confirmed in investigative files, following an investigation into an inmate's allegation that he suffered sexual abuse in an agency facility, SCDC/Wateree River informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded, and according to the PREA Compliance Manager. According to the PREA Compliance Manager following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, Wateree River informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The Auditor verified compliance with this standard by reviewing closed investigative reports for the facility.</p> <p data-bbox="240 801 1445 864">115.73 (c) The PREA Compliance Manager detailed for the Auditor a litany of investigative administrative responsibilities such as:</p> <ol data-bbox="240 891 1469 1599" style="list-style-type: none"> <li data-bbox="240 891 1469 990">1). Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless SCDC has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer posted within the inmate's unit, <li data-bbox="240 1079 1469 1178">2). Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless SCDC has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer employed at the facility, <li data-bbox="240 1267 1469 1393">3). Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, SCDC would inform the inmate whenever: SCDC learns that the staff member has been indicted on a charge related to sexual abuse in at Wateree River. <li data-bbox="240 1482 1469 1599">4). Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless SCDC has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: SCDC learns that the staff member has been convicted on a charge related to sexual abuse within the facility. <p data-bbox="240 1688 1469 1850">115.73 (d) Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility, the alleged abuser has been convicted on a charge related to sexual abuse within the facility, SCDC learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility or SCDC learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p> <p data-bbox="240 1939 1484 2029">115.73 (e) SCDC document all such notifications or attempted notifications. Documentation is maintained in the investigative file. Compliance with this standard was determined by a review of policy, an examination of the written notices, and staff interviews.</p> <p data-bbox="240 2119 839 2145">115.73 (f) This Auditor is not required to audit this provision.</p>

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. PREA Investigation Tracking Log
5. Interview with the Associate Warden, PREA Compliance Manager (PCM)
6. Interview with the PREA Coordinator

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 1473 432">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, ADM-11.39, Staff Sexual Misconduct with Inmates; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, South Carolina Department of Corrections, ADM-11.39, Staff Sexual Misconduct with Inmates collectively address the requirements of Standard 115.76.</p> <p data-bbox="242 519 1481 580">115.76 (a) SCDC staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies, according to the PREA Coordinator.</p> <p data-bbox="242 667 1485 828">115.76 (b) Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse, according to the PREA Coordinator. Standard 115.76 (b)-1. In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies was zero, as confirmed by review of investigative reports and staff interviews. In the past 12 months, the number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies was zero.</p> <p data-bbox="242 916 1490 1113">115.76 (c) According to the PREA Coordinator during his interview he confirmed that disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than 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. In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than engaging in sexual abuse) was zero.</p> <p data-bbox="242 1200 1485 1328">115.76 (d) According to the PREA Coordinator during his interview he confirmed that 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 or relevant licensing bodies (unless the activity was clearly not criminal). Compliance with this standard was determined by a review of policy/documentation and staff interviews.</p> <p data-bbox="242 1415 871 1444">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1473 1473 1854" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. South Carolina Department of Corrections, Policy, ADM-11.39, Staff Sexual Misconduct with Inmates 5. Interview with the Associate Warden, PREA Compliance Manager (PCM) 6. Interview with the PREA Coordinator

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 451 235">Auditor Discussion</p> <p data-bbox="242 271 1473 432">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, ADM-11.39, Staff Sexual Misconduct with Inmates; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act all collectively address the requirements of Standard 115.77.</p> <p data-bbox="242 521 1461 647">115.77 (a) Any contractor or volunteer who engages in sexual abuse would be immediately prohibited from contact with inmates and reported to Police Services/SLED, unless the activity was clearly not criminal. 115.77 (a)-4 In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates was zero, as confirmed by the PCM and investigative reports.</p> <p data-bbox="242 734 1453 896">Volunteerism has been suspended due to the pandemic since the beginning of 2020. Contractor access to the facility has been limited to essential work only. The PREA Compliance Manager for Wateree River confirmed that any contractor or volunteer who engages in sexual abuse/sexual harassment would be prohibited from contact with inmates and would be reported to the appropriate investigator, law enforcement, or relevant professional/licensing/certifying bodies, unless the activity was clearly not criminal in nature.</p> <p data-bbox="242 983 1426 1144">115.77 (b) In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, According to the PCM, Wateree River would take appropriate remedial measures, and consider whether to prohibit further contact with inmates. In non-criminal cases, the South Carolina Department of Corrections/Wateree River/Polices Services would take appropriate remedial measures and consider whether to prohibit further contact with inmates.</p> <p data-bbox="242 1173 871 1198">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1232 1473 1671" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 3. South Carolina Department of Corrections, Policy, ADM-11.39, Staff Sexual Misconduct with Inmates 4. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 5. Investigative reports 6. Interviews with the Associate Warden, PREA Compliance Manager (PCM) 7. Interviews with the PREA Coordinator

115.78	Disciplinary sanctions for inmates
	<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 1485 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, HS-19.06, "Mental Health Services – Disciplinary Detention for Inmates Classified as Mentally Ill"; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79. Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.78.</p> <p data-bbox="242 488 1485 712">115.78 (a) During her interview the PCM confirmed that 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. South Carolina Department of Corrections has a formal disciplinary process in place following a guilty finding of inmate-on-inmate sexual abuse or criminal finding of guilt for inmate-on-inmate sexual abuse when inmates violate Agency rules which includes incidents of sexual harassment. In the past 12 months, the number of administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility was four (4) based on review of investigative files.</p> <p data-bbox="242 801 1485 896">115.78 (b) During her interview the PCM confirmed that any sanctions imposed would be 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.</p> <p data-bbox="242 985 1485 1079">115.78 (c) When determining what types of sanction, if any, should be imposed, Wateree River would consider during the disciplinary process if an inmate's mental disabilities or mental illness contributed to his or her behavior, according to the PREA Compliance Manager.</p> <p data-bbox="242 1169 1485 1294">115.78 (d) Wateree River is a work camp. Inmates in need of 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 would be transferred to another facility to accommodate the need for services.</p> <p data-bbox="242 1384 1485 1478">115.78 (e) SCDC would discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact as confirmed in South Carolina Department of Corrections GA-06-11B, Applying the Prison Rape Elimination Act, Section 7.10, page 12 and OP-22.14 Inmate Disciplinary System.</p> <p data-bbox="242 1568 1485 1693">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 DOES NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation according to South Carolina Department of Corrections GA-06-11B, Applying the Prison Rape Elimination Act.</p> <p data-bbox="242 1783 1485 1908">115.78 (g) SCDC prohibits all sexual activity between inmates, SCDC always refrain from considering non-coercive sexual activity between inmates to be sexual abuse. More, SCDC prohibits consensual sex between inmates, but it does not constitute sexual abuse according to South Carolina Department of Corrections GA-06-11B, Applying the Prison Rape Elimination Act, Section 7.10, page 12 and OP-22.14 Inmate Disciplinary System.</p> <p data-bbox="242 1998 1485 2123">Specialized staff interviewed confirmed that if mental disabilities or mental illness is a factor, the facility considers the offer of therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse. Compliance with this standard was determined by a review of policy/documentation, an examination of the inmate penal code, and staff interviews.</p>

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, HS-19.06, "Mental Health Services – Disciplinary Detention for Inmates Classified as Mentally Ill"
4. South Carolina Department of Corrections, GA-06.11B, Applying The prison Rape Elimination Act
5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
6. Facility tour of segregation housing
7. Interview with the Associate Warden, PREA Compliance Manager (PCM)
8. Interview with the PREA Coordinator

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1449 432">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, HS-18.13, Health Screening and Exams; South Carolina Department of Corrections, Policy, OP-21.04, Inmate Classification Plan; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address the requirements of Standard 115.81.</p> <p data-bbox="240 521 1490 779">115.81 (a) If the screening pursuant to § 115.41 indicates if an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, SCDC would ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening and classified to a facility to address his treatment needs. In an interview with PREA Coordinator he confirmed that inmates in need of emotional services for sexual abuse would be excluded from placement at Wateree River Correctional because of Wateree River mission as an agricultural farm work camp. SCDC has a system for collecting medical and mental health information on inmates into the electronic medical record. The 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 data-bbox="240 869 1455 994">Intake and risk screening is required for all newly admitted and interfacility inmate transfers. All arrivals 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 occurs within 24 hours of the referral is also required for the following circumstances such as:</p> <ul data-bbox="240 1025 1485 1350" style="list-style-type: none"> A. Inmates incarcerated for the first time; B. Inmates discharged from a psychiatric facility within the last 30 days; C. Inmates who, within 30 days of incarceration, have displayed or indicated a suicidal ideation but lacked a plan to carry out the suicide; D. Inmates with mental health concerns as identified by the court, or as reported by a concerned party; E. Inmates with a history (within the past three (3) years) of suicide attempts or plans, either self-reported or reported by a concerned party. <p data-bbox="240 1382 1490 1541">Inmates with a history of suicide attempts or ideation beyond three (3) years or inmates currently participating in outpatient mental health programs or services must be seen by mental health staff within 72 hours of admission. Inmates indicating having experienced prior sexual victimization or prior perpetration of sexual abuse, whether it occurred in an institutional setting or in the community, shall be offered a follow up meeting with a medical or mental health practitioner within 14 days of the initial screening.</p> <p data-bbox="240 1630 1490 1823">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. Mental health practitioners are required to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. All mandatory reporting laws for allegations of sexual abuse must be followed.</p> <p data-bbox="240 1912 1490 2038">SCDC health care practitioners interviewed during this cycle confirmed that treatment services are offered without financial cost to the inmate. When indicated, specialized medical and mental health professionals confirmed a duty to offer a follow-up meeting with a mental health professional within 14 days of the intake screening with inmates having experienced prior sexual victimization or prior perpetration of sexual abuse.</p> <p data-bbox="240 2128 1469 2157">Specialized staff interviews with medical and mental health practitioners confirmed that inmates signed and dated informed</p>

consents before reporting prior sexual victimization which did not occur in an institutional setting is disclosed to need-to-know staff. Wateree River Correctional Institution does not house inmates under the age of 18 or Youthful Inmates. Electronic medical records are password protected. Physical files are kept behind locked doors with locking file cabinets. All medical, mental health and PREA related information is handled confidentially and interviews with the intake screening staff support this fact.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, HS-18.13, Health Screening and Exams
4. South Carolina Department of Corrections, Policy, OP-21.04, Inmate Classification Plan
5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
6. PREA Medical and Mental Health Services Log Sample
7. Interview with the Associate Warden, PREA Compliance Manager (PCM)
8. Interview with the PREA Compliance Manager
9. Interview with the acting Mental Health Director
10. Interview with health care practitioners

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1473 432">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, HS-18.15, Levels of Care; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076), as amended, and the South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act collectively address Standard 115.82.</p> <p data-bbox="240 521 1493 714">115.82 (a) According to the PREA Coordinator and PREA Compliance during separate interviews each confirmed that 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. Likewise specialized, is an interview with a medical practitioner they confirmed that 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.</p> <p data-bbox="240 804 1473 1028">115.82 (b) If Wateree River has no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, the PREA Compliance Manager indicated that security staff first responders would follow the PREA Protocol as trained and take preliminary steps to protect the victim pursuant to § 115.62. Interviews with random and specialized staff all confirmed an understanding of their role and responsibility in the event of a coordinated response to a PREA allegation. Staff first responders are trained to immediately notify the appropriate medical and mental health practitioners according to South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment.</p> <p data-bbox="240 1120 1489 1447">Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of emergency medical treatment and crisis intervention services are determined by medical and mental health practitioners according to their professional judgment, as confirmed by the facility Health Administrator, during the onsite portion of this audit. Random staff were aware of their role as first responders and shift supervisors, to immediately notify the appropriate medical and mental health practitioners of a sexual assault. Agency policy prohibits inmate co-pays for medical treatment of sexual abuse. All treatment is offered at no financial cost to the inmate. Inmate victims of sexual abuse, while incarcerated, are offered information about timely access to information on sexually transmitted infection prophylaxis, in accordance with professionally accepted standards of care. Medical practitioners are on duty daily, seven days a week and are available for consultation or call-back on off duty hours. The mental health practitioner was available five days per week and was also available for call-back on off duty hours.</p> <p data-bbox="240 1536 1473 1662">Victim advocacy services are offered through trained advocates. South Carolina Department of Corrections 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 victims of sexual assault, including individual face-to-face contacts, group sessions, written correspondence, and phone calls through toll-free hotline support.</p> <p data-bbox="240 1751 1493 1944">The Sexual Assault Trauma Services for Midland serves – a regional county service area that includes Florence, Darlington, Chesterfield, Marlboro, Dillon, Marion, Wateree, and Williamsburg counties. Wateree River Correctional Institution is in the service area for the Sexual Assault Trauma Services for Midland. The Auditor verified that the STSM offers highly specialized and comprehensive services to assist all victims of domestic violence and sexual assault. The Sexual Assault Trauma Services for Midland provides a 24-hour crisis hotline: (803) 771-7273, emergency services, counseling, support services, children services, victim advocacy, community educational services and shelter placement.</p> <p data-bbox="240 2033 1484 2159">Moreover, South Carolina Department of Corrections offers all victims of sexual abuse access to forensic medical examinations at Tuomey/PRISMA Richland Hospital, without financial cost, where evidentially or medically appropriate. Inmate victims of sexual abuse treated at a Tuomey/PRISMA Richland Hospital with a SANE Examiner on site. The victim would be treated by a qualified medical practitioner according to a hospital representative. The Auditor also spoke by phone</p>

to a representative from the South Carolina Victim Witness Assistance Network (SCVAN), the Statewide Forensic Nurse Examiner (FNE) Program Coordinator of the Statewide FNE Program. SCVAN has begun talks with rural local hospitals, to provide SANE training to nurses at the hospital.

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act
4. South Carolina Department of Corrections, Policy, HS-18.15, Levels of Care
5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
6. Interview with the Associate Warden, PREA Compliance Manager
7. Interview with specialized staff
8. Interview with South Carolina Victim Witness Assistance Network (SCVAN), the Statewide Forensic Nurse Examiner (FNE) Program Coordinator of the Statewide FNE Program
9. Interview with the PREA Coordinator
10. Internet search: South Carolina Victim Witness Assistance Network (SCVAN)
11. Internet search: Sexual Assault Trauma Services for Midland
12. Review of incident reports

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1469 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, HS-18.15, Levels of Care; South Carolina Department of Corrections, Policy, PS-10.11, Sex Offender Treatment Program; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.83.</p> <p data-bbox="240 488 1461 546">115.83 (a) Wateree River offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, according to the PREA Compliance Manager and PREA Coordinator.</p> <p data-bbox="240 636 1485 730">115.83 (b) The medical practitioner interviewed confirmed that the evaluation and treatment of sexual abuse victims would 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.</p> <p data-bbox="240 819 1461 878">115.83 (c) The medical practitioner interviewed confirmed that Wateree River would provide such victims with medical and mental health services consistent with the community level of care.</p> <p data-bbox="240 967 1203 994">115.83 (d) Wateree Rive is an adult male facility with zero transgender - male inmates assigned.</p> <p data-bbox="240 1084 1203 1111">115.83 (e) Wateree Rive is an adult male facility with zero transgender - male inmates assigned.</p> <p data-bbox="240 1200 1453 1258">115.83 (f) The medical practitioner interviewed confirmed that inmate victims of sexual abuse while incarcerated would be offered tests for sexually transmitted infections as medically appropriate.</p> <p data-bbox="240 1348 1469 1541">115.83 (g) The medical practitioner and the PREA Compliance Manager each confirmed that treatment services would be provided a victim of sexual abuse without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment, mandates facilities offer medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse. Services are consistent with a community level of care, without financial cost to the inmate.</p> <p data-bbox="240 1630 1430 1724">115.83 (h) Wateree is a prison. The medical practitioner and the PREA Compliance Manager each confirmed it would 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.</p> <p data-bbox="240 1809 871 1836">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1868 1469 2157" style="list-style-type: none"> <li data-bbox="240 1868 512 1895">1. Pre-Audit Questionnaire <li data-bbox="240 1984 1469 2042">2. South Carolina Department of Corrections, Policy, OP-21.12, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment <li data-bbox="240 2132 1027 2159">3. South Carolina Department of Corrections, Policy, HS-18.15, Levels of Care

4. South Carolina Department of Corrections, Policy, PS-10.11, Sex Offender Treatment Program

5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

6. Interviews with the following:

a. Specialized staff (medical/mental health)

Policy, Materials, Interviews and Other Evidence Reviewed

1. Pre-Audit Questionnaire

2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment

3. South Carolina Department of Corrections, Policy, HS-18.15, Levels of Care

4. South Carolina Department of Corrections, Policy, PS-10.11, Sex Offender Treatment Program

5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

6. Interviews with the following:

a. Specialized staff (medical/mental health)

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1442 398">South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, GA-04.01, Strategic Planning; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address Standard 115.86.</p> <p data-bbox="240 488 1469 647">115.86 (a): GA-06.11B directs a facility to 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. According to the current PREA Compliance Manager and the Warden, Wateree River conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegations were unsubstantiated, unless the allegation has been determined to be unfounded.</p> <p data-bbox="240 734 1485 828">115.86 (b) Wateree incident reviews occurs within 30 days of the conclusion of the investigation. 115.86 (a)-2, in the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents: was zero.</p> <p data-bbox="240 918 1417 976">115.86 (c) According to the PREA Compliance Manager, the Wateree River incident review team includes upper-level management officials, such as the Warden, Major, medical practitioners with input from line supervisors, investigators.</p> <p data-bbox="240 1066 1477 1294">115.86 (d) According to the PREA Compliance Manager, the incident review team would consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse, 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. Further the incident team would also examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse, assess staffing levels on each shift and assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.</p> <p data-bbox="240 1384 1477 1476">The incident review team would 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 in coordination with the facility head and submit the findings to the PREA Coordinator.</p> <p data-bbox="240 1565 1465 1624">115.86 (e) If the recommendations for improvement cannot be implemented the PREA Compliance Manager indicated that Wateree River would document its reason for not doing so.</p> <p data-bbox="240 1713 871 1740">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1771 1465 2114" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11, Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act 4. South Carolina Department of Corrections, Policy, GA-04.01, Strategic Planning 5. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended

6. Interviews with the following:

a. Associate Warden, PREA Compliance Manager (PCM)

b. PREA Coordinator

115.87	Data collection
	<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 1452 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment; South Carolina Department of Corrections, Policy, GA-04.01, Strategic Planning; and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended collectively address the requirements of Standard 115.87.</p> <p data-bbox="240 488 1430 613">115.87 (a) SCDC collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. By examination, of the 2019-2020 SCDC Annual Reports, and Surveys of Sexual Violence (SSV) Reports, the Auditor determined that SCDC utilizes a uniform aggregate statistical method to collect and analyze PREA related data.</p> <p data-bbox="240 703 1490 1061">115.87 (b) SCDC aggregates the incident-based sexual abuse data at least annually. According to the data collected from across all correctional facilities, in South Carolina, the number of PREA related allegations in 2019 totaled 265. The total 2020 Aggregated Allegations of Sexual Abuse/Sexual Harassment was 379 cases. Of the 379 reported cases of sexual abuse/sexual harassment in 2020, 21 of these cases were found to be substantiated, 6 of which were substantiated incident(s) of inmate-on-inmate sexual abuse; 4 were inmate-on-inmate sexual harassment; 10 were staff sexual misconduct; and 1 was a staff-on-inmate sexual harassment incident. The incidents of inmate-on-inmate sexual harassment allegations was (112); followed by staff-on-inmate sexual harassment (95), staff sexual misconduct (89), and lastly, inmate-on-inmate sexual abuse (83). Comparatively, in 2020, inmate-on-inmate sexual abuse saw a decline from 99 allegations to 83 with 6 incidents substantiated, 28 unfounded determinations and 15 ongoing investigations. Conversely, allegations of inmate-on-inmate sexual harassment, staff sexual misconduct and staff sexual harassment increased in 2020. SCDC reported an increase in the total substantiated incident of sexual violence from 15 in 2018, 17 in 2019 then 21 incidents in 2020.</p> <p data-bbox="240 1151 1490 1442">115.87 (c) 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. The Surveys of Sexual Violence (SSV) Reports date from 2006 – 2020 and this information is also readily and publicly available on the official website for the South Carolina Department of Corrections. 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 uniform aggregated data collected includes information necessary to answer all questions for the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Upon request, the agency would provide all such data from the previous calendar year to the Department of Justice.</p> <p data-bbox="240 1532 1477 1688">115.87 (d) SCDC maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews Facility compliance with this standard was also determined by a review of policy, a review of the tracking documentation and staff interviews. The PREA Coordinator works in conjunction with each PREA Compliance Managers to maintain and collect data required to meet this standard. The PREA Coordinator confirmed the process during his interview.</p> <p data-bbox="240 1778 1481 1868">115.87 (e) SCDC also obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates. By contractual agreement, private facilities must comply with all PREA Standards to include data collection for compliance with Standard 115.87.</p> <p data-bbox="240 1957 1469 2024">115.87 (f) SCDC, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30.</p> <p data-bbox="240 2114 871 2141">Policy, Materials, Interviews and Other Evidence Reviewed</p>

1. Pre-Audit Questionnaire
2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment
3. South Carolina Department of Corrections, Policy, GA-04.01, Strategic Planning
4. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended
5. Interviews with the following:
 - a. Associate Warden, PREA Compliance Manager (PCM)
 - b. PREA Coordinator
6. Internet search: South Carolina Department of Corrections
7. Department of Justice SSV Reports

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 1485 398">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended, South Carolina Department of Corrections, GA-06.11B, Applying the Prison Rape Elimination Act all address Standard 115.88.</p> <p data-bbox="240 488 1485 645">115.88 (a) By examination of the SCDC 2020 Annual Report, the Auditor determined that SCDC reviews data collected and aggregated pursuant to § 115.87 to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: 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. The report can be found on the SCDC official website.</p> <p data-bbox="240 734 1485 963">115.88 (b) By examination of the SCDC 2020 Annual Report, the Auditor determined that SCDC’s annual reports 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. According to the data collected from across all correctional facilities, in South Carolina, the number of PREA related allegations in 2019 totaled 265. The total 2020 Aggregated Allegations of Sexual Abuse/Sexual Harassment was 379 cases. Of the 379 reported cases of sexual abuse/sexual harassment in 2020, 21 of these cases were found to be substantiated, 6 of which were substantiated incident(s) of inmate-on-inmate sexual abuse; 4 were inmate-on-inmate sexual harassment; 10 were staff sexual misconduct; and 1 was a staff-on-inmate</p> <p data-bbox="240 994 1474 1187">sexual harassment incident. The incidents of inmate-on-inmate sexual harassment allegations was (112); followed by staff-on-inmate sexual harassment (95), staff sexual misconduct (89), and lastly, inmate-on-inmate sexual abuse (83). Comparatively, in 2020, inmate-on-inmate sexual abuse saw a decline from 99 allegations to 83 with 6 incidents substantiated, 28 unfounded determinations and 15 ongoing investigations. Conversely, allegations of inmate-on-inmate sexual harassment, staff sexual misconduct and staff sexual harassment increased in 2020. SCDC reported an increase in the total substantiated incident of sexual violence from 15 in 2018, 17 in 2019, further increasing to 21 incidents in 2020.</p> <p data-bbox="240 1276 1477 1366">115.88 (c) By examination of the SCDC 2020 Annual Report, the Auditor determined that SCDC’s annual reports were approved through the PREA Coordinator’s Office, the Office of Legal and Compliance, and the Office of the Director/agency head by signature. The report is readily available to the public through the SCDC official website.</p> <p data-bbox="240 1456 1422 1518">115.88 (d) SCDC indicates 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.</p> <p data-bbox="240 1608 871 1635">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="240 1666 1114 2092" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended 4. Interviews with the following: <ol data-bbox="240 2011 818 2092" style="list-style-type: none"> a. Associate Warden, PREA Compliance Manager (PCM) b. PREA Coordinator <p data-bbox="240 2123 595 2150">Corrective action: None required</p>

115.89	Data storage, publication, and destruction
	<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 1477 365">South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment and the Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended both address Standard 115.89.</p> <p data-bbox="242 454 1469 647">115.89 (a) SCDC ensures that data collected pursuant to § 115.87 are securely retained SCDC adopted a policy change to address conflictual State record retention language to comply with PREA Standard 115. 71 and 115.89. The new language requires the Agency to maintain data collected in accordance the National PREA Standards and with SCDC Policy OP-21.10, Agency Records Management. SCDC has task the PREA Coordinator with the responsibility to ensure that data collected pursuant to the PREA Standards are securely retained for at least 10 years after the date of the initial collection. [PREA Standard(s) §115.89].</p> <p data-bbox="242 734 1473 896">SCDC Retention Schedules indicates that Agency records shall be retained in accordance with applicable records retention schedules as follows: The PREA Coordinator reviews data compiled by each SCDC facility and issues a report to the Commissioner of the South Carolina Department of Corrections on an annual basis. The data is securely retained and published on the SCDC website after the removal of all personal identifying information. The reports cover all data noted in this standard after the corrective action</p> <p data-bbox="242 983 1489 1077">115.89 (b) SCDC makes 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, as confirmed by the PREA Coordinator.</p> <p data-bbox="242 1164 1398 1227">115.89 (c) SCDC removes all personal identifiers before making aggregated sexual abuse data publicly available as confirmed by the PREA Coordinator.</p> <p data-bbox="242 1314 1482 1408">115.89 (d) SCDC maintains 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 Wateree River Correctional Institution met the requirements for Standard 115.89.</p> <p data-bbox="242 1496 871 1525">Policy, Materials, Interviews and Other Evidence Reviewed</p> <ol data-bbox="242 1554 1114 1982" style="list-style-type: none"> 1. Pre-Audit Questionnaire 2. South Carolina Department of Corrections, GA-06.11 , Prevention, Detection and Response to Sexual Abuse and Sexual Harassment 3. Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79; Section 44-23-1150, South Carolina Code of Laws, 1076) as amended <ol style="list-style-type: none"> a. Associate Warden, PREA Compliance Manager (PCM) b. PREA Coordinator 4. Internet search: South Carolina Department of Correction, PREA Reports

115.401	Frequency and scope of audits
	<p data-bbox="244 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 273 1485 362">115.401 (a) During the prior three-year audit period, SCDC ensured that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once. In 2020, nine (9) SCDC institutions were audited for compliance with the National PREA Standards by PREA Auditors certified by the United States Department of Justice.</p> <p data-bbox="244 452 1458 515">In 2020, the nine institutions that successfully completed audits for compliance with the National PREA Standards are the following:</p> <ul data-bbox="244 546 804 1030" style="list-style-type: none"> • Allendale Correctional Institution – February 2020 • McCormick Correctional Institution – July 2020 • Palmer Pre-Release Center – August 2020 • Manning Reentry/Work Release Center – August 2020 • Goodman Correctional Institution – September 2020 • MacDougall Correctional Institution – October 2020 • Evans Correctional Institution - October 2020 • Lee Correctional Institution – November 2020 • Lieber Correctional Institution – December 2020 <p data-bbox="244 1061 1260 1088">*Tyger River CI was scheduled to be audited but was postponed because of COVID-19 complications.</p> <p data-bbox="244 1178 1433 1205">115.401 (h) The Auditor affirms that SCDC allowed access to, and the ability to observe, all areas of the audited facility.</p> <p data-bbox="244 1294 1453 1357">115.401 (i) The Auditor affirms that SCDC allowed the request and receipt of copies of any relevant documents (including electronically stored information).</p> <p data-bbox="244 1447 1437 1473">115.401 (m) The Auditor affirms she was permitted to conduct private interviews with inmates, residents, and detainees.</p> <p data-bbox="244 1563 1485 1626">115.401 (n) Inmates were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.403 (f) By examination the Auditor determined that SCDC has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports.

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.)	na
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.)	na
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	na
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na

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

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

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

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	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.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
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.)	yes
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).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

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

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	yes
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	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.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	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).)	yes

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

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	no
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.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

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

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

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