

PREA Facility Audit Report: Final

Name of Facility: Hampton Community Corrections Center

Facility Type: Prison / Jail

Date Interim Report Submitted: 02/12/2021

Date Final Report Submitted: 02/18/2021

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: Ron L Kidwell	Date of Signature: 02/18/2021

AUDITOR INFORMATION	
Auditor name:	Kidwell, Ron
Email:	ronnie.kidwell@yahoo.com
Start Date of On-Site Audit:	12/16/2020
End Date of On-Site Audit:	12/17/2020

FACILITY INFORMATION	
Facility name:	Hampton Community Corrections Center
Facility physical address:	1928 W. Pembroke Ave., Hampton, Virginia - 23661
Facility Phone	
Facility mailing address:	

Primary Contact	
Name:	Brandon Vernado
Email Address:	bvernado@hampton.gov
Telephone Number:	757-759-6237

Warden/Jail Administrator/Sheriff/Director	
Name:	Sheriff BJ Roberts
Email Address:	broberts@hampton.gov
Telephone Number:	757-926-2504

Facility PREA Compliance Manager	
Name:	
Email Address:	
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Marion Land
Email Address:	marion.land@hampton.gov
Telephone Number:	757-728-3021

Facility Characteristics	
Designed facility capacity:	531
Current population of facility:	145
Average daily population for the past 12 months:	300
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18 - 64
Facility security levels/inmate custody levels:	Minimum, medium, medium assaultive, maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	119
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	6
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Hampton Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	136 Kings Way, Hampton, Virginia - 23661
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Brandon Vernado	Email Address:	bvernado@hampton.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.

Pre-Audit Phase

The Prison Rape Elimination Act (PREA) Audit of the Hampton City Sheriff's Office Jail (HSO) was initiated on October 16, 2020, and the on-site phase began on December 16, 2020. The HSO requested a PREA audit be conducted by Systematic Audits LLC. This certified PREA auditor, Ron Kidwell was contracted by Systematic Audits on September 24, 2020, to conduct this scheduled PREA audit. The facility had been previously audited on August 18, 2017. On October 15, 2020, a contract was established and agreed upon between the Hampton City Sheriff's Office and Systematic Audits to complete a PREA Audit. On October 16, 2020, an introductory meeting was arranged to discuss several important topics. Those topics included the process needed to utilize the Online Audit System (OAS), posting the Audit Notice at least six weeks in advance, and an initial timeline for the audit. The meeting took place via phone call with Lieutenant Brandon Vernado (HSO PREA Coordinator) and Ron Kidwell (PREA Auditor) for Systematic Audits. During this conversation, the auditor requested contact information for the PREA Coordinator and his immediate supervisor to begin the process of gaining access to the OAS. This request was also reiterated and documented in the e-mail that followed that phone conversation on the above listed date.

On October 19, 2020, the auditor received a request from the On-line Audit System (OAS) tech support requesting further information on if the auditor would be auditing the Hampton City Community Corrections Center. The auditor immediately responded that the agency was currently utilizing the Community Corrections Center facility as a jail, due to a decrease in inmate population and the need to provide areas to conduct the necessary fourteen-day quarantine due to the COVID-19 pandemic. The facility was no longer used as a community corrections facility and no inmate was coming or going into the community from this facility. Therefore, this facility, now referred to as the "Annex", would be audited as a city jail. The PREA Coordinator informed the auditor that he was granted access to the OAS on October 23, 2020, and that he had begun working on the PREA Audit Questionnaire.

On October 21, 2020, copies of the PREA AUDIT Notice in both English and Spanish languages were sent to the PREA Coordinator via e-mail. The PREA notice explains to staff and inmates that the facility will be undergoing an audit for compliance with DOJ standards to prevent, detect, and respond to prison rape. The notice identifies the onsite dates of the audit and provides a confidential way to communicate with the auditor through the auditor's personal contact information. The notice also spells out how the confidential information is to be handled and when the confidential information must be reported. In addition, the email provided specific instructions to post the notices at least six weeks in advance of the scheduled onsite phase. The audit notices needed to be posted throughout the facility in places where it would be visible to all inmates and staff (e.g., visiting areas, housing units, and recreational spaces). Also, the correspondences between the inmates and auditor needed to be treated as legal mail and to confirm that the notices were posted in the appropriate time frame by date stamped photographs of the posters throughout the facility. On October 31, 2020, the PREA Coordinator sent the auditor date

stamped photographs of posted PREA Audit Notices from the facility. The original PREA audit on-site dates for this audit were set for December 16-17, 2020.

On November 13, 2020, the PREA auditor received a notification from the PREA Resource Center indicating that the Pre-Audit Questionnaire had been submitted by the HSO and ready for review.

On November 29, 2020, the auditor sent the PREA Coordinator an email requesting information and documentation that was needed. The information requested was to provide contact information on local advocacy groups, to agree on a date the Pre-Audit Questionnaire Issue Log would be completed, request office space with internet access, permissible personal tech items (i.e., laptop, cellphone), a diagram of the facility, and the names of all the inmates that alleged sexual abuse or sexual harassment in the last twelve months. The list of sexual abuse claims consisted of 5 allegations. The auditor received all the requested information by close of business the following day.

The PREA auditor completed the review of all the documentation that was provided by the HSO staff in the Pre-audit Questionnaire. The documentation is supposed to help support how a facility is establishing a baseline for its actual practice for zero tolerance for sexual abuse and sexual harassment. The auditor identified gaps or issues that needed to be followed up on and in some cases requested additional information. The request was captured on an easy to review document called an Issue Log. The Log is used to outline requests for response to questions that need to be clarified during the audit process. The auditor submitted two versions of the Issue Log to the HSO. The first version was submitted on November 21, 2020, containing ten requests for additional information. The second and final version was submitted on November 29, 2020, containing an additional eleven requests for additional information.

On November 29, 2020, multiple emails were sent to the PREA Coordinator of the HSO facilities requesting lists for the interview selection and lists for document sampling. The lists consisted of individuals with specific responsibilities as it relates to PREA and individuals who have the authority to change policy. The list included individuals such as the Agency Head (Sheriff), Warden (Chief Deputy), PREA Coordinator, PREA Investigators, Medical staff and more. Also included was a request for a complete staff roster, lists of contractors and volunteers that have contact with inmates, inmates that have reported sexual victimization during risk screening, LGBTQ inmates, inmates with disabilities, inmates who are limited English proficient, inmates who reported sexual abuse and more. Finally, the auditor requested all investigations related to sexual abuse or sexual harassment over the last twelve months. When sampling documentation, the auditor is reviewing files in three separate categories. They are: Employee files, Inmate files, and Investigative files. The auditor provided the HSO with a list of specific files in each category to be reviewed.

On December 3, 2020, the PREA auditor arranged a call with the HSO PREA Coordinator. The call was to codify the logistics of scheduling interviews with specialized staff, contractors, volunteers, inmates, and staff on different work rotations. We also discussed the Issue Log and what specifically the auditor was looking for as proof of documentation or policy. All requested lists and documentation have been provided to the PREA auditor prior to the beginning of the on-site phase of this PREA audit.

On December 9, 2020, the PREA auditor contacted and interviewed the victim advocacy group that the HSO facilities have a contractual MOU with. The Center for Sexual Assault Survivors (The Center) located in Newport News, Virginia serves the residents of the Hampton Roads area. The Hampton Roads area is comprised of the independent cities of Chesapeake, Norfolk, Portsmouth, Suffolk, Virginia Beach, Hampton, Newport News, and Williamsburg. The Center provides a twenty-four-hour crisis hotline, emergency room advocacy, trauma-informed therapy, shelter, supportive counseling, and legal advocacy. During a phone interview the Program Manager acknowledged the services offered to the

HSO facilities. She informed me that the center provides a toll-free, twenty-four hour, seven days a week hotline service, victim advocacy, and counseling to those who request it. She also stated that the advocate would be able to be present at all medical forensic examinations and witness interviews if requested by the victim. The Center does not report any allegations of sexual abuse made by inmates to anyone without permission from the inmate. Therefore, The Center is not considered an outside reporting entity. The Program Manager stated that her agency has not received any allegations of sexual abuse or sexual harassment from any inmate or staff associated with the HSO within the last twelve months. The auditor also reviewed the HSO website, reviewed the mandatory reporting laws, and performed an Internet search on the HSO. However, nothing of relevance related to the safety or prevention of sexual abuse was found.

Also, on December 9, 2020, the PREA auditor contacted Just Detention asking if their organization had any information about sexual safety at the HSO facilities. Especially any information related to reported cases of sexual abuse or sexual harassment. Just Detention advised the auditor that they had not received any information related to sexual safety from any individual associated with the HSO.

On December 10, 2020, the PREA Coordinator provided the PREA auditor with a list of both volunteers and contractors that participate and work at the HSO city jail. The list contained personal contact information for these individuals so that the PREA auditor could conduct phone interviews prior to the on-site audit. This was necessary due to the COVID-19 pandemic. The Hampton City Sheriff established a standing order that denied access to all visitors, volunteers, and non-essential contractors to the city jails in an attempt to lessen the spread of the virus and protect all staff and inmates. Therefore, the PREA auditor conducted the volunteer and contractor specialized staff interviews by phone prior to the on-site audit phase.

During the review phase of the Pre-Audit Questionnaire the auditor reviewed a standing Memorandum of Understanding (MOU) between the Hampton City Sheriff's Office and the Hampton City Police Department (HPD). The parties acknowledge that the HPD is the primary law enforcement agency within the City of Hampton and the HPD does have jurisdiction on all criminal activity that occurs in the Hampton City Jails. The MOU is PREA specific and addresses the responsibilities under PREA standard 115.21.

On December 28, 2020, the auditor contacted the Hampton City Police Department; Crimes Against Persons Division to ascertain if they did in fact conduct alleged sexual assault criminal investigations at the HSO facilities. The auditor scheduled a phone call with the Supervisor of the Sex Crimes Unit. He informed me that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed to dispatch an investigator to the facility is an official request from the HSO staff. The Detective was also extremely helpful in providing contact information for the Supervisor of the Nursing Forensics Unit that performs SANE exams for the Hampton City Police Department. Up to this point, the auditor was having difficulty contacting the appropriate nurse and arranging an interview for this audit.

Also, on December 28, 2020, the PREA auditor conducted a Sexual Assault Nurse Examiner (SANE) interview by phone with the Program Coordinator for Forensic Nursing Unit for the Three Rivers Health District, Virginia Department of Health. She is also a certified SANE Nurse that would perform examinations for the Sentara Careplex Hospital located in Hampton, Virginia. A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The Nurse explained that she was aware of the MOU between her agency and the HSO facilities when it comes to conducting SANE exams. She explained that Sentara Careplex Hospital through the services of the

Three Rivers Health District, Virginia Department of Health provides forensic medical examinations for most of the surrounding confinement detention facilities. When asked if the Sentara Careplex Hospital is responsible for conducting all forensic medical exams for the HSO facilities, the SANE Nurse stated, "Yes, they are." When asked if SANE staff are unavailable to conduct forensic medical examinations, who assumes the responsibility? The Nurse replied that her staff is available 24 hours a day, 7 days a week, 365 days a year.

At this time, the PREA auditor has not received any confidential communication (mail) from the incarcerated inmates housed at the HSO facilities. The confidential mail would be the product of the PREA Audit Notice postings throughout the HSO facilities.

On-Site Audit

On 12/16/2020, at approximately 0800 hours a PREA audit kickoff meeting was conducted. The meeting was scaled down due to Coronavirus concerns. Present at the meeting was Agency staff leadership, medical/mental health professional and the PREA Coordinator. 7 staff members in all. The meeting was designed to create a positive working relationship, place names with faces, and prepare for the next two days. Soon after the conclusion of the meeting the auditor began the facility observation tour. Accompanied by both the PREA Coordinator and Chief Deputy, the tour covered both entire facilities over the next 4 hours. The auditor observed the intake area and received an overview of the classification / PREA screening process. The auditor observed two separate control centers, kitchen, visiting area, infirmary, every housing unit, and private offices. During this tour, the auditor looked at camera placement for possible blind spots and inmate to officer ratio. The auditor looked at privacy issues, how the toilet and shower areas were configured and did the inmates have adequate privacy. Did staff of the opposite gender announce their presents when entering a housing unit of the opposite sex. The auditor documented if PREA posters and PREA audit notices were displayed in the housing units and public areas as well. The auditor noted the number of phones in each unit and if the advocacy hotline number along with the outside reporting entity contact information was readily available in the housing units. The auditor reviewed post logs for documentation of random supervisor rounds. The auditor also conducted a test call to the outside entity to prove the effectiveness of the facility's practice. Finally, the auditor spoke to multiple inmates about if they knew how to report an allegation of sexual abuse.

On 12/16/2020, at approximately 1240 hours the PREA auditor began the interviewing process. For the rest of the evening the auditor completed nine specialized staff interviews and 12 random staff interviews. This process continued over the entire next day, 12/17/2020. Over that 2-day period, the auditor conducted 51 interviews with staff and inmates. Five interviews were conducted via phone with contractors, volunteers, and a mental health professional from the local Community Services Board (CSB). The on-site interviews included the agency leadership, which consisted of the Chief Deputy, Commander of Operations, PREA Coordinator, Health Services Administrator, and Investigative staff. In addition, the auditor interviewed 19 specialized staff. Listed below is the sample of specialized staff that was interviewed:

- Ø Agency Head / Sheriff
- Ø Warden / Chief Deputy Sheriff
- Ø PREA Coordinator
- Ø Intake Officer
- Ø Non -Medical staff conducting strip searches

- Ø Intermediate – Higher level staff
- Ø Medical Staff
- Ø Staff performing risk screening
- Ø Human Resources Staff
- Ø Agency Contract Administrator
- Ø Volunteer
- Ø Contractor
- Ø First Responder
- Ø Investigative Staff
- Ø Staff member monitoring retaliation
- Ø Incident Review Team member
- Ø Rape Crisis Center Advocate Director
- Ø Staff supervising inmates in segregated housing
- Ø SANE Nurse

The selection of specialized staff also included several individuals who held multiple roles and responsibilities covered by the protocols. For example, the staff who supervise inmates in segregated housing is also a first responder.

During the interview process 12 random staff were interviewed. The PREA auditor randomly selected the staff. The auditor chose staff from all shifts, working different assignments, and with different levels of experience. The auditor also made sure interviews were conducted with a proportionate number of female staff corresponding to the HSO's employee demographics.

The HSO provided the auditor a list of 47 volunteers and 8 contractors that have contact with inmates. However, due to the Coronavirus epidemic, the Sheriff of Hampton City limited access to the jail and stopped all volunteers from entering the jail at this time and in the near future. The directive was put in place to limit the possibility of spreading the virus among staff and inmates. Therefore, the auditor conducted phone interviews prior to the on-site audit phase. Two volunteer and two contractor interviews were conducted.

During this audit 16 random inmates were chosen to be interviewed. At the time of this audit there were approximately 151 inmates housed at both facilities. The auditor chose the names at random by going down the inmate roster by housing location. Age, institutional experience, and housing assignments were taken into consideration when making these selections. The auditor conducted 10 random inmate interviews from the Annex facility and 6 random interviews from the original jail facility.

Lastly, the HSO provided the auditor with approximately 4 possible targeted inmates currently being housed in the facility. Of those 4 identified: 3 reported sexual victimization during the risk screening process, 0 reported sexual abuse, 0 LGB, 0 transgender, 0 physically disabled, 1 inmate that was limited

English proficient, and 0 with a cognitive disability. The HSO has not housed a youthful offender in the last twelve-months and reported no inmates housed in segregation for high risk, and no inmates that were blind or deaf. During the on-site audit phase, the auditor asked every inmate interviewed and approximately two-thirds of all sworn staff interviewed if they were aware of any inmates that would meet the criteria as “targeted inmates” in accordance with the PREA standards. This auditor has not discovered any evidence to the contrary that would suggest these statements by the HSO about their targeted inmate population are inaccurate. Therefore, the Auditor had to adjust accordingly and selected random inmates from the daily population. During the two-day audit 4-targeted inmates were interviewed covering 2 protocols. The targeted interviews are categorized by the following:

Ø 1 Limited English Proficient

Ø 3 Reported sexual victimization during risk screening

At the conclusion of the second day of the audit, the auditor would still have 3 interviews to conduct and the review of all the documentation files. The auditor had just recently received contact information for the Sex Crimes Detective, SANE Nurse, and Mental Health Professional.

The auditor requested that the PREA Coordinator provide him with a predetermined list of investigations, inmate files, and staff personnel files selected by the auditor to take with him by the end of the second day. The PREA Coordinator arranged the requested files for review for the Auditor and placed the information on an encrypted thumb drive provided by the PREA auditor.

The PREA auditor reviewed a total of 37 files. Those files consisted of 20 inmate files, 12 staff personnel files, and 5 investigative files. The inmate files consisted of those inmates that had been previously interviewed during the audit that reported sexual abuse along with others that had been identified as possible targeted inmates. The staff personnel files were selected by random and several files were selected because staff members had been identified in investigations alleging sexual abuse or sexual harassment.

Of the 5 investigative files reviewed the following information was extracted. There was 1 investigation involving a staff on inmate allegation and 3 investigations involving inmate on inmate allegations. One investigation involved an inmate allegedly sexually assaulting staff. There were 3 sexual abuse allegations and 2 allegations of sexual harassment. When classifying the final dispositions, there was 1 investigation that was unsubstantiated, 3 unfounded, and 1 that was substantiated. Lastly, the Hampton City Police was not contacted over the last twelve-month period to perform a criminal investigation concerning sexual abuse.

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.

Facility Characteristics

The Hampton City Sheriff's Office operates two separate confinement facilities. The first facility is named the Hampton Correctional facility. This facility was built in 1962 and is constructed in a linear design and consists of three floors. The original construction rated single bed capacity for the jail at 92 inmates. However, after three renovations the building's rated capacity now stands at 168 inmates.

The second facility was built in 1998 as a Community Corrections Center. This facility is now referred to as the "Annex" and is also used as a secure confinement facility. This structure is 55,000 square foot and is constructed in a dormitory fashion. The facility can house an additional 300 inmates. The Annex also added two new classrooms, new laundry facility, additional indoor recreational area, work release dormitory, segregation unit, program and office space, kitchen, and an additional control room.

The Hampton City Jails are in downtown Hampton, Virginia. The original jail is adjacent to the city courthouses. Hampton City is part of the Hampton Roads region, which is the 37th largest metropolitan in the United States. The City of Hampton has an approximate population of 134,690 and is 136 square miles. However, only 51 square miles is land, and the other 85 square miles is water. A duly elected Sheriff that must run for re-election every four years runs the agency. The current Sheriff has been in office since 1992 and is the longest serving Sheriff in the state of Virginia.

This original facility is separated into 3 vertical floors, a Sallyport, and an outside gym area. The housing areas are referred to as the First floor, Second floor, and Third floor. Each floor housing area is designated by the floor level and an alphabetical letter referring to F for the front and R for the rear. The original jail is one large building made up of 20 housing units. The jail's inmate population capacity is 168 inmates with 59 correctional sworn staff and 14 civilian jail staff. The daily population on the first day of this audit was 151 inmates for both facilities. The HSO jails currently houses minimum, medium, and maximum custody levels.

ANNEX

The Annex consists of 10 separate dormitory blocks that can hold a maximum 30 inmates per pod/block. The dormitories have an open concept and bunkbed style sleeping quarters. The Annex also has Restricted Housing, and these housing areas are broken up into two categories. One for disciplinary housing and the other is for medical housing.

CB1, CB2, Block:

There are two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. The PREA information was posted, as was the Audit Notice. There are pan/zoom cameras mounted inside each housing block. There is a bank of phones mounted on the perimeter wall and each individual cell is equipped with a call box and button. When the button is pushed, it sounds an audible alarm in the deputy's post station. The deputy can then speak, listen, or respond to that inmate. Each block can

house up to 30 inmates with one deputy roaming 4 separate pods/blocks. Showers are enclosed with a shower curtain to provide privacy and a half wall for the toilet area. The PREA auditor initiated a phone call from the CB1 block to the outside sexual abuse reporting entity that provides the PREA hotline service. This was done to check if the system was working and to confirm the responsibilities of the call taker when she receives a sexual abuse allegation. The auditor confirmed that this practice is in place and that the protocol was to immediately contact the agency with the information gathered during phone conversation with the inmate. CB2 was completely empty during the on-site facility tour.

CB3, CB4, Block:

There are two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. The PREA information was posted, as was the Audit Notice. There are pan/zoom cameras mounted inside each housing block. There is a bank of phones mounted on the perimeter wall and each individual cell is equipped with a call box and button. When the button is pushed, it sounds an audible alarm in the deputy's post station. The deputy can then speak, listen, or respond to that inmate. Each block can house up to 30 inmates with one deputy roaming 4 separate pods/blocks. Showers are enclosed with a shower curtain to provide privacy and a half wall for the toilet area. During the on-site tour, the PREA auditor had a general discussion with several inmates housed in CB4-Block about how they would report a sexual abuse allegation. The inmates collaboratively identified 4 different ways to report. Those were by phone/hotline, verbally, request form, and grievance form.

CB5, CB6, Block:

There are two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. The PREA information was posted, as was the Audit Notice. There are pan/zoom cameras mounted inside each housing block. There is a bank of phones mounted on the perimeter wall and each individual cell is equipped with a call box and button. When the button is pushed, it sounds an audible alarm in the deputy's post station. The deputy can then speak, listen, or respond to that inmate. Each block can house up to 30 inmates with one deputy roaming 4 separate pods/blocks. Showers are enclosed with a shower curtain to provide privacy and a half wall for the toilet area. CB5 was completely empty during the on-site facility tour.

CB7, CB8, Block:

There are two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. The PREA information was posted, as was the Audit Notice. There are pan/zoom cameras mounted inside each housing block. There is a bank of phones mounted on the perimeter wall and each individual cell is equipped with a call box and button. When the button is pushed, it sounds an audible alarm in the deputy's post station. The deputy can then speak, listen, or respond to that inmate. Each block can house up to 30 inmates with one deputy roaming 4 separate pods/blocks. Showers are enclosed with a shower curtain to provide privacy and a half wall for the toilet area. CB7 was completely empty during the on-site facility tour and CB8 had one inmate housed in that block.

CC1, CC2 Block:

There are two adjacent identical housing blocks. They are multiple occupancy dormitory housing units. The PREA information was posted, as was the Audit Notice. There are pan/zoom cameras mounted inside each housing block. There is a bank of phones mounted on the perimeter wall and the block is equipped with a call box button located in the dayroom that sounds an audible alarm in the deputy's post station. Each block can house up to 30 inmates with one deputy roaming 4 separate pods/blocks. Showers are enclosed with a shower curtain to provide privacy and a half wall for the toilet area. CC1 is

current being utilized for the work force trustee housing area and there were 15 work force inmates assigned to that block. CC2 was previously utilized for the work release participants. However, that program has been temporarily discontinued and the block is currently housing 5 minimum-security inmates.

Restricted Housing

Consists of 24 individual housing cells. The Restricted Housing block is separated into two separate housing classifications. One is for disciplinary segregation and the other is for medical purposes. There is a camera located in each cell. The PREA information was posted, as was the Audit Notice. A rolling phone is used to provide the inmates access to the phone without having to leave their assigned cell. There is a single shower stall located at the end of each hallway for both units. The shower is enclosed with a shower curtain that is only visible at the head and feet areas of the inmate. One deputy is assigned to roam both units. This housing area is currently being used for the fourteen-day quarantine necessary to prevent the spread of the COVID-19 virus.

Annex Main Control

This control center is operated by one deputy who manages the ingress and egress of authorized personnel to and from the Sally Port to the Intake Annex. The control center also monitors the twelve housing blocks of the Annex jail. The Main Control Center monitors 110 cameras throughout the facility with video recording capabilities. The monitors have "black out boxes" prohibiting staff from viewing the toilet and shower areas while observing the cameras. The control center has a portable radio system for which they can communicate with every deputy that is issued a portable radio. In addition, the facility has a design function called "call boxes." This system sounds an alarm when the button is pushed on the call box and then immediately displays the appropriate camera assigned to that call box. Then the control booth operator can identify the individual who pushed the call box and speak to the individual via intercom. This system can also be activated manually in cases of emergency. The portable radios also have emergency notifications. The radio is designed with an emergency button that when pushed sends an emergency signal to alert other deputies that are in the nearby vicinity to respond to a deputy in need of assistance. During the on-site tour, the Auditor observed the camera coverage in the main control center. Camera coverage maintains good visibility throughout the Jail.

Health Services:

The Dispensary is located at the Annex and consists of a dental office with a dental chair, examination room, nurses' station, and 10 individual infirmary cells. Two cells are equipped with zero-pressure for those inmates in need of specialized medical treatment. The PREA information was posted, as was the Audit Notice. There is a rolling phone located in the common area of the infirmary dayroom. All inmates are escorted to and from the infirmary by sworn staff. The auditor spoke to the nurse about safety and she commented that she felt safe and that she is also issued a radio equipped with the "man down system."

Food Service / Kitchen:

The HSO jail kitchen has an open bay concept with two dry goods storage closets and one walk-in freezer. This refrigeration cooler can only be accessed from the front. At the back of the kitchen, you can enter a dry goods storage area. The dishwashing room is located inside the kitchen area stationed on an outside wall, but in clear view of everything within the kitchen area. Also located in the kitchen is the

civilian contractor staff's office. A tool room is situated inside the contractor's office. The tools are caged off and secure. There is camera coverage throughout the kitchen area and there are approximately 7 trustee inmates working at any given time. One contracted food service employee and a roving deputy supervise these trustees. During the on-site tour, the PREA auditor had a general discussion with one of the work force inmates in the kitchen. The auditor asked the inmate about how he would report a sexual abuse allegation. The inmate identified 2 different ways to report. Those were by speaking with the contracted kitchen staff or telling a deputy.

Laundry Area:

The Laundry room is in the Annex and operated by one trustee and supervised by one roving deputy sheriff. The area is mostly closed off with one entrance and exit. All inmate uniforms, bedding, and linens are stored in this secure area. There are two industrial washers and two industrial dryers stationed in this area. There is camera coverage inside of the laundry room. The Laundry area is also equipped with a call box, which can be used to speak with a deputy at any time.

Personal Visiting Area:

The personal visiting areas are a non-contact window viewing, phone receiver concept. There are thirteen visiting booths. The visitation area is in a centralized location inside the facility where the facility can easily funnel inmates to and from the area. The PREA information and Audit Notice was posted on the visitor side of the visitation area. The visitation area has camera coverage.

Classrooms

The Annex has two classrooms both with camera coverage and voice activation technology. Inmates are never left alone in a classroom without appropriate supervision from either sworn or civilian staff.

ORIGINAL JAIL

This facility was built in 1962 and is constructed in a linear design and consists of three floors. The front of each block is designed in the open bar mid-century modern correctional era fashion. There is an outside recreation yard with a guard tower for observation.

First-Floor:

Consists of the Sally port entrance, Main Control, Receiving and Intake, and 6 housing units. The housing units are 1R3, 1R4, 1F3, 1F4, 1R5 A&B, and 1F5 A&B. The blocks are in a linear fashion containing bunk style sleeping quarters. Entry to these individual blocks is strictly key access.

1R3, 1R4 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house female inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each one of these blocks has 8 cells and can house up to 16 inmates with two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy. Announcements were made prior to entering the block that male staff were present.

1F3, 1F4 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. 1F4 block was assigned to house male trustees and 1F3 is general population. The PREA information was posted as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each one of these blocks has 8 cells and can house up to 16 inmates with two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy. Announcements were made prior to entering the block that male staff was present.

1R5 A&B, 1F5 A&B

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house female inmates. This housing area is currently being used for the fourteen-day quarantine necessary to prevent the spread of the COVID-19 virus. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each one of these blocks has two separate housing units that is separated by a door. Each unit has 7 cells and can house up to 14 inmates per unit or a total of 28 inmates per block with two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy. Announcements were made prior to entering the block that male staff was present.

Second Floor

Consists of 9 separate housing units, 2F1, 2R1, 2IC, 2R2, 2R3, 2F4, 2F5, 2R4, and 2F5. Blocks are built in a linear fashion with a metal bar front wall and cell door. The cell doors are operated by a key system. The auditor also reviewed the logbook noting that supervisors made random checks.

2F1, 2R1 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to quarantined inmates. This housing area is currently being used for the fourteen-day quarantine necessary to prevent the spread of the COVID-19 virus. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 8 cells and can hold up to 16 inmates per block with two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy. 2R1 was completely empty at the time of this on-site facility tour.

2IC Block:

This block is used as a restricted housing unit for medical isolation. The block consists of four single cells. The PREA information was posted, as was the Audit Notice. There is a bank of phones mounted on the exterior bar wall. Showers and toilets are enclosed with a shower curtain to provide privacy.

2R2, 2R3 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to quarantined inmates. This housing area is currently being used for the fourteen-day quarantine necessary to prevent the spread of the COVID-19 virus. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall.

There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 5 cells and can hold up to 10 inmates per block with two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy.

2R4, 2R5 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house general population inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 8 cells and can hold up to 16 inmates per block two deputies assigned to each floor. 2R4 block was completely empty during the on-site facility tour. Showers and toilets are enclosed with a shower curtain to provide privacy.

2R5, 2F5 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house general population inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 7 cells and can hold up to 14 inmates per block two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy.

Third – Floor

Consists of 7 separate housing units, 3R1, 3R2, 3R3, 3F1, 3IC, 3R5, and 3F5. Blocks are built in a linear fashion with a metal bar front wall and cell door. The cell doors are operated by a key system. There are multiple single cells depending on the block and the housing area have bunkbed style sleeping quarters.

3R1, 3F1 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house general population inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 6 cells and can hold up to 12 inmates per block two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy.

3R2, 3R3 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house general population inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 6 cells and can hold up to 12 inmates per block two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy.

3IC Block:

This block is used as a restricted housing unit for medical isolation. The block consists of four single cells. The PREA information was posted, as was the Audit Notice. There is a bank of phones mounted on the

exterior bar wall. Showers and toilets are enclosed with a shower curtain to provide privacy.

3R5, 3R6 Block:

There are two adjacent identical housing blocks. They are multiple occupancy cell housing units. These blocks are assigned to house general population inmates. The PREA information was posted, as was the Audit Notice in the walkway between the cell bar wall and exterior perimeter wall. There are multiple cameras mounted inside each housing unit. There is a bank of phones mounted on the exterior bar wall. Each block contains 7 cells and can hold up to 14 inmates per block two deputies assigned to each floor. Showers and toilets are enclosed with a shower curtain to provide privacy.

Personal Visiting Area:

The personal visiting area is a non-contact, window viewing, phone receiver concept. There are six visiting booths. The visitation area is located on the first floor of the facility where the visitors can easily funnel in and out of the facility. The PREA information and Audit Notice was posted on the visitor side of the visitation area and in the reception area. The visitation area has camera coverage.

Receiving and Intake:

This area is not manned on a regular basis. The area has four holding cells for the temporary transfer of inmates to and from both the Hampton City courthouses and between the Annex and the original Jail. The area is adjacent to the Sallyport and used by deputies to safely manage the inmates between transports. No inmates are permanently housed in this area.

Medical Exam Room

The medical exam room is a single exam room with a nurse's station inside the room. All inmates are escorted to and from the medical exam room by sworn staff. The auditor spoke to the nurse about safety and she commented that she felt safe and that she is also issued a radio equipped with the "man down system."

Original Jail Control Center:

The Jail Control Center is located on the First floor. One deputy that monitors 112 cameras located throughout the jail, which encompasses both the First, Second and Third Floor housing units mans the center. The cameras throughout the Jail have video recording capabilities. The monitors have "black out boxes" prohibiting staff from viewing the toilet and shower areas while observing the cameras. During the on-site tour, the Auditor observed the camera coverage in the Jail control center. Camera coverage maintains good visibility throughout the original jail given the complexity of the age of the building.

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:	1
Number of standards met:	44
Number of standards not met:	0

After reviewing all information provided during the pre-audit and onsite audit, including staff and inmate interviews, the auditor has determined the following for the Hampton City Sheriff's Office:

Number of standards exceeded: 1

Number of standards met: 42

Number of standards not met: 0

Number of standards not applicable: 2

115.11 Meets Standard

115.12 Not Applicable

115.13 Meets Standard

115.14 Meets Standard

115.15 Meets Standard

115.16 Meets Standard

115.17 Meets Standard

115.18 Meets Standard

115.21 Meets Standard

115.22 Meets Standard

115.31 Meets Standard

115.32 Meets Standard
115.33 Meets Standard
115.34 Meets Standard
115.35 Meets Standard
115.41 Meets Standard
115.42 Meets Standard
115.43 Meets Standard
115.51 Meets Standard
115.52 Meets Standard
115.53 Meets Standard
115.54 Meets Standard
115.61 Meets Standard
115.62 Meets Standard
115.63 Meets Standard
115.64 Meets Standard
115.65 Exceeds Standard
115.66 Not Applicable
115.67 Meets Standard
115.68 Meets Standard
115.71 Meets Standard
115.72 Meets Standard
115.73 Meets Standard
115.76 Meets Standard
115.77 Meets Standard
115.78 Meets Standard
115.81 Meets Standard
115.82 Meets Standard
115.83 Meets Standard

115.86 Meets Standard

115.87 Meets Standard

115.88 Meets Standard

115.89 Meets Standard

115.401 Meets Standard

115.403 Meets Standard

This audit does not require a corrective action period.

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	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire b) HSO Sheriff’s Operating Policy & Procedures (SOP) Prison Elimination Act 297 Pages 1, 9-18, states; that the HSO written policy mandates a zero-tolerance policy toward all forms of sexual abuse and sexual harassment. c) HSO Organization Chart d) HSO PREA Staff Organizational Chart e) HSO PREA Staff Responsibilities <p>Interview:</p> <ul style="list-style-type: none"> 1. Interview with Specialized Staff (PREA Coordinator) 2. Interview with Specialized Staff (PREA Compliance Manager) <p>Observations made during the On-Site Audit and Document Review</p> <p>115.11 Provision (a)</p> <p>The agency has provided a written policy (HSO SOP 297) that states that the HSO has a zero-tolerance policy toward all forms of sexual abuse /assault, sexual harassment, or sexual misconduct by staff, contractors, or volunteers with or between inmates as defined in this policy. This policy also outlines how it will implement the HSO’s approach to preventing, detecting, and responding to sexual abuse and sexual harassment such as employing a PREA Coordinator with enough time and authority to oversee the jails efforts to comply with PREA standards. To make best efforts to comply with agency staffing plan and to have supervisors conduct unannounced rounds among many other strategies. In addition, the definitions associated with prohibited behaviors are also present in this agency policy, for example, the definition of sexual abuse, sexual harassment, and voyeurism. The policy also addresses sanctions for those who violate the PREA policy with discipline up to and including termination. Finally, the HSO PREA Policy in its entirety incorporates the necessary fundamentals needed to describe HSO’s approach to detecting, preventing, and responding to allegations of sexual abuse and sexual harassment.</p> <p>The evidence collected for this provision shows that the agency has a written policy mandating zero tolerance towards all forms of sexual abuse. The policy also outlines the agency’s approach to detecting, preventing, and responding to sexual abuse. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated</p>	

that it meets this provision.

115.11 Provision (b)

The HSO provided an organizational chart that the auditor reviewed. The auditor observed that the PREA Coordinator in the rank of Lieutenant is subordinate to the Director of Professional Standards Unit that holds the rank of Major. The Major falls directly under the supervision and control of the Undersheriff of the agency, which holds the rank of Colonel. Thus, providing upper-level management positions to develop and implement oversight for the facility's compliance with PREA standards.

An interview was conducted with the HSO's PREA Coordinator and was asked whether he felt like he had enough time to manage all his PREA related responsibilities. The PREA Coordinator stated that he did have sufficient time and that the agency was more than accommodating to his needs and time to coordinate PREA related standards. He further stated that he coordinates the effort to comply with PREA standards by ensuring the appropriate training takes place and monitors the standards for any changes or modifications. He also stated that if changes are needed then he contacts the Chief Deputy (Major) to consult and get approval from the Sheriff.

The evidence collected for this provision shows that the agency has demonstrated that they employ an upper level PREA Coordinator with enough time and authority to develop, implement, and oversee agency efforts to comply with PREA standards. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision

115.11 Provision (c)

The HSO is a City Jail and operates two separate confinement facilities and an Intake Center that is in the Hampton City District Court Building. The agency has provided a written policy (PREA Staff Responsibilities) that outlines the responsibilities of the PREA Compliance Managers and PREA Facility Managers. The policy governing the PREA Compliance Managers states in part that; the role of the PREA Compliance Managers is to work at the facility-level to coordinate the mission, policies, and implementation of all PREA standards between our facilities through the PREA Coordinator. The policy continues to outline and list twenty-one specific responsibilities such as ensuring the facility is following PREA Standards, assess adequate staffing levels, the need for additional video monitoring, and ensure information obtained from risk screening during the intake process is used to keep inmates safe from being sexually victimized. There are three agency PREA Compliance Managers in the rank of Sergeant assigned to each facility.

In addition, the HSO has established PREA Facility Managers. The policy that governs Facility Managers states in part that; The role of the PREA Facility Manager is to work at the facility-level to ensure implementation of policies, and all PREA Standards are met at all facilities. The policy continues to outline and list six specific responsibilities such as ensuring all PREA reports are forwarded to the PREA Compliance Manager, identifying any issues with complying with PREA standards, and look for possible retaliation and report any detection to the PREA Compliance Manager.

An interview was conducted with a PREA Compliance Manager and it was asked if they felt they had enough time to manage all the PREA related responsibilities? The PREA Compliance

Manager stated that yes; he did have sufficient time to perform the duties required. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring the agency to have a written policy mandating zero tolerance towards all forms of sexual abuse and sexual harassment and to employ an agency PREA Coordinator.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>HSO PREA Coordinator Memo dated 04/01/2020 referencing standard 115.12 Provision (a)</p> <p>The PREA Coordinator’s memorandum states that:</p> <p>The Hampton Sheriff’s Office (HSO) does not have contractual agreements for the confinement of our inmates with private agencies or other entities including other governmental agencies. The HSO contractual agreement for inmates confined at Hampton Roads Regional Jail (HRRJ) is maintained and regulated by the City of Hampton. Our office has not been notified of renewal during the period of March 2019 thru March 2020. Thus, the contractual agreement remains as signed. Therefore, this standard is not applicable to this facility.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard because the standard is not applicable to this agency.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents</p> <ul style="list-style-type: none"> a) HSO Standard Operating Policy (SOP) 101 Hampton Sheriff's Office Staffing Plan b) HSO Standard Operating Policy (SOP) 297 pages 8,10, and 11. c) PREA Coordinator Memo dated 04/01/2020 (PREA Standard 115.13 b) d) PREA Coordinator Memo dated 04/01/2020 (PREA Standard 115.13 c) e) HSO Annex PREA Supervisor Unannounced Logs f) HSO Jail PREA Supervisor Unannounced Log <p>Interviews:</p> <ul style="list-style-type: none"> 1. Interview with Warden or designee 2. Interview with PREA Coordinator 3. Interview with Intermediate or higher-level Facility Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.13 Provision (a)</p> <p>The Hampton Sheriff's Office Staffing Plan states the agency shall ensure that the facility develops, documents, and makes its best effort to comply on a regular basis with a staffing plan as found in the Hampton Sheriff's Office Staffing Plan. Pages 1 and 2 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 facility shall take into consideration:</p> <ul style="list-style-type: none"> a) Generally accepted detention and correctional practices; b) Any judicial findings of inadequacy; c) Any findings of inadequacy from Federal investigative agencies; d) Any findings of inadequacy from internal or external oversight bodies; e) All components of the facility's physical plant (including blind spots); f) The composition of inmate population; g) The number and placement of supervisory staff;

- h) Institution programs occurring on a particular shift;
- i) Any applicable State or local laws, regulations, or standards;
- j) The prevalence of substantiated incidents of sexual abuse; and
- k) Any other relevant factors.

Since the last PREA audit, the average daily population of inmates at the HCSO was 300 and the current staffing plan was predicated on 300 inmates housed at the HSO.

During the interview with the Warden / Designee he was asked if the facility had a staffing plan and if the staffing levels to protect inmates from sexual abuse was considered in the plan, if video monitoring is part of this plan, and if the staffing plan is documented. The Warden/Designee confirmed yes to all the above questions. The Warden/Designee also confirmed that when reviewing the staffing plan on an annual basis they consider all the above matters. The auditor also interviewed the PREA Coordinator and asked if the above considerations are weighed when developing the staffing plan. The Coordinator explained that they were considered and that the staffing plan is developed on 14 security posts and 2 supervisors. The staffing plan was established on the Virginia Staffing Standards for Sheriff's Offices. This guidance uses the 1:27 deputy to inmate ratio during night shift and 1:33 deputy to inmate ratio for day work.

The PREA Coordinator and Chief Deputy also advised that the Annex facility has added voice activation technology in the classrooms so that anytime noise is detected in the classrooms the camera for that classroom is automatically brought up to view in the control area.

The evidence collected for this provision shows that the agency has a written policy that addresses appropriate staffing plans and reviews. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.13 Provision (b)

HSO SOP Policy 297 page 8, paragraph 15 states that; any deviation from the staffing plan will be in writing and forwarded to the Undersheriff. During the interview with the Warden/Designee he was asked if the agency documents all instances of non-compliance with the staffing plan. The Warden/Designee stated that yes, it is documented and the explanation for not meeting the plan must be justified.

The evidence collected for this provision shows that the agency has a written policy that addresses documenting situations where staffing plans are not met. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Provision C:

HSO SOP policy 297 page 8, paragraph states in part that; each facility in consultation with the PREA Coordinator shall assess, determine, and document any adjustments needed whenever necessary, but no less frequently than once each year for each facility.

HSO memo authored by the PREA Coordinator and dated 04/01/2020 states that; The Chief Deputy and PREA Coordinator met to review the staffing plan to assess, determine, and document whether adjustments are needed to:

- The staffing plan;
- The deployment of video monitoring system and other monitoring technology; and
- The resources the facility has available to commit to ensure adherence to the staffing plan.

The memo also documents that there was no monitoring technology installed during the period between March 2019 and March 2020.

During the PREA Coordinator interview the coordinator was asked if he is consulted regarding any assessments or adjustments to the staffing plan. The Coordinator stated that the staffing plan is reviewed yearly and that the PREA Coordinator takes part in those meetings. The HSO also provided a memorandum stating that a meeting took place.

The evidence collected for this provision shows that the agency has a written policy that addresses performing annual staffing plan reviews. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.13 Provision (d)

HSO SOP Policy 297, page 9, section B, paragraph 2 (Supervisor Rounds) state in part that; supervisors are to conduct unannounced supervisor rounds at all facilities daily to identify and deter staff sexual abuse and sexual harassment. In addition, the policy states that staff is prohibited from alerting other staff members when the Supervisor is conducting their supervisor rounds. Any violations would result in disciplinary actions. The Director and Commander of Corrections also conduct and documents unannounced rounds in each facility. The HSO provided 8 samples of PREA Supervisor Unannounced logs. The unannounced log pages identify and document unannounced rounds by supervisors across all shifts at separate facilities during different times of the tour of duty. The auditor reviewed several duty post logs on security posts during the site review tour confirming that these unannounced rounds are being conducted.

During the interview process, the auditor interviewed an intermediate or higher-level supervisory staff about unannounced rounds. The supervisor was asked if she conducted unannounced rounds and if she documented those rounds. The supervisor stated that yes, she performs unannounced rounds and that they are documented on the "Duty Post Log" and the Commanders document their unannounced rounds on the PREA Unannounced Log. When asked how the supervisor would prevent staff from alerting other staff members about unannounced rounds. The supervisor responded that she did them randomly, unannounced, doesn't do floors in order, and approached housing areas from different ways.

The evidence collected for this provision shows that the agency has a written policy that addresses performing unannounced rounds. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring the agency to have supervision and monitoring

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO PREA Coordinator Memo dated on 04/01/2020 referencing standard 115.14 provision (c) b) HSO SOP PREA Policy 297, page 8, paragraphs 16, 17. c) HSO SOP Inmate Housing Policy 206 page 3, paragraphs 4, 5, and 6 d) HSO Jail Management System/ Juvenile Crimes/ Offenses List <p>Observations made during the On-site Audit and Document Review</p> <p>115.14 Provision (a)</p> <p>HSO SOP PREA Policy 297, page 8, paragraph 16, states in part that; The Hampton Sheriff's Office occasionally houses Youthful Offenders only when the youthful offender has been adjudicated as an adult.</p> <p>In addition, HSO Inmate Housing policy 206, page 3, paragraphs 4, 5, and 6 states in part that; Youthful Offenders are to be immediately administratively isolated upon entering the HSO facilities and that the Director of Corrections or Commander of Corrections is to be notified. Youthful offenders in administrative isolation are to be directly supervised to ensure safety and security. Youthful offenders in administrative isolation are to have no more than incidental sight or sound contact with adult offenders from outside the unit in living, program, dining, or other common areas of the facility. Any other sight and sound contact are minimized, brief, and in conformance with applicable legal requirements.</p> <p>The HSO provided the auditor a list of seven adjudicated youthful offenders that was remanded to the custody of the Sheriff's Office over the last twelve months. However, during the on-site phase of this audit, no youthful offenders were in custody.</p> <p>The evidence collected for this provision shows that the agency has demonstrated that they do not place a youthful inmate in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. Therefore, through written policy, and personal observations, the agency has demonstrated that it meets this provision</p> <p>115.14 Provision (b)</p> <p>HSO SOP Inmate Housing Policy 206, page 3, paragraph 5 and 6 states in part that; Youthful offenders in administrative isolation are to be directly supervised to ensure safety and security. Youthful offenders in administrative isolation are to have no more than incidental sight or</p>

sound contact with adult offenders from outside the unit in living, program, dining, or other common areas of the facility. Any other sight and sound contact are minimized, brief, and in conformance with applicable legal requirements.

The evidence collected for this provision shows that the agency has demonstrated that in areas outside the housing units, the agency maintains sight and sound separation between youthful inmates and adult inmates or provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. Therefore, through written policy, and personal observations, the agency has demonstrated that it meets this provision.

115.14 Provision (c)

The PREA Coordinator's memo dated 04/01/2020 states that, the Hampton Sheriff's Office had no exigent circumstances in which a youthful inmate was denied access to large-muscle exercise, legally required education services, and other programs and work opportunities over the last twelve months.

The HSO provided the auditor a list of seven adjudicated youthful offenders that was remanded to the custody of the Sheriff's Office over the last twelve months. However, during the on-site phase of this audit no youthful offenders were in custody.

During the on-site tour of the physical plants, the Auditor did not witness any youthful inmates housed in the specified housing areas for adjudicated offenders. After conducting 51 interviews with staff and inmates there was no evidence to suggest that the HSO was currently housing any youthful inmates. Also, no interviews were conducted for this standard because there have been no incidences involving adjudicated offenders since the release of the previous youthful inmate in January 2020.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO SOP PREA Policy 297 b) HSO PREA Coordinator Memo dated on 04/01/2020 referencing standard 115.15 c) Copies of the HSO Jail Shift Log d) HSO Field Training Officer Module Performance Checklist (Pat Down Search) e) HSO PREA Training Curricula <p>Interviews:</p> <ul style="list-style-type: none"> 1. 12 interviews with Random Staff 2. 16 interviews with Random Inmates 3. Interview with Non-medical staff involved with strip searches <p>Observations made during the On-Site Audit and Document Review</p> <p>115.15 Provision (a)</p> <p>The HSO Jails are metropolitan jails that houses both male and female inmates. HSO SOP Policy 297, page 10, paragraph 4c states in part that; the Hampton Sheriff’s Office deputies will not conduct cross-gender strip searches or cross-gender visual body cavity searches (anal or genital opening), except in exigent circumstances or when performed by medical practitioners. These circumstances shall not prohibit female inmates’ access to regularly available programming or other out-of-cell opportunities. There are no examples of exigent circumstances in the last 12 months because it is against policy and no incidents have occurred. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day-to-day operations involving gender specific searches. When interviewing the non-medical staff responsible for conducting strip searches, the deputy was asked under what circumstance would it require a cross-gender strip search. The deputy replied that she could not think of any circumstance that would constitute the need to cross gender strip searches an inmate.</p>

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances when performed by medical practitioners. The interview with non-medical staff that conducts strip searches confirmed the practice during the interview. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.15 Provision (b)

The HSO SOP Policy 297 page 10, paragraph 7, states in part that; all cross-gender strip searches and cross-gender body cavity searches are prohibited. Cross-gender pat-down searches of female inmates when conducted will be documented and only performed in an exigent circumstance. These circumstances shall not prohibit a female inmates' access to regularly available programming or other out-of-cell opportunities. There are no examples of exigent circumstances over the last 12 months because it is against policy and no incidents have occurred. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day to day operations involving gender specific pat searches.

During the on-site phase, the auditor interviewed 12 random staff members from both day and night shifts. When the auditor asked if female staff are not available to search female inmates, does the jail limit those inmates' access to programs. 7 deputies stated no that it had never occurred, 4 deputies stated no that there is always a female on duty and one deputy stated no that you could always utilize the medal detecting wand. In addition, 16 random inmates were interviewed during the on-site phase of the audit. Out of the 13 random inmates interviewed, four inmates were female. When asked by the auditor if they had ever been unable to participate in activities outside their cell because of the lack of female deputies to perform pat searches, all 4 stated no.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender pat searches, except in exigent circumstances. The interviews conducted with staff and female inmates confirmed there have not been incidents where female inmates have been limited to activities due to the shortage of female deputies. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.15 Provision (c)

The HSO SOP PREA Policy 297 page 10, paragraphs 4c states in part that; the Hampton Sheriff's Office deputies will not conduct cross-gender strip searches or cross-gender visual body cavity searches (anal or genital opening), except in exigent circumstances or when performed by medical practitioners. In addition, page 10, paragraph 7, states in part that; all cross-gender strip searches and cross-gender body cavity searches are prohibited. Cross-gender pat-down searches of female inmates when conducted will be documented and only performed in an exigent circumstance. There were no examples of these situations over the last twelve months.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender pat searches, except in exigent circumstances

when performed by medical practitioners. Therefore, through written policy, the agency has demonstrated that it meets this provision.

115.15 Provision (d)

The HSO SOP PREA Policy 297, page 10 paragraph 8 states in part that; Inmates will be allowed to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. HSO PREA policy 297 page 9 states that; Staff will announce “male on the floor” or “female on the floor” anytime the opposite gender deputy enters an inmate housing unit where the inmate is likely to be showering, performing bodily functions, or changing clothes. In addition, when conducting the site review the auditor observed half wall partitions separating toilets from view, full length shower curtains or half doors for privacy when showering and blacked out areas on monitoring screens so staff could not view inmates when using the restrooms or showers. The auditor also witnesses officers announce their presence when entering a housing block of inmates of the opposite sex. Finally, the agency provided the auditor with HSO Jail shift logs with notations made by deputies documenting their opposite gender announcements.

During the on-site phase, the auditor interviewed both random staff and inmates. The 12 random staff were asked if they or other deputies announce their presence when entering a housing unit of inmates of the opposite sex and all 12 deputies stated that yes, they do. When asked if inmates can dress, shower, and use the restroom without being viewed by deputies of the opposite sex, all 12 deputies stated yes, they could. The auditor also interviewed 16 random inmates. When asked if male/female deputies announce their presence when entering the housing block of the opposite sex, 14 inmates stated yes, they do, and 2 inmates stated sometimes. When asked if they or other inmates are ever naked in full view of male/female officers, all 16 inmates stated no they are not.

The evidence collected for this provision shows that the agency has a written policy that enables inmates to shower, perform bodily functions, and change clothes without being viewed by staff of the opposite sex. They also have a policy that require all staff to announce their presence when entering a housing unit of inmates of the opposite sex. The interviews conducted with random staff and random inmates confirmed that these policies are being practiced by staff. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.15 Provision (e)

The HSO PREA policy 297 states that; Staff will not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. If the inmate’s status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or if necessary, by learning that information as a part of a broader medical examination conducted in private by a medical practitioner.

When interviewing random staff, they were asked if they were aware of the agency policy prohibiting staff from searching or physically examining a transgender person for the sole

purpose of determining the inmate's genital status. All 12 random deputies stated that yes, they are aware and searching for the sole purpose of identifying gender is prohibited. At the time of this audit the HSO informed the auditor that there were no transgender inmates housed in their facility. Therefore, a transgender or intersex inmates' perspective could not be obtained during the on-site interview phase of this audit.

115.15 Provision (f)

The HSO does not conduct cross-gender pat searches unless exigent circumstance exists. The agency provided training records and training curricula as proof of receiving training on cross-gender pat searches and searches of transgender and intersex inmates in a professional manner. During the on-site review, the auditor interviewed 12 random staff and in those interviews the deputies were asked if they had received training on how to conduct a cross-gender pat search and when did they receive the training. All 12 stated that they had received the training. From those interviews 4 deputies stated that they received the training during the initial academy training. 9 deputies stated that they received training from Power DMS once a year and 2 stated that they received the training during their field training instruction period.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring the agency to have limits to cross-gender viewing and searches.

115.16	Inmates with disabilities and inmates who are limited English proficient
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO SOP PREA Policy 297 b) Interpret Call c) HSO Inmate Handbook in both English & Spanish d) PREA Informational Posters in both English & Spanish e) Inmate Orientation Form in both English & Spanish f) PREA Inmate Acknowledgement in both English & Spanish g) Inmate PREA educational video in both English & Spanish h) PREA Coordinator memo dated 04/01/2020 referencing 115.16 (c) <p>Interviews:</p> <ul style="list-style-type: none"> a) Agency Head / Designee b) Random Staff c) Inmates with Disabilities or limited English proficient <p>115.16 Provision a:</p> <p>The HSO PREA Policy 297, pages 20 and 21, states in part that; all inmate education materials will be in formats accessible to all inmates in accordance with Title II of the Americans with Disabilities Act U.S.C. formats include, but not limited to:</p> <ul style="list-style-type: none"> 1. Interpreters for the deaf or hearing impaired 2. Reading the material to the visually impaired 3. And providing interpreters services for Non-English-speaking inmates. 4. Finally, the HSO has created a document that records an inmate has received and understands the PREA information by signature. Some of the PREA information provided is ways to report a sexual assault, contacting an advocate, and the right to be free from all types of sexual abuse or sexual harassment. <p>The agency has provided evidence of a contract between the Interpret Call Services Inc. and</p>	

the Hampton City Judicial Center (Courts system) to provide interpreting services. The HSO provides an Inmate PREA training video in English and Spanish and has a TTD device / video interpreting available for those inmates who are deaf or (have) limited hearing. During the site review the auditor observed the PREA Posters located in the housing units in both English and Spanish.

The Agency Head / Designee was interviewed and asked if his agency has established procedures to provide inmates with disabilities and inmates who are limited English can participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Agency Head/Designee stated that; yes, his agency has documentation in Spanish and Spanish speaking deputies. The Inmate Handbook is also written in Spanish. In addition, there are PREA posters written in Spanish and the inmate educational video is streamed on the T.V in Spanish.

Finally, one inmate identified as limited proficient in English and was interviewed during the on-site review phase. The inmate was asked if the facility provided information about sexual abuse that he was able to understand, and if not, did the facility provide someone to help, write, read, or explain? Also, did the inmate understand the information that was provided? The inmate stated yes to these questions; explaining that he did receive the information in a handbook in Spanish, and PREA Posters on the walls in Spanish.

The evidence collected for this provision shows that the agency has a written policy that addresses that 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 or sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.16 Provision (b)

The HSO PREA Policy 297, pages 20 and 21, states in part that; all inmate education materials will be in formats accessible to all inmates in accordance with Title II of the Americans with Disabilities Act U.S.C. formats include, but not limited to:

5. Interpreters for the deaf or hearing impaired
6. Reading the material to the visually impaired
7. And providing interpreters services for Non-English-speaking inmates.
8. Finally, the HSO has created a document that records an inmate has received and understands the PREA information by signature. Some of the PREA information provided is ways to report a sexual assault, contacting an advocate, and the right to be free from all types of sexual abuse or sexual harassment.

The agency has provided evidence of a contract between the Interpret Call Services Inc. and the Hampton City Judicial Center (Courts system) to provide interpreting services. The HSO provides an Inmate PREA training video in English and Spanish and has a TTD device / video interpreting available for those inmates who are deaf or (have) limited hearing. During the site review the auditor observed the PREA Posters located in the housing units in both English and Spanish.

The Agency Head / Designee was interviewed and asked if his agency has established procedures to provide inmates with disabilities and inmates who are limited English can participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Agency Head/Designee stated that; yes, his agency has documentation in Spanish and Spanish speaking deputies. The Inmate Handbook is also written in Spanish. In addition, there are PREA posters written in Spanish and the inmate educational video is streamed on the T.V in Spanish.

Finally, one inmate identified as limited proficient in English and was interviewed during the on-site review phase. The inmate was asked if the facility provided information about sexual abuse that he was able to understand, and if not, did the facility provide someone to help, write, read, or explain? Also, did the inmate understand the information that was provided? The inmate stated yes to these questions; explaining that he did receive the information in a handbook in Spanish, and PREA Posters on the walls in Spanish.

The evidence collected for this provision shows that the agency has a written policy that addresses that the agency takes appropriate steps to ensure that inmates who are "limited English proficient" 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 or sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.16 Provision (c)

The HSO PREA Policy 297, page 20 paragraph 1, states in part; Inmates are prohibited from being used as interpreters, readers, or other types of inmate assistance except in limited circumstances. The Adult Intake Supervisor will ensure that each inmate receives the orientation during the intake process and within 30 days of intake.

During the audit interview process the auditor asked 12 random staff if the agency ever allows the use of inmate interpreters. All 12 random staff stated that they would not use inmate interpreters. In addition, those same 12 random staff members stated that they would either use staff interpreters or the language line as an additional option.

The evidence collected for this provision shows that the agency has a written policy that addresses that the agency shall not rely on inmate interpreters. Therefore, through written policy and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard referencing requirements for inmates with disabilities and inmates who are limited English proficient have equal opportunity or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

115.17	Hiring and promotion decisions
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 896 551">a) HSO SOP PREA Policy 297 pages 16 & 17. <li data-bbox="252 589 791 622">b) HSO SOP PREA Policy 128 page 5. <li data-bbox="252 660 730 694">c) HSO PREA Staff Training files. <li data-bbox="252 732 855 766">d) HSO New Applicant Interview Questions. <li data-bbox="252 804 1461 927">e) HSO Interoffice Memorandum listing Criminal Background Checks from the Human Resources Coordinator dated 12/20/2019, listing the HSO's Criminal Histories on all staff and contractors. <li data-bbox="252 965 967 999">f) HSO New Hire PREA Orientation Documentation. <li data-bbox="252 1037 756 1070">g) HSO Application for Employment <li data-bbox="252 1108 596 1142">h) Staff Employee Files <p data-bbox="252 1184 392 1218">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 1256 833 1290">a) Interview with Human Resources Staff <p data-bbox="252 1332 1129 1366">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="252 1408 513 1442">115.17 Provision (a)</p> <p data-bbox="252 1480 1485 1727">HSO SOP PREA Policy 297 page 16, states in part; The Sheriff's Office shall consider any incidents of sexual harassment in determining whether to hire anyone, or to enlist the services of any contractor who may have contact with inmates. They also shall not enlist the services of any contractor who may have contact with inmates who has any previous history related to sexual abuse, harassment, or misconduct in a confinement setting. Therefore, the following procedures shall be followed:</p> <ul style="list-style-type: none"> <li data-bbox="252 1767 1382 1845">a. If applicant has previous contact with inmates, they shall not be considered if the applicant has; <ul style="list-style-type: none"> <li data-bbox="293 1883 1402 1962">1. Engaged in sexual abuse or sexual harassment in a prison, jail, lockup, community confinement facility, juvenile facility, or any other institution. <li data-bbox="293 2000 1485 2123">2. 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. Been civilly or administratively adjudicated to have engaged in the activity described in a) (2) of this section.

During the file review part of this audit 10 personnel files were sampled. This sample included civilian staff, volunteers, contractors, and security staff. The review resulted in 10 files indicating an initial criminal history being ran. In addition, the PREA Coordinator provided several Personal History Questionnaires with evidence that pre-hire interview questions regarding past conduct were asked and answered.

The evidence collected for this provision shows that the agency has a policy prohibiting the hiring or promoting anyone who may have contact with inmates if they had engaged in sexual abuse in jail. If convicted of engaging or attempting to engage in sexual abuse and had been civilly adjudicated due to engaging in these activities. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (b)

HSO SOP PREA Policy 297, page 16, paragraph 2, states in part that; The Hampton Sheriff's Office shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor who may have contact with inmates.

The Hampton Sheriff's Office shall consider any incidents of sexual harassment in determining whether to promote anyone who may have contact with inmates.

During the audit interview process the Human Resources staff member was asked if the agency considers prior incidents of sexual harassment when determining whether to hire or promote anyone and to enlist services of any contractors. The H.R. staff member stated that they do consider those prior incidents and red flags the file. The H.R. staff member stated that the final decision is with the Sheriff or Undersheriff based on availability.

The evidence collected for this provision shows that the agency has a policy requiring the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (c)

HSO SOP Policy 128, page 5, paragraph 6, states in part states that; During the selection process, a background investigation, including personal and work history, criminal records check, and character references is to be conducted by the Hampton Sheriff's Office. The records check is to be performed in accordance with state and federal statutes. The purpose of the check is to detect any criminal convictions that relate specifically to job performance with

the Hampton Sheriff's Office.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further stated that it is the Chief Deputy's responsibility to ensure this task is completed. The auditor reviewed 10 personnel files. The auditor determined that the 10 names of staff members appeared on the criminal history excel spread sheet.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records be run on all new employees. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (d)

HSO SOP PREA Policy 297, page 16, paragraph 1, states in part that; A criminal background records check will be conducted before hiring new employees or enlisting services from volunteers or contractors, who may have contact with inmates.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further stated that it is the Chief Deputy's responsibility to ensure this task is completed. The auditor reviewed 10 personnel files and the auditor determined that the 10 names of staff members appeared on the criminal history excel spread sheet. These names also included several contractors.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records be run on all new contractors that have contact with inmates. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (e)

HSO SOP PREA Policy 297, page 16, paragraph 6, states in part that; The Hampton Sheriff's Office Human Resources Coordinator will conduct background record checks for current employees at five-year intervals when applicable. Paragraph 1 states; A criminal background records check will be conducted before hiring new employees or enlisting services from volunteers or contractors, who may have contact with inmates.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all sworn employees, and any contractor that may have

contact with inmates. The H.R. staff member stated that; The agency performs a criminal record check on all new hires, volunteers, contractors, and current employees every five years through the VCIN system. She further stated that it is the Chief Deputy's responsibility to ensure this task is completed. The auditor reviewed 10 personnel files and the auditor determined that the 10 names of staff members appeared on the criminal history excel spread sheet. The date listed on the spread sheet indicated that the background checks were conducted on December 20, 2019.

The evidence collected for this provision shows that the agency has a policy requiring that criminal records check be run on all employees, contractors, and volunteers at least every five years. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (f)

HSO SOP PREA Policy 297, page 17, paragraph 3, states in part that; All applicants and employees who may have contact with inmates, will be asked directly and previous misconduct in all written applications, interviews for hiring or promotion, or during written evaluations.

HSO New Applicant Interview Questions document listed questions 5 & 6 that must be asked of the applicant. Question 5 states in part that; The Hampton Sheriff's Office imposes an affirmative duty on each of its employees to disclose any sexual misconduct prior to employment, as well as during their employment. Are you aware of what this means? Question 6 states in part that; Are there any areas of sexual misconduct (formally or currently), with an employee, inmate, volunteer, contractor, or minor you have not disclosed? During the interview with the H.R. staff member, it was asked if the facility asks all applicants and employees about previous misconduct regarding inmates and does the facility impose upon employees a continuing affirmative duty to disclose previous misconduct. The H.R. staff member stated that the agency has a list of questions that must be answered during the applicant's interview as part of the background investigation. She also stated that yes, all employees must report any misconduct or interaction with law enforcement to include traffic summons. The agency provided copies of staff personal history applications with the questions and answers given.

The evidence collected for this provision shows that the agency has a policy requiring that they ask about previous misconduct and the employee's responsibility to disclose such misconduct. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.17 Provision (g)

HSO SOP PREA Policy 297, page 17, paragraph 4, states in part that; Employees must disclose any such misconduct. Any material omissions or false information regarding such misconduct shall be grounds for termination. There are no examples or circumstances over the last twelve months to provide documentation for this provision.

The evidence collected for this provision shows that the agency has a policy requiring that material omissions regarding such misconduct or the provision of materially false information

are grounds for termination. Therefore, through written policy the agency has demonstrated that it meets this provision.

115.17 Provision (h)

HSO SOP PREA Policy 297, page 17, paragraph 5, states in part that; The Hampton Sheriff's Office will 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 unless prohibited by law. The H.R. staff member was asked during the interview, if a former employee applies for work at another institution and a request by that institution is made does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving that former employee. The H.R. staff member stated that the agency would disclose those allegations given a formal request (release of information form) and that the hiring agency would have to come to the HSO and review the file. No copies of documents could be made.

The evidence collected for this provision shows that the agency has a policy requiring that unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse and sexual harassment involving former employee upon receiving a request from an institutional employer for whom the employee has applied to work. Therefore, through written policy and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring hiring and promotional decisions.

115.18	Upgrades to facilities and technologies
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 411 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 1458 595">a) Memorandum dated 04/01/2020 from the Agency PREA Coordinator, documenting no design or modifications made to its facilities during this audit period. <li data-bbox="252 633 1458 752">b) Memorandum dated 04/01/2020 from the Agency PREA Coordinator, documenting no installation or modifications to any video, surveillance, or monitoring technology was made to its facilities during this audit period. <p data-bbox="252 790 384 824">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="252 862 847 896">a) Interview with Agency Head / Designee <li data-bbox="252 934 767 967">b) Interview with Warden / Designee <p data-bbox="252 1008 1134 1041">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="252 1081 515 1115">115.18 Provision (a)</p> <p data-bbox="252 1155 1469 1234">The agency has not acquired a new facility or made a substantial expansion to existing facility since the last PREA audit in 2017.</p> <p data-bbox="252 1272 1449 1350">The agency has provided a memo authored by the PREA Coordinator stating that there has been no new facility or modifications to the current facilities since the last PREA Audit.</p> <p data-bbox="252 1388 1465 1682">During the audit interview phase the Agency Head was asked that when planning substantial modifications to the facility; "How does the agency consider such changes on its ability to protect inmates from sexual abuse?" The Agency Head stated, "This is absolutely one of the first considerations, making sure of good coverage and identifying possible blind spots." In addition, the Warden/Designee was also asked the same question. The Warden / Designee stated, "there had been no current renovations to the facility since 1998". However, he stated that the goal of the Hampton Sheriff's Office is to have one new confinement facility.</p> <p data-bbox="252 1720 1458 1883">The evidence collected for this provision shows that the agency shall consider the effect of such design to improve the ability to protect inmates from sexual abuse. Therefore, through personal observations, and interviews conducted the agency has demonstrated that it meets this provision.</p> <p data-bbox="252 1921 408 1955">Provision B:</p> <p data-bbox="252 1995 1453 2114">The agency has provided a memo authored by the PREA Coordinator stating that there has been no new installation or updates to any video monitoring systems, electronic surveillance systems, or other monitoring technology at any of its facilities since the last PREA Audit.</p>

During the audit interview phase the Agency Head was asked how the agency uses monitoring technology. The Agency Head stated that; cameras are placed inside areas that are commonly used for inmates to travel to and from one location to another. They also try to identify blind spots that can be addressed by additional camera footage. Lastly, utilizing the recording capabilities to assist in investigations and capture evidence. The Warden / Designee was also asked a similar question about how the facility had considered using technology to enhance inmates' protection from sexual abuse. The Warden/Designee stated that the agency tries to identify blind spots, use voice recognition technology and change to all LED lighting to be as effective as possible.

During the on-site review tour the auditor observed security cameras and monitors located throughout the facility.

The evidence collected for this provision shows that the agency has considered how technology may enhance the agency's ability to protect inmates from sexual abuse. Therefore, through written memorandums, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard addressing upgrade to facilities and technology.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire responses b) HSO SOP PREA Policy 297, Pages 22, 23, 24, 25 c) Memorandum of Understanding between Hampton City Sheriff's Office and the Hampton City Police Department (effective date 06/19/2014) d) Cooperative Agreement between HSO and The Center for Sexual Assault Survivors (The Center) of Newport News (effective date 08/12/2016) e) Memorandum of Basic Understanding between Hampton City Jail Leadership and the Sentara Careplex Hospital (effective date 06/12/2014) f) Hampton City Police Department General Orders P&P Investigations of Sexual Assault <p>Interviews</p> <ul style="list-style-type: none"> 1. Interview with SANE/SAFE staff 2. Interview with inmate who reported a sexual abuse 3. Interview with the PREA Coordinator 4. 12 interviews with random staff <p>Observations during on-site review of physical plant.</p> <p>115.21 Provision (a)</p> <p>During the review phase of the Pre-Audit Questionnaire the auditor reviewed the standing Memorandum of Understanding (MOU) between the HSO and Hampton City Police Department (HCPD). This MOU indicated that the HCPD was responsible for all criminal investigations that occur in the city jail. The PREA Coordinator was contacted and asked this question. The PREA Coordinator explained the HCPD conducts all criminal sexual assault investigations at the HSO jails. On 12/28/2020, the auditor contacted the HCPD Criminal Investigation Bureau to establish if they did in fact conduct alleged sexual assault criminal investigations at the HSO facilities. Arrangements were made by the Auditor to contact a</p>

detective via phone call. On 12/28/2020, the auditor contacted a Detective with the HCPD Sex Crimes Unit. He informed the auditor that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed to send an investigator is an official request from the facility. The HCPD is responsible for investigating allegations of sexual crimes that occur within the HSO facilities and is familiar with PREA standard 115.21 pertaining to the investigation of sexual assaults, the collection of evidence and forensic examinations. Furthermore, the HSO provided PREA Policy 297, page 25, paragraph 10 in the PAQ states in part states that; Any substantiated allegations of sexual conduct that appear criminal will be referred to the Hampton Police Department or appropriate law enforcement agency. The HSO also provided agency PREA Policy 297 page 23, paragraph 8, states in part that; The Hampton Police Department Investigative Unit will follow a uniform evidence protocol for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

When the Auditor interviewed 12 random staff it was determined that all 12 staff were aware of their responsibilities to preserve evidence during a sexual abuse allegation. They discussed securing the scene, notifying a supervisor immediately, contacting medical personnel, writing a detailed report, and not allowing the victim or accuser to bathe. Also, when asked who was responsible for investigating criminal and administrative cases, 5 staff members were aware that the Hampton City Police investigates criminal cases, 4 believed it was the responsibility the PREA Coordinator, 2 stated PREA Investigators and 1 did not know. All 12 staff were aware that HSO trained investigators investigates administrative cases. Most staff interviewed were therefore aware of the protocol for evidence collection.

The evidence reviewed for this provision shows that the agency has demonstrated that they do follow a uniform evidence protocol for obtaining physical evidence for administrative and criminal proceedings. Therefore, through written policy, and interviews conducted, the agency has demonstrated that it meets this provision.

115.21 Provision (b)

The agency provided a jail management document listing 7 youthful inmates being housed in their facilities over the last twelve months. The last inmate was released in January 2020. The HSO provided PREA Policy 297, page 23, paragraph 9, which states in part that; The Hampton Police Division Investigative Unit's evidence protocol will be based on the most recent edition of the U.S. Department of Justice's Office on Violence against Women publications or a National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents.

The HSO has entered into a MOU with the Hampton City Police Department to conduct criminal investigations within the Hampton City Jails. The HSO provided proof that the Hampton City Police has been accredited by the Commission on Accreditation for Law Enforcement Agencies, which is considered the gold star standard in Public Safety. By being

accredited by CALEA this would suggest that all necessary protocols would be adapted and followed on the most recent edition of the Department of Justice (DOJ's) Office on Violence Against Women publication in accordance with this standard.

115.21 Provision (c)

The agency offered HSO SOP PREA Policy 297, page 23, paragraph 10, states in part that; The treatment services (forensic examination) will be performed by a Sexual Assault Forensics Examiner (SAFE) or a Sexual Assault Nurse Examiner (SANE) at a local hospital without a financial cost to the victim.

Any allegations of sexual abuse that appears criminal will be referred to the HCPD for criminal investigation. The alleged victim shall be immediately transported to Sentara Careplex Hospital to be examined by a medical professional who is skilled and experienced in the use of rape kits for the collection of forensic evidence. The Sentara Careplex Hospital shall employ a Sexual Assault Nurse Examiner (SANE) or a Sexual Assault Forensic Examiner (SAFE). In addition, this policy specifically states that treatment services shall be provided to the alleged victim without financial costs to the victim.

The agency provided a document of basic understanding between the HSO and Sentara Careplex, which states in part that; the Forensic team of Sentara Careplex hospital will follow all the current Virginia Department of Forensic Sciences collection procedures including timeframes for collection of evidence. The program serves as a link between the judicial system, law enforcement, community services, and laboratories that process evidence following a violent act. Sentara Careplex Hospital Forensics' Unit is a licensed health care facility that will provide health care services to offenders housed in a state or local correctional institution. An offender who is a victim of an alleged sexual abuse may be transported to Sentara Careplex Hospital for a sexual assault forensic examination. The hospital employs one or more staff members trained in sexual assault examination. The hospital agrees that any such examination will be performed by a nurse trained in sexual assault examination under the direction of a physician.

The PREA Coordinator replied in the Pre-Audit Questionnaire stating that the facility did not experience any sexual abuse allegation requiring a forensic examination by a SAFE/SANE nurse or physician during the last twelve months. In addition, during the interview with the PREA Coordinator, he stated that the agency did not have a situation where an inmate was referred to the hospital for a forensic examination.

Prior to the on-site audit at the HSO jail, an interview was conducted by the auditor with a Sexual Assault Nurse Examiner (SANE). The interview was conducted by phone with a SANE

Nurse employed with the Three Rivers Health District, Virginia Department of Health, A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The Nurse explained that she was aware of the MOU between the HSO and the Sentara Careplex hospital when it comes to conducting SANE exams. She explained that Sentara Careplex conducts SANE exams for the surrounding jurisdictions. When asked if the Sentara Careplex Hospital Forensics Unit is responsible for conducting all forensic medical exams for the HSO jails, the SANE Nurse stated, "Yes, they are. The hospital offers forensic services." When asked if SANE staff is unavailable to conduct forensic medical examinations then who assumes the responsibility? The SANE Nurse replied, "That would never happen, there are two nurses always on call 24 hours a day, 7 days a week, 365 days a year."

As of the date of the on-site audit, the facility reported in the last 12 months there has been no forensic medical examinations performed by a SANE or SAFE.

The evidence collected for this provision shows that the agency has procedures in place to offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost to the victim. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.21 Provision (d)

The agency has provided HSO Policy 297, page 23, paragraph 12, which states in part that; The HSO will attempt to make available to the victim an advocate from a rape crisis center to accompany and support the victim through the forensic medical examination process, investigatory interviews, and for emotional support, crisis intervention, and referrals.

The agency has provided a Cooperative Agreement (CA) between The Center for Sexual Assault Survivors of Newport News and HSO dated 08/12/2016. The Center is a victim services advocate that provides confidential support and assistance to sexual assault victims in Hampton City Virginia. In accordance with 42. USC 14043g (b) (2) (c) the requirements to be considered a "rape crisis center" are as follows:

1. Provide a 24-hour hotline
2. Accompaniment and advocacy through the medical, criminal justice, and social support systems.
3. Short-term crisis intervention support.
4. Information and referral to assist sexual assault victim and family

5. Community out-reach for underserved communities

6. The development and distribution of materials on issues related to the above listed issues.

The auditor has reviewed The Center's website to determine that this advocacy group does meet all the criteria listed above to be considered a "rape crisis center."

The CA states that The Center will maintain a trained pool of advocates to respond to sexual assault and maintain confidentiality as required by state standards for certified crisis counselors.

The PREA Coordinator was interviewed by the auditor and stated that staff would allow access to a victim advocate if the inmate requested. The PREA Coordinator also stated that the facilities provide access to The Center through phone or mail advertised in every block. Finally, there was no inmate interviewed during the on-site interview process that reported a sexual abuse. Therefore, the auditor has no inmate perspective on this topic.

During the on-site review, the auditor spoke to several inmates who confirmed the availability to contact The Center via phone. This demonstrates the agency's attempt to make available to victims of sexual abuse a victim advocate from a rape crisis center.

The evidence collected for this provision shows that the agency has demonstrated that they do offer services from a victim advocate from a rape center that is not associated with the criminal justice system or law enforcement and provides confidentiality. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.21 Provision (e)

The agency has provided HSO Policy 297, page 23, paragraph 12, which states in part that; The HSO will attempt to make available to the victim an advocate from a rape crisis center to accompany and support the victim through the forensic medical examination process, investigatory interviews, and for emotional support, crisis intervention, and referrals.

The HSO also provided the CA with The Center as a standard operating procedure addressing when a victim advocate can accompany an alleged sexual assault victim through

the forensic examination and during the investigatory interview process. The CA states in part that; Upon request of the victim or someone requesting on behalf of the victim, have a trained qualified advocate available to accompany and support the victim through the forensic medical examination process and investigatory interviews within a reasonable period of time.

The HSO PREA Coordinator stated that the agency did not experience any sexual abuse allegation requiring a forensic examination by a SAFE/SANE nurse or physician during the last calendar year. In addition, when asked how the agency ensures that the advocate meets the qualifications described above the Coordinator stated that the service is coming from an official rape crisis center.

The evidence collected for this provision shows that the agency has demonstrated that they do allow victim advocates to accompany and support alleged victims of sexual assault during the forensic examination and during the investigatory interview. Therefore, through written policy, and interviews conducted, the agency has demonstrated that it meets this provision.

115.21 Provision (f)

HSO provided PREA Policy 297, page 25, paragraph 10 in the PAQ, which states in part states that; Any substantiated allegations of sexual conduct that appear criminal will be referred to the Hampton Police Department or appropriate law enforcement agency. The HSO also provided agency PREA Policy 297 page 23, paragraph 8, states in part that; The Hampton Police Department Investigative Unit will follow a uniform evidence protocol for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

In addition, the HSO has provided a Commission on Accreditation for Law Enforcement Agencies (CALEA) certification for the Roanoke City P.D. that mandates the agency follow the PREA standard 115.21 (a-f).

The evidence collected for this provision shows that the agency has demonstrated that the Hampton City Police Department follow the provisions outlined in this provision. Therefore, through written policy, and verbal agreement, the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the agency to provide evidence protocols and forensic medical evaluations.

115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Hampton City Police Policy & Procedure (Investigations of Sexual Assault) d) HSO PREA Investigation Log e) Hampton City Sheriff's Office Website f) Memorandum of Understanding between HSO and Hampton City Police Department <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head b) Interview with Investigative Staff <p>Observations made during the On-site Phase of the Audit.</p> <p>115.22 Provision (a)</p> <p>HSO SOP PREA Policy 297 page 24, paragraph 1, states in part that; All investigations into allegations of sexual abuse and sexual harassment will be done promptly, thoroughly, and objectively. Page 25 of the same policy states in part that; Any substantiated allegations of sexual conduct that appear criminal will be referred for prosecution to the Hampton Police Division or appropriate law enforcement agency. All allegations referred to the Hampton PD will be thoroughly and promptly investigated. Page 24 of the PREA Policy states in part that; Investigators with special training in sexual abuse investigations will be used when sexual abuse is alleged. Finally, The MOU between the HSO and HCPD state that the HCPD is responsible for all criminal investigations conducted at the Hampton City Jails. The agency has trained Specialized Investigators that conduct the administrative investigations. When a sexual abuse allegation is made an initial inquiry is conducted by a trained investigator to determine who, what, when, where, and how. If it is determined that probable cause exists that a crime may have been committed the PREA Coordinator is notified. The PREA Coordinator contacts the Hampton City Police and requests that a criminal investigation be initiated.</p> <p>In the past twelve months the HSO reported that they had received 5 allegations of sexual abuse or sexual harassment. Out of those allegations, 5 administrative investigations were conducted and zero allegations were referred for criminal investigation.</p> <p>While interviewing the Agency Head, he stated that the Hampton City Police handle all criminal</p>

cases and that his agency handles all administrative cases. The Agency Head also stated that when a sexual abuse allegation is made, the PREA Compliance Manager is made aware and notifies the PREA Coordinator. The PREA Coordinator assigns a trained investigator to conduct an initial inquiry, evidence is collected, and interviews are conducted. The information is turned over to the PREA Coordinator who shares that information with himself and command staff. If the information that is turned over to command staff requires a possible criminal investigation then notification is made to the Hampton Police for investigation. If it is determined that there is no criminal activity then the HSO performs an administrative investigation.

The evidence collected for this provision shows that the agency has procedures in place to ensure that an administrative or criminal investigation is completed on all allegations of sexual abuse and sexual harassment. Therefore through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.22 Provision (b)

HSO SOP PREA Policy 297, page 24, paragraph 5, states in part that; Evidence that appears to support criminal prosecution, the Hampton Police Department will conduct the interviews. Also, the PREA policy states that; the Hampton Police Department will be responsible to gather and preserve direct and circumstantial evidence and available physical and DNA evidence. All allegations referred to the Hampton PD will be thoroughly and promptly investigated. The MOU between the HSO and HCPD state that the HCPD is responsible for all criminal investigations conducted at the Hampton City Jails.

The agency's website at [http://www.Hampton.gov/3237/Sheriff's- Office](http://www.Hampton.gov/3237/Sheriff's-Office) states that; All allegations of sexual abuse, harassment, and retaliation concerning an incident of sexual abuse at any of the Hampton Correctional Facilities will be thoroughly investigated and shall be subject to administrative and/or criminal prosecution. The Hampton Sheriff's Office shall have a policy in place stating their responsibility to set guidelines to prevent and report sexual abuse/assault within the facilities in accordance with the Prison Rape Elimination Act (PREA). The Hampton Police Division shall have a policy in place stating their responsibility to conduct criminal investigations of sexual abuse in the City of Hampton. Reporting a sexual assault is a serious allegation and will be treated as such.

During the on-site phase of this audit the auditor interviewed the supervisor of the investigative staff. The investigative staff member was asked if agency policy requires that allegations of sexual abuse be referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potential criminal activity. The investigator stated, "Yes, the agency has a memorandum of agreement with the Hampton PD to conduct criminal sexual abuse investigations."

The evidence collected for this provision shows that the agency has procedures in place to ensure that an outside law enforcement agency with jurisdiction performs criminal investigations on all allegations of sexual abuse. Therefore through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

Provision (c):

The Hampton City Police Department is responsible for all investigations involving criminal

activity at the HSO jails to include all sexual abuse allegations. There is a Memorandum of Understanding dated 06/19/2014 stating such. This PREA Auditor contacted the HCPD Sex Crimes Unit and confirmed with a detective that the Hampton City Police will send a detective to the facilities for investigative purposes upon request from the HSO. The Hampton City Police is obligated to conduct a criminal investigation upon notification by the facility of a potential forcible sexual assault because of the MOU currently in place.

The evidence collected for this provision shows that the agency and the outside law enforcement agency has procedures and responsibilities in place to ensure that the agency with criminal jurisdiction performs criminal investigations on all allegations of sexual abuse. Therefore, through written MOU, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the agency to ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

115.31	Employee training
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ol style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO PREA Lesson Plan d) HSO Student Records (PREA Refresher/Update Training) e) HSO Attendance Roster / Topic- PREA Training <p>Interviews:</p> <ol style="list-style-type: none"> a) Interview with Random Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.31 Provision (a)</p> <p>The HSO provides PREA refresher training to all their employees on an annual basis. The facility also trains contractors and volunteers during their initial orientation process and then annually. New hires are trained while in the academy and then on an annual basis. The HSO has provided the PREA Introduction & Overview Curriculum through PowerDMS that shows along with agency policy 297, page, 8 that states in part that; All staff, volunteers and contractors who come in contact with inmates are trained on the standards of PREA their role, duties, and responsibilities in prevention, detection, and response. The HSO PREA lesson plan outlines the objectives that will be trained as follows.</p> <ul style="list-style-type: none"> · zero-tolerance · inmates' rights to be free from sexual abuse and harassment · the right to be free from retaliation · dynamics of sexual abuse in a jail setting · common reactions to sexual abuse · how to detect and respond to signs of sexual abuse · how to detect and avoid inappropriate relationships · cross gender and transgender pat searches 	

- effectively communicating with LGBTQ inmates, and mandatory reporting laws

During the interview process 12 random staff, 2 volunteers, and 2 contractors were asked if they had received PREA training and if so, when? All 12 deputies indicated that they have received the training. Ten deputies stated that they received training both annually and during the new-hire orientation. Two deputies stated that they received PREA training during the new-hire orientation. All four of the volunteers and contractors indicated that they received the PREA training during the new-hire orientation and then receive refresher courses on an annual basis.

The evidence collected for this provision shows that the agency has procedures in place to train all employees on all relevant topics outlined in this standard provision. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.31 Provision (b)

The training provided to the HSO staff covers both male and female inmates. Therefore, there is no need to require additional training for gender specific facilities due to a transfer. This facility houses both male and female inmates.

The evidence collected for this provision shows that the agency has trained all employees in all aspects of PREA regardless of specific gender facilities. Therefore, there is no need to provide additional training when transferred to a facility that holds only one specific gender.

115.31 Provision (c)

The HSO provides PREA training on a yearly basis. All new employees receive initial training when attending the new-hire orientation. All new contractors and volunteers receive their initial training during the orientation process as well and then annually. This practice was confirmed by sampling 10 employee training records. The files indicated that all 10 employees received initial PREA training, 12 staff members acknowledged receiving the training during interviews and 10 documented receiving refresher training. Finally, the HSO provided several PREA training attendance rosters and student records from the Training Coordinator documenting the completion of the agency's annual PREA refresher training.

The evidence collected for this provision shows that the agency has provided initial and refresher PREA training to all their employees at least once a year. Therefore, through written policy and file review observations, the agency has demonstrated that it meets this provision.

Provision (d)

HSO SOP PREA policy 297, page 18, states in part that; The Hampton Sheriff's Office Training Unit maintains documentation showing volunteers, contractors, and HSO employees signatures verifying they understand the training and materials they have received.

The HSO provided examples of employee training records generated from PowerDMS. PowerDMS platform makes the student/deputy electronically acknowledge the training that was received and that requires the employee to sign acknowledging that he/she understands the training that was provided.

The evidence collected for this provision shows that the agency has provided documentation

through employee signature, acknowledging that the employee understands the training received. Therefore, through written policy and file review observations, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the agency train all employees who have contact with inmates on its zero tolerance policy for sexual abuse and/or harassment, and how to fulfill their responsibilities for preventing, detecting, reporting, and responding to sexual abuse. The inmates and employees rights to be free from retaliation, inmates right to be free from sexual abuse, the dynamics of sexual abuse in confinement, common reactions of sexual abuse victims, how to communicate effectively with inmates, including LGBTQ inmates; and how to comply with relevant laws related to mandatory reporting of sexual abuse.

115.32	Volunteer and contractor training
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO PREA Training Power Point slides d) HSO Volunteer Training Roster (Topic: PREA) <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Volunteer b) Interview with Contractor <p>115.32 Provision (a)</p> <p>HSO SOP Policy 297, page 18 states in part that; All volunteers and contractors who have contact with inmates will be trained on the HSO’s responsibilities under the departments PREA policy. The level and type of training provided the volunteers and contractors is based on the services they provide and the level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. The Hampton Sheriff’s Office Training Unit maintains documentation showing volunteers, contractors, and HSO employees signatures verifying they understand the training and materials they have received.</p> <p>The facility currently has 55 contractors and volunteers with 100% participation in training. There are eight contractors, and 47 educational and religious volunteers. Volunteers and Contractors are trained during their initial orientation and are required to acknowledge that they have received the necessary PREA training by signing a HSO Volunteer Training Roster acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.</p> <p>During the interviews with two volunteers and two contractors the auditor asked if they had been trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response. All 4 individuals answered in the affirmative.</p> <p>While performing the document review the auditor observed several signed Volunteer Training Roster acknowledgement forms from both volunteers and contractors.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors that have contact with inmates are trained on the</p>	

prevention, detection, and response policies regarding sexual abuse and sexual harassment. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.32 Provision (b)

HSO SOP Policy 297, page 18 states in part that; All volunteers and contractors who have contact with inmates, will be trained on the HSO's responsibilities under the departments PREA policy. The level and type of training provided the volunteers and contractors is based on the services they provide and the level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. The Hampton Sheriff's Office Training Unit maintains documentation showing volunteers, contractors, and HSO employees signatures verifying they understand the training and materials they have received. The PREA Coordinator noted in the PAQ that all employees, contractors, and volunteers receive the same level of PREA training.

The facility currently has 55 contractors and volunteers with 100% participation in training. There are eight contractors, and 47 educational and religious volunteers. Volunteers and Contractors are trained during their initial orientation and are required to acknowledge that they have received the necessary PREA training by signing a HSO Volunteer Training Roster acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.

When interviewing the two volunteers, they stated that training consists of what to do when approached about sexual abuse. How they would tell a supervisor and write a statement about what had occurred. They stated that they have been made aware of the agency's zero-tolerance policy. When one contractor was asked the same question, his response was that he received the PREA training on the first day of employment and also mentioned that if someone made an allegation of sexual abuse to him then he would notify the PREA Manager and that there is a manager working every shift. The second contractor reiterated the same training experience and stated that he would immediately notify his kitchen supervisor.

The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.32 Provision (c)

HSO SOP PREA policy 297, page 18, states in part that; The Hampton Sheriff's Office Training Unit maintains documentation showing volunteers, contractors, and HSO employees signatures verifying they understand the training and materials they have received.

The volunteer and contractor acknowledgement forms are maintained by the PREA Coordinator and observed during the document review phase of this audit.

The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors documentation confirming that they received PREA training and understood that training. Therefore, through written policy and personal observations, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring PREA training for both volunteers and contractors.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO Inmate Sexual Abuse Information Orientation Form d) HSO Inmate Handbook in English and Spanish e) PREA Posters in Spanish f) PREA Inmate Educational Video in Spanish g) PREA brochure in Spanish <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Intake Staff b) Interview with Random Inmates <p>115.33 Provision (a)</p> <p>HSO SOP PREA Policy 297, page 18 states in part that; All inmate education materials will be in formats accessible to all inmates in accordance with Title II of the Americans with Disabilities Act U.S.C. formats include, but not limited to: interpreters for the deaf or hard of hearing, reading the material to the visually impaired, and providing interpreters services for Non-English-speaking inmates. Inmates are prohibited for being used as interpreters, readers, or other types of inmate assistance except in limited circumstances. All inmates receive PREA orientation during the intake process and PREA training within 30 days of intake. The agency identified that there were 1867 inmates admitted into their facilities in the last twelve months. Of those 1867 inmates, all of them received the initial PREA information during the intake process.</p> <p>During the facility site review, this auditor requested that the booking officer provide me with the agency's information on their zero-tolerance policy and ways to report a sexual abuse allegation during the initial booking process. The deputy presented a document, which is referred to as the HSO Inmate Sexual abuse Orientation form. On that document was all the necessary information that is required such as how to report a sexual abuse, the inmate's rights to be free from sexual abuse/retaliation, and the agency's zero tolerance policy. This proved that the initial information is readily available and can be provided.</p> <p>During the interview with the Intake Officer, he explained that part of his responsibility during</p>

the booking process is to issue every inmate upon commitment an Inmate Handbook and conduct a PREA inmate orientation, which has the ways to report a sexual abuse allegation and the agency's zero-tolerance policy. He also stated that there are posters mounted on the walls throughout the facility that explains these same instructions. When the auditor interviewed 16 random inmates they were asked if they had received information about the facility's rules against sexual abuse and harassment. From those inmates interviewed, 14 stated that they had received the information, one stated that he could not remember, and one stated he had not received the information.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates receive information explaining how to report sexual abuse and the agency's policy on zero-tolerance for sexual abuse or harassment at the time of intake. Therefore through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.33 Provision (b)

HSO SOP PREA Policy 297, page 18 states in part that; All inmates receive PREA orientation during the intake process and PREA training within 30 days of intake. Page 18, paragraph 2, of the PREA policy states that; Information will be continuously and readily available or visible to inmates through posters, inmate handbooks, video presentation or other written formats. At the designated time, a deputy will turn the inmate televisions on to channel 1960 for the PREA inmate educational video presentation. Upon completion, the television can be changed to normal viewing. The deputy will document on the floor/pod activity log, "The video is being played."

The HSO identified 720 inmates whose length of stay in the facility was over 30 days or more in the last twelve months. Of those 720 inmates the facility reports that all have received the comprehensive PREA education regarding sexual abuse or harassment.

The Auditor interviewed an Intake Officer who stated that the deputies show a PREA video during the process ensuring the inmates are educated regarding their rights to be free from sexual abuse and free from retaliation. When asked how long from the date of intake are inmates made aware of these rights, the officer stated approximately 24 hours. The auditor also interviewed 16 random inmates. Those inmates were asked if they were told about their right to not be sexually abused, how to report a sexual abuse, the right not to be punished for reporting a sexual abuse, and how long before they were made aware of these policies. Of these 16 inmates, 14 stated that they were told, one said he did not recall, and one said he was not told. They identified several ways that they received this information. Seven inmates identified the handbook, 2 inmates identified the PREA Video, 7 inmates identified the PREA orientation, 4 identified posters on the walls, and 2 stated that they did not recall.

The auditor also had an opportunity to see an inmate that had just previously booked in sitting in a holding area watching the PREA inmate educational video.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates receive a comprehensive education regarding their right to be free from sexual abuse, sexual harassment, and all forms of retaliation. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it

meets this provision.

115.33 Provision (c)

HSO SOP PREA policy 297, pages 20 & 21 state in part that: The Adult Intake Supervisor will ensure that each inmate receives the orientation during the intake process and within 30 days of intake, the agency shall provide comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

This procedure is not relevant since all inmates at the HSO jails have been educated on sexual abuse and harassment. All inmates regardless of being transferred from another facility are required to go through the intake process and watch the PREA video.

When the Intake Officer was asked how they ensure that current inmates along with those transferred from another facility have been educated on agency's zero-tolerance policy on sexual abuse, he stated that when the inmate is booked-in there are a series of questions that are asked. Questions like if the individual has ever been sexually assaulted or if they are part of the LGBTQ community. He also stated that all inmates must be booked-in and it is during that process that the inmate must watch a PREA educational video and receive the PREA orientation.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates who have not received PREA education shall be educated within 1 year of the effective date. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.33 Provision (d):

The HSO provided examples of different inmate PREA educational materials in formats that would be accessible to all inmates in accordance with Title VII of the Americans with Disabilities Act, 42 U.S.C. these formats include, but not limited to: Interpreters for the deaf, reading material to the visually impaired, and providing Interpreters services for non-English speaking inmates.

The HSO can use a system called Interpret Call that is available and contracted by the Hampton City Judicial Center (Courts) that allows many different languages to be translated over the phone. Also, there are subtitles that is shown during the PREA educational video to ensure all inmates receive the information. The video is also audio for those who are visually impaired or those who may be limited reading skills. The HSO also provided documentation of versions of their inmate handbook, acknowledgement form, and PREA informational posters in Spanish.

The auditor had an opportunity to observe the inmate educational video during the on-site visit.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the agency provide inmate education in formats accessible to all inmates, including those who are limited English proficient, Deaf, Visually impaired and limited reading skills. Therefore, through written policy and personal observations, the agency has

demonstrated that it meets this provision.

115.33 Provision (e)

The facility utilizes an acknowledgement form that is signed by the inmate and placed in the inmate's classification file. This information was verified by the auditor while reviewing inmate files during the document review phase of this audit.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the agency maintains documentation of inmate participation in PREA education sessions. Therefore, through written policy and personal observations, the agency has demonstrated that it meets this provision.

115.33 Provision (f)

The HSO ensures that information will be continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.

The agency has posters strategically posted throughout the facility, in every housing unit, and departments i.e. (kitchen, warehouse) to ensure compliance with PREA standards. Each inmate is also issued a HSO handbook with relevant information, including PREA educational material. The auditor personally observed these items during the facility site review.

The evidence collected for this provision shows that the agency has procedures in place to ensure that information will be continuously and readily available or visible to inmates. Therefore, through written policy and personal observations, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring PREA inmate education.

115.34	Specialized training: Investigations
	<p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 400">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 979 551">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="252 589 687 622">b) HSO SOP PREA Policy 297 <li data-bbox="252 660 1481 734">c) Certificate of Completion by the PREA Resource Center/Moss Group (dated April 15-17, 2013) <p data-bbox="252 779 379 813">Interview:</p> <ul style="list-style-type: none"> <li data-bbox="252 851 751 884">a) Interview with Investigative staff <p data-bbox="252 922 515 956">115.34 Provision (a)</p> <p data-bbox="252 1001 1437 1120">HSO SOP PREA policy 297, page 19, states in part that; All sexual abuse investigators who conduct investigations in a confinement setting, will be specialized trained in the following techniques:</p> <ul style="list-style-type: none"> <li data-bbox="252 1158 772 1191">a) Interviewing sexual abuse victims <li data-bbox="252 1229 804 1263">b) Proper use of the Miranda Warnings <li data-bbox="252 1301 740 1335">c) Proper use of Garrity Warnings <li data-bbox="252 1373 1078 1406">d) Sexual abuse evidence collection in a confinement setting <li data-bbox="252 1444 1437 1518">e) The criteria and evidence required to substantiate a case for administrative action or prosecution referral <p data-bbox="252 1570 1481 1816">All sexual abuse and sexual harassment investigators who conduct non-criminal investigations at the HSO jails have received specialized training. This specialized training was through the PREA Resource Center Moss Group training that took place in Baltimore Maryland in 2013. The agency provided certificates of completion for the classroom course titled, "Specialized Training: Investigating Sexual Abuse in Correctional Settings Course." The facility identified 2 investigators and provided specialized training certificates of completion for both.</p> <p data-bbox="252 1861 1485 2018">When interviewing the Investigative staff, the deputy stated that she had received training in 2013 and has also attended additional Investigator classes. The deputy stated that the classes dealt with the proper use of Garrity and Miranda in criminal cases. The class covered evidence collection and interviewing techniques.</p> <p data-bbox="252 2063 1461 2136">The evidence collected for this provision shows that the agency has procedures in place to ensure that agency investigators receive specialized training in the art of investigating sexual</p>

abuse in a confinement setting. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.34 Provision (b)

HSO SOP PREA policy 297, page 19, states in part that; All sexual abuse investigators who conduct investigations in a confinement setting, will be specialized trained in the following techniques:

- f) Interviewing sexual abuse victims
- g) Proper use of the Miranda Warnings
- h) Proper use of Garrity Warnings
- i) Sexual abuse evidence collection in a confinement setting
- j) The criteria and evidence required to substantiate a case for administrative action or prosecution referral

All sexual abuse and sexual harassment investigators who conduct non-criminal investigations at the HSO jails have received specialized training. This specialized training was through the PREA Resource Center Moss Group training that took place in Baltimore Maryland in 2013. The agency provided certificates of completion for the classroom course titled, "Specialized Training: Investigating Sexual Abuse in Correctional Settings Course." The facility identified 2 investigators and provided specialized training certificates of completion for both.

When interviewing the Investigative staff, the deputy stated that she had received training in 2013 and has also attended additional Investigator classes. The deputy stated that the classes dealt with the proper use of Garrity and Miranda in criminal cases. The class covered evidence collection and interviewing techniques.

The evidence collected for this provision shows that the agency has procedures in place to ensure that agency investigators receive specialized training in the art of investigating sexual abuse in a confinement setting. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.34 Provision (c)

HSO SOP PREA Policy 297, page 10, states in part that; The Training Coordinator will maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. In addition, the PREA Coordinator also maintains documentation that the agency investigators have completed the required specialized training in conducting sexual abuse and sexual harassment investigations.

The HSO has provided copies of specialized training records for all staff trained in investigating sexual abuse in a confinement setting. This documentation is in the form of certificates of completion by the PREA Resource Center via Moss Group.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all staff responsible for investigating sexual abuse has received additional specialized training and maintains the documentation necessary to prove that training.

Therefore, through written policy and personal observation by documents provided, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring specialized training for investigators who perform sexual abuse and sexual harassment investigations.

115.35	Specialized training: Medical and mental health care
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1414 403">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="248 445 411 481">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="248 517 979 553">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="248 589 687 624">b) HSO SOP PREA Policy 297 <li data-bbox="248 660 1233 696">c) HSO PowerDMS Student Records indicating Online Training Modular <p data-bbox="248 734 379 770">Interview:</p> <ul style="list-style-type: none"> <li data-bbox="248 806 1102 842">a) Interview with the Director of Medical & Mental Health Staff <p data-bbox="248 880 1114 916">Observations made during the on-site audit and document review.</p> <p data-bbox="248 954 515 990">115.35 Provision (a)</p> <p data-bbox="248 1028 1426 1102">HSO SOP PREA policy 297, page 19, states in part that; All full and part-time medical and mental health care practitioners working regularly in the Jail will be trained in the following:</p> <ul style="list-style-type: none"> <li data-bbox="248 1144 1278 1180">· How to detect and assess signs of sexual abuse and sexual harassment <li data-bbox="248 1218 1027 1254">· How to preserve physical evidence of a sexual abuse <li data-bbox="248 1292 1326 1366">· How to respond effectively and professionally to victims of sexual abuse and harassment <li data-bbox="248 1404 1453 1440">· How and to whom to report allegations or suspicions of sexual abuse and harassment <p data-bbox="248 1478 1465 1641">The facility reported there are 4 medical and mental health staff employed and contracted by the HSO who work regularly and have received the specialized training as required by the agency's policy. During the pre-audit phase, the Auditor was provided copies of certificates of completion showing that medical staff had completed the online courses.</p> <p data-bbox="248 1680 1433 1843">When interviewing the Director of the Medical and Mental Health Staff, she informed the Auditor that they had previously received initial training when they first started work and receive annual training. They also received additional training on the above listed topics by going online and taking PREA online classes through PowerDMS and the NCCHC.</p> <p data-bbox="248 1881 1469 2045">The evidence collected for this provision shows that the agency has procedures in place to ensure that medical and mental health personnel receive additional training as outlined in this standard. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p data-bbox="248 2083 515 2119">115.35 Provision (b)</p>

HSO SOP PREA policy 297, page 19, states in part that; The Hampton Sheriff's Office medical staff will not conduct forensic examinations.

The Sentara Careplex Hospital performs forensic medical exams for this facility. Medical staff at this facility do not conduct forensic medical examinations. This practice was confirmed during the interview conducted with the Director of the Medical Staff who stated that they do not perform forensic medical examinations. Therefore, this standard is not applicable to the HSO facilities.

The evidence collected for this provision shows that the agency does not perform forensic medical examinations. Therefore, this provision is not applicable to the HSO.

115.35 Provision (c)

The HSO relies on the agency Training Coordinator to maintain the documentation on their personnel that confirms Medical and Mental Health Practitioners have received the training referenced in this standard.

The HSO has provided copies of specialized training records for medical staff. This documentation is in the form of reports run through the PowerDMS system certifying completion of training.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all medical staff has received additional specialized training. Therefore, through written policy and documents provided, the agency has demonstrated that it meets this provision.

115.35 Provision (d)

During the pre-audit phase the agency provided copies of training logs indicating that medical staff receive the same in-service annual PREA training that security staff receives. In addition, while interviewing medical staff the auditor was told that they receive PREA training on an annual basis.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all medical staff receive(s) the same PREA training that volunteers, contractors, and security staff receive. In addition, they receive this training on an annual basis. Therefore, through written policy and documents provided, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring specialized training for Medical and Mental Health care.



115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO Vulnerability Assessment Instrument/Risk of Victimization and/or Sexually Aggressive Behavior. d) HSO Medical Health Screening Form 2 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff performing Risk Screening. b) Interview with Random Inmates c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.41 Provision (a)</p> <p>HSO SOP PREA policy 297, page 20 paragraph 1, states in part that; All inmates will be screened during Intake using the Hampton Sheriff's Office Intake Screening form for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.</p> <p>During the on-site tour of the facility the auditor sat down with an Intake deputy and went through the risk screening process. The auditor witnessed a recently completed inmate risk-screening questionnaire. Also, during the interviews with 16 random inmates, 3 inmates stated they were not asked questions, 3 inmates did not recall, 2 inmates had been incarcerated at the facility for over twelve months, and 8 inmates recalled being asked the initial questions such as:</p> <ul style="list-style-type: none"> · Have they been in jail before? · Have they ever been sexually abused? · Did they identify with being LGBT? · Did they think they might be in danger of sexual abuse while incarcerated when they first came to jail? <p>When interviewing the staff responsible for performing the risk screening, the deputy stated that he does conduct risk screening on all inmates during the Intake process. However, the</p>

Records Officer determines the appropriate housing assignment based on the questions and answers obtained during the Intake Officers risk screening.

The evidence collected for this provision shows that the agency has procedures in place to ensure all inmates receive a risk screening evaluation for the risk of being sexually abused while incarcerated. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (b)

HSO SOP PREA policy 297, paragraph 2, states in part that; The Intake screening process will take place during the booking process, but no later than 72 hours of arrival at the facility and with a reassessment of the inmate no later than 15 days from the inmate's arrival to the jail. The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and a history of prior institutional violence. The screening shall also consider sexual abuse, as known to the agency, in assessing inmates for the risk of being sexually abusive. The agency reported that they received 1867 inmates into their facilities in the last twelve months that had a length of stay more than 72 hours. The agency reports that all those inmates 100% received a risk screening assessment for possible risk of being sexually abused during incarceration.

The agency provided samples of completed risk screening forms during the pre-audit phase and downloaded those documents into the Pre-audit Questionnaire. In addition, during the document review the Auditor observed completed PREA Risk Screening Checklist Instrument forms on their computer system.

When conducting the interview with staff responsible for performing risk-screening assessments, the deputy stated that he usually conducts the risk screening process the day the inmate is booked into the facility. The Intake Center located inside the General District Court is manned with Intake/Booking Deputies 24/7. As stated in the previous provision, when interviewing 16 random inmates' 8 inmates reported receiving risk screening within 24-hours of being processed into the jail, 3 did not recall, 2 had been incarcerated for over a twelve-month period, and 3 stated they were not asked those questions.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all inmates are screened for the risk of sexual abuse within 72 hours of arrival at the facility. Therefore, through written policy, personal observations, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (c)

The risk screening assessment consists of 7 potential victims 'yes or no questions' and 6 potential aggressors 'yes or no questions.' Each question that is answered by a "yes" has a number value associated with it. If the yes answers reach a certain number amount, then that person could be either classified as a potential victim or aggressor. There is no subjectivity to this assessment. Therefore, the agency has demonstrated that it meets this provision.

115.41 Provision (d)

HSO Agency Risk Screening Tool takes into consideration at the minimum the following:

- Whether the inmate has a mental, physical, or developmental disability.
- Age of inmate
- Physical build of inmate
- If the inmate has previously been incarcerated
- If the inmate's criminal history is exclusively nonviolent
- If the inmate has prior convictions for sex offenses
- If the inmate is or perceived to be LGBTQ or gender nonconforming
- If the inmate has previously experienced sexual victimization
- The inmate's own perception of vulnerability
- If the inmate is detained solely for civil immigration purposes

The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The deputy stated the assessment asks questions such as has the inmate been sexually abused in the past, prior convicts of sexual assault, and the age and stature of the inmate. The deputy also stated that they use a checklist of yes or no answers to score the assessment. He did state that sometimes he would ask open-ended questions in conjunction with the 'yes and no' questions.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the intake screening shall consider at a minimum the 10 criteria identified in this standard provision. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (e)

The risk screening form utilized by the HSO Intake/Booking staff does consider prior acts of sexual abuse, prior convictions for violent offenses, and a history of prior institutional sexual abuse. The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The deputy stated the assessment asks questions such as has the inmate been sexually abused in the past, prior convicts of sexual assault, and the age and stature of the inmate.

The evidence collected for this provision shows that the agency has procedures in place to capture and ask the questions listed above surrounding potential aggressor behavior. Therefore, through document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (f)

HSO SOP PREA policy 297, paragraph 3, states in part that; Within a set period of time not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional relevant information received by

the facility since the intake screening or when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate. During the pre-audit, the facility reported 720 inmates that entered the facility over the last twelve months that stayed more than 30 days. Out of those inmates the agency reported all 720 inmates were reassessed 30 days after their arrival at the facility for risk of sexual victimization based upon any additional relevant information received since intake over the last twelve months.

The staff members responsible for performing risk-screening assessments were asked how long after arrival are inmates risk levels reassessed. The officer stated within 30 days if additional information arises or if allegations arise. When interviewing 16 random inmates they were asked if staff had ever asked PREA related questions again during their incarceration, 10 inmates stated that they had not, 2 inmates had been incarcerated for over a twelve-month period, and 4 inmates reported being asked similar questions by the nurse during the mental health screening. The agency performs the subsequent risk screening during the nurse's interview process when screening for mental health concerns. The agency has provided the nurses screening form which includes questions concerning sexual safety and victimization.

The evidence collected for this provision shows that the agency has procedures in place to conduct 30-day risk screening reassessments based upon additional or relevant information received by the facility. They also have a tool to attempt to possibly extract additional sexual safety information. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (g)

HSO SOP PREA policy 297, paragraph 3, states in part that; Within a set period of time not to exceed 30 days from the inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional relevant information received by the facility since the intake screening or when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate.

When interviewing the staff responsible for conducting risk screening the deputy stated that they do reassess when warranted due to additional information received about the inmate's sexual safety.

The evidence collected for this provision shows that the agency has procedures in place to reassess an inmate's risk of sexual victimization due to a referral, request, or additional information. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 Provision (h)

HSO SOP PREA policy 297, page 21, paragraph 6, states in part that; Inmates will not be disciplined for refusing to answer, or for not disclosing complete information in response to the risk screening. Inmates information is controlled to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

When interviewing the staff responsible for conducting risk screening the officer stated that the agency does not punish inmates if they chose not to answer the questions associated with the

risk screening assessment.

The evidence collected for this provision shows that the agency has procedures in place to prevent inmates from being disciplined for refusing to answer or for not disclosing complete information in response to risk screening. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.41 (i)

HSO SOP PREA policy 297, page 21, paragraph 6, states in part that; Inmates information is controlled to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

When interviewing the PREA Coordinator he was asked who has access to the inmates' risk screening information. The Coordinator explained that he had access along with the intake officers and the records section. The PREA Coordinator also stated that the Administrative staff has access to the risk screening information. He further stated that no post deputies have access, and that the information is kept in the records office. The staff member responsible for conducting risk screening explained that he believes only the records section and medical section has access to the risk screening information.

The evidence collected for this provision shows that the agency has procedures in place to control access to the risk screening information collected by the facility and that the information is not exploited. Therefore, through document review and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring screening for risk of victimization and abusiveness.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO SOP PREA Policy 297 b) ICC Summarization / Comments <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff performing Risk Screening. b) Interview with PREA Compliance Manager c) Interview with Gay/Lesbian inmates <p>Observations made during the on-site audit and document review.</p> <p>115.42 Provision (a)</p> <p>HSO SOP 297, page 21, paragraph 7, states in part that; Information from the risk screening will be used to determine housing, work, education, and program assignments to prevent inmates with the high risk from being sexually victimized from those at risk of being sexually abusive. The Hampton Sheriff’s Office Policy #405 explains the process of classifying inmates in its entirety. In addition, the agency provided several ICC summary comments identifying both possible victims and possible predators by way of the risk screening information. This information was used to determine appropriate housing.</p> <p>The PREA Compliance Manager stated during the interview that risk screening is part of the classification process and that they try to identify possible victims and predators to make sure they are not housed together. The staff member responsible for conducting risk screening stated during his interview that the assessment is used to make sure you identify those inmates that may be vulnerable and those that may be abusive and try to keep them as separate as possible during their incarceration.</p> <p>The evidence collected for this provision shows that the agency uses the information gathered during the risk screening process to influence the decision on where an inmate may be housed, attend programs, and works with the goal of keeping separate those inmates at high risk of being sexually victimized. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.42 Provision (b)</p> <p>HSO SOP PREA policy 297, page 21, paragraphs 7&8 states in part that; Information from the risk screening will be used to determine housing, work, education, and program assignments to prevent inmates with the high risk from being sexually victimized from those at risk of being</p>

sexually abusive. Transgender and Intersex inmates will be assigned to male or female blocks on a case-by-case basis and based on the health and safety of the inmate and the security needs of the jail.

During the interview process the auditor asked the staff member responsible for risk screening how the agency use the information from the risk screening to keep inmates safe. The deputy stated that the information gathered during the screening is to identify who may be a possible victim and who may be a possible aggressor and then house those inmates accordingly.

The evidence collected for this provision shows that the agency makes individualized determinations about how to ensure the safety of each inmate. Therefore, through document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.42 Provision (c)

HSO SOP PREA policy 297, page 21, paragraph 8, states in part that; Transgender and Intersex inmates will be assigned to male or female blocks on a case-by-case basis and based on the health and safety of the inmate and the security needs of the jail.

The PREA Compliance Manager was interviewed and asked how the agency determines housing and programs for transgender or intersex inmates. The PREA Compliance Manager stated that ICC would meet with the inmate and discuss where the inmate would feel safe. Then the group consisting of the PREA Coordinator, Medical, and Mental health professionals would meet to discuss where the best place to house the inmate would be. The PREA Compliance Manager also stated that the inmate would have full access to all programs.

The auditor did not interview a transgender inmate during the interview process. The agency reported that they had not classified an individual that identified as a transgender inmate. Therefore, the auditor cannot provide the transgender inmate's perspective towards this provision.

The evidence collected for this provision shows that the agency does consider housing assignments involving transgender and intersex individual on a case-by-case basis. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.42 Provision (d)

HSO SOP PREA policy 297, page 21, paragraph 10, states in part that; Transgender and Intersex inmates will be reassessed at least every two (2) years to review any threats to the safety of the inmate.

The HSO jail reported not housing a transgender or intersex inmate at their facility over the last twelve months. When interviewing the staff member responsible for conducting risk screening assessments, he explained that all inmates have a 120-day review, and he has not experienced a situation involving a transgender or intersex inmate. The PREA Compliance Manager also stated that classification reviews are completed on all inmates within 30 days of confinement and transgender inmates are assessed 2 times in the first 3 days. Therefore, there are no examples or experience to relate to as evidence of compliance. However, the agency does have a policy to address this situation when it occurs.

The evidence collected for this provision shows that the agency has procedures in place to address reassessing a transgender or intersex inmates programming assignment at least twice a year to review any threats or safety concerns. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.

115.42 Provision (e)

HSO SOP PREA policy 297, page 21, paragraph 9 states in part that; a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. When the PREA Compliance Manager was asked that question, he stated that yes, they do consider the inmates own views when deciding appropriate housing. When the staff member responsible for conducting the risk assessment was asked the same question, he responded by stating that he couldn't answer that question because he does not take part in that process.

The auditor did not interview a transgender inmate during the interview process. The agency reported that they had not classified an individual that identified as a transgender inmate. Therefore, the auditor cannot provide the transgender inmate's perspective towards this provision.

The evidence collected for this provision shows that the agency has procedures in place to consider a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.42 Provision (f)

HSO SOP PREA policy 297, page 6, paragraph 11, states in part that; transgender and intersex inmates will be given the opportunity to shower separately from other inmates. The PREA Compliance Manager and the staff member responsible for conducting risk assessments were interviewed and asked if transgender and intersex inmates are afforded the opportunity to shower separately from other inmates, both deputies stated that yes, they are allowed to shower separately.

The evidence collected for this provision shows that the agency has procedures in place to allow transgender and intersex inmates to shower separately from other inmates. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.42 Provision (g)

HSO SOP PREA policy 297, page 21, paragraph 12, states in part that; Lesbian, gay, bisexual, transgender, or intersex inmates will not be placed in dedicated blocks, units, or wings based solely on their identification or status, unless in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmate.

During the interview process the PREA Compliance Manager and Coordinator confirmed that the agency was not under any consent decree, legal settlement, or legal judgment requiring the facility to separate the LGBTQ community from everyone else. The PREA Coordinator

stated during his interview that it is against policy to segregate those inmates identified as LGBTQ solely on their sexuality. Finally, the auditor was unable to interview any LGBTQ inmates because the agency reported that they had not classified an individual that identified as a LGBTQ inmate. Therefore, the auditor cannot provide the LGBTQ inmate's perspective towards this provision.

The evidence collected for this provision shows that the agency has procedures in place to address not placing LGBTQ inmates in designated housing blocks based solely on their sexual orientation. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the use of screening information.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Memorandum dated 04/01/2020 authored by the PREA Coordinator (PREA Standard 115.43) <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Staff who supervise Inmates in Segregation c) Interview with Inmates in Segregation <p>Observations made during the on-site audit and document review.</p> <p>115.43 Provision (a)</p> <p>HSO SOP PREA policy 297, page 21, paragraph 13, states in part that; Inmates at a high risk for sexual victimization will not be placed in involuntary segregated housing unless other alternatives are not available.</p> <p>The Warden / Designee stated during his interview that the agency does have a policy prohibiting placing inmates at high risk of sexual victimization in involuntary segregated housing in lieu of other housing areas.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to address not using segregated housing for those inmates at high risk of victimization, unless no alternative means of separation is available. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.43 Provision (b)</p> <p>HSO SOP PREA policy 297, page 22, states in part that; Inmates placed in segregated housing will have access to programs, privileges, education, and work opportunities to the extent possible.</p> <p>The agency reported not experiencing an incident where an inmate was placed in segregation based on the high probability of sexual victimization. During the facility tour the auditor visited</p>

the special housing unit and reviewed the housing assignments to verify that no inmate was being housed involuntarily due to the risk of being sexually victimized.

The staff member working in segregated housing stated during his interview that if an inmate was placed in segregation based on possible sexual victimization, that inmate would still have access to all the privileges and opportunities that all other inmates would have. He stated that the housing assignment is not seen as a punishment.

The evidence collected for this provision shows that the agency has procedures in place to ensure that if an inmate is placed in segregation due to the high risk of being sexually victimized that the inmate would retain all the privileges and opportunities that all other inmates are afforded. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.43 Provision (c)

HSO SOP PREA policy 297, page 21&22, paragraphs 13&15 states in part that; the inmates assigned to segregation housing due to being a high risk for sexual victimization shall only be housed in involuntary segregation until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days. The agency reported not experiencing an incident where an inmate was placed in segregation based on the high probability of sexual victimization.

The Warden/Designee was interviewed and stated that only if there were no alternatives would an inmate be involuntarily segregated because of the possibility of being sexually victimized. He further stated that if that were the case the inmate's situation would be evaluated by classification. The Warden/Designee explained that, at the most, an inmate would stay in segregation for no more than 30 days. When the staff member assigned to the special segregated housing unit was asked the same questions, he stated that he had never experience a situation of that nature. He also stated that he has no specific example where an inmate was placed in involuntary segregation based on the high risk of victimization. The staff member did state that all inmates housed in segregation are re-evaluated every 30 days.

The evidence collected for this provision shows that the agency has policies in place to ensure that if an inmate is placed in involuntary segregation, such assignment would not exceed 30 days. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.43 Provision (d)

HSO SOP PREA policy 297, page 22, paragraph 14, states in part that; The facility shall clearly document the basis for the facility's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged.

HSO provided a Memorandum dated 04/01/2020 authored by the PREA Coordinator stating that; The Hampton Sheriff's Office Policy #297 outlines how we will place an inmate at high risk of victimization in segregated housing until an alternative can be found and this will not ordinarily exceed 30 days. The facility will clearly document the basis for their concern for the inmate's safety and the reason why no alternative could be found. There was no such event

that occurred during this audit period of March 2019- March 2020.

The HSO jail reported not assigning any inmate to involuntary segregated housing for the purpose of separating that inmate due to the high risk for sexual victimization.

The evidence collected for this provision shows that the agency does have a written policy in place to address documenting the basis for the segregation and why no alternative means of separation could be arranged. The agency provided a memorandum from the PREA Coordinator explaining that documenting these incidents are protocol. Therefore, through official written policy, the agency has demonstrated that it does meet this provision.

115.43 Provision (e)

HSO SOP PREA policy 297, page 22, paragraph 15, states in part that; Inmates in segregated housing will be reviewed at least every 30 days to determine whether there is a continuing need for separation from the general population. The staff member assigned to the special housing unit stated during his interview that all inmates that are assigned to segregation are re-evaluated once every 30 days.

The evidence collected for this provision shows that the agency has procedures in place to reassess and review an inmate's housing assignment every 30 days to see if there is a continued need for separation. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence the PREA Auditor has determined that the agency is fully compliant with this standard requiring limitation on protective custody.

115.51	Inmate reporting
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Inmate Handbook both in English and Spanish d) PREA Poster in both English and Spanish. e) PREA RAINN Hotline Poster in both English and Spanish f) HSO PREA Sexual Abuse Reporting Detailed Chart g) PREA Staff Training Slides h) Cooperative Agreement between the HSO & The Center for Sexual Assault Survivors (effective date 02/16/2021) <p>Interviews:</p> <ul style="list-style-type: none"> a) 12 interviews with random staff b) 20 interviews with various inmates c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.51 Provision (a)</p> <p>The agency has provided multiple ways to report a sexual abuse or sexual harassment allegation in a private setting. These reporting options are listed in written policy, confirmed through interviews, and observed through posters and handouts. The Inmate Handbook specifically addresses five ways to report an allegation of sexual abuse or harassment. Those involved making a verbal or written report to any staff member, submitting an Inmate Correspondence Form, Grievance Form, having a 3rd party make a report for the alleged victim, or calling the outside reporting authority prompted by the phone system and dialing (757-236-5260). The contact information and phone number are provided in the handbook. In addition, PREA posters are displayed throughout the facility both in English and Spanish listing the ways an individual can report an allegation of sexual abuse. The staff training curricula consists of classroom instruction at the Law Enforcement Academy and PowerDMS online training portal that provides staff ways to report. Those ways are verbally to any supervisor, PREA Coordinator, submit a written report, or contact the outside reporting agency via hotline.</p>	

Finally, the agency has written policy that outlines the five recommended ways to report an allegation of sexual abuse.

During the on-site audit, the Auditor performed 12 random staff interviews and 20 inmate interviews. Of the 12 random staff that was interviewed, 1 staff member could identify all five ways to report, 6 staff members could identify four ways, 4 staff members could identify 3 ways, and 12 staff members could at least identify two ways to report a sexual abuse allegation. Of the 20 inmates that were interviewed, one inmate could offer four ways to report sexual abuse, 9 inmates could offer three ways, 6 inmates identified two ways, and 4 inmates provided at least one way to report. Every inmate interviewed could name at least one way to report an allegation of sexual abuse.

During the on-site review, the Auditor observed and documented PREA posters posted in both housing units and in public areas throughout the facility. The Auditor requested investigation files that provided documentation of alleged sexual abuse with dispositions. The Auditor contacted Just Detention International and confirmed they had not received any sexual abuse allegations in the last two years.

The evidence collected shows that the facility has provided multiple ways to report sexual abuse or sexual harassment. The evidence also shows that many staff and inmates are aware of those reporting procedures. Confirming the information is being provided. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.51 Provision (b)

The agency has provided a Cooperative Agreement (CA) between the Hampton Sheriff's Office and The Center for Sexual Assault Survivors (The Center) dated 02/16/2021. The Center provides a Hotline phone number that an inmate or staff can call, anonymously if they choose, to report allegations of sexual abuse. The phone number is listed in the Inmate Handbook and is available 24 hours a day 7 days a week. The CA specifically states on page 3, paragraph 2 b, that, The Center will immediately forward inmate reports of sexual abuse or sexual harassment to the Hampton Sheriff's Office PREA Coordinator. This process will be employed 24 hours a day 365 days a year.

HSO SOP PREA policy 297, page 11, paragraph 1, states in part that; The HSO does not detain inmates solely for civil immigration purposes. However, consular notification is the responsibility of the arresting officer, as the deputy is to ensure notification has been made during the intake or detention process.

The evidence collected for this provision shows that the agency has provided at least one way for an inmate to report abuse or harassment to a public or private entity not affiliated with the agency. Lastly, the HSO does not allow the detention of an inmate for the sole purpose of immigration status. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.51 Provision (c)

HSO SOP PREA policy 297, page 13, paragraph 12, states in part that; Any verbal report will be immediately documented by the staff member receiving the information and forward to the PREA Compliance Manager by the end of duty or to the Facility Manager in the absence of the PREA Compliance Manager.

When reviewing the investigative files, written reports from deputies documenting verbal allegations were present. During staff interviews the deputies explained that their duties were to immediately write a report recording the verbal sexual allegation. When interviewing inmates, several explained that they would notify a supervisor or security officer. However, there was no clear answer to what the term "immediate" meant. Therefore, it was when the PREA Coordinator was interviewed and asked to define what "immediately" meant according to the protocol. The PREA Coordinator explained that immediately is defined as before the end of the officer's tour of duty for that day. In addition, all the PREA posters displayed throughout the facility states that an allegation of sexual abuse can be reported verbally.

The evidence collected for this provision shows that the agency has demonstrated that they accept, and document sexual abuse reports verbally, in writing, and from third parties. It has also been determined that these reports have been handled in a timely fashion. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.51 Provision (d)

HSO SOP PREA policy 297, page 13, paragraph 11, states in part that; The Hampton Sheriff's Office staff can privately report sexual abuse and sexual harassment of inmates to their Supervisor or any other facility Supervisor. In addition, the HSO provided a PREA reporting chart that identifies how and to whom this report should be made. In addition, the staff are also encouraged to verbally report sexual abuse or harassment to the PREA Coordinator. It has also been confirmed through staff interviews that they are aware of how to go about privately notifying authorities regarding allegations of sexual abuse or harassment. Of the 12

random staff members interviewed, they identified the PREA hotline 8 time, contact their supervisor 5 times, contact the Hampton City Police 2 times, and 1 staff member did not know how to report.

The evidence collected for this provision shows that the agency has demonstrated that they do provide staff with a private method of reporting sexual abuse or sexual harassment of inmates. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring the agency provide multiple internal ways for inmates to privately report sexual abuse or sexual harassment. Corrective action is not required.

115.52	Exhaustion of administrative remedies
	<p data-bbox="248 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="248 443 408 477">Documents:</p> <ul data-bbox="248 517 1422 813" style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO Inmate Handbook d) Memorandum dated 04/01/2020 by PREA Coordinator referencing reports of sexual misconduct through the grievance procedure. <p data-bbox="248 853 392 887">Interviews:</p> <ul data-bbox="248 927 887 1032" style="list-style-type: none"> a) Interview with PREA Compliance Manager b) Interview with Agency Head <p data-bbox="248 1072 1110 1106">Observations made during the on-site audit and document review.</p> <p data-bbox="248 1146 1477 1525">The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency’s procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if the grievance director receives a grievance alleging sexual abuse or sexual harassment by staff or sexual abuse by an inmate, the grievance is immediately handed over to the PREA Coordinator or Upper Management for further investigation. The grievance process is immediately stopped and an administrative investigation is immediately initiated. Therefore, this agency is exempt from this standard and not applicable.</p> <p data-bbox="248 1637 512 1671">115.52 Provision (a)</p> <p data-bbox="248 1783 1477 1906">HSO SOP PREA policy 297, page 15, paragraph 18, states in part that; The Hampton Sheriff’s Office will not impose a time limit when an inmate can submit a grievance, regarding sexual abuse allegations.</p> <p data-bbox="248 1946 512 1980">115.52 Provision (b)</p> <p data-bbox="248 2020 1477 2143">HSO SOP PREA policy 297, page 15, paragraph 18, states in part that; The Hampton Sheriff’s Office will not impose a time limit when an inmate can submit a grievance, regarding sexual abuse allegations. In addition, page 15, paragraph 19, states in part that; The HSO shall not</p>

require inmates to use an informal grievance process or attempt to resolve with staff, an alleged incident of sexual abuse.

115.52 Provision (c)

HSO SOP PREA policy 297, page 15, paragraph 20 states in part that; An inmate will not be required to submit a grievance to a staff member who is the subject of the complaint. Also, on page 15, paragraph 21; it states that the HSO will not refer a grievance to a staff member who is the subject of the complaint.

115.52 Provision (d)

HSO SOP PREA policy 297, pages 15 & 16, paragraphs 22, 23, and 24, states in part that; The HSO will issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing. The Hampton Sheriff's Office, Undersheriff may grant an extension of time to respond, up to 70 days, if the normal time period for response is insufficient to make the appropriate decision. The inmate will be notified in writing of any extension and provide a date by which a decision will be made. If at any level of the administrative process, including the final level, the inmate does not receive a response in the allotted time for reply, including proper notice, or extension, the inmate may consider the absence of a response to be a denial at that level.

The HSO has not received any grievance over the last twelve months alleging sexual abuse. However, the administrative grievance process is used regarding the appeal process for the investigative findings of a sexual abuse allegation, not to report an alleged sexual abuse. The process is to merely exhaust their administrative due process as it relates to the findings of the PREA investigation.

115.52 Provision (e)

HSO SOP PREA policy 297, page 16, paragraph 25 states in part that; Fellow inmates, staff members, family members, attorneys, and outside advocates will be permitted to assist inmates in filling requests for administrative remedies relating to sexual abuse allegations.

The HSO has not received any grievance over the last twelve months alleging sexual abuse. However, the administrative grievance process is used regarding the appeal process for the investigative findings of a sexual abuse allegation not to report an alleged sexual abuse. The process is to merely exhaust their administrative due process as it relates to the findings of the PREA investigation.

115.52 Provision (f)

HSO SOP PREA policy 297, page 16, paragraph 26,27, states in part that; After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency will 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 may be taken and provide an initial response with in 48 hours, and shall be issued a final agency decision within 5 calendar days. The initial response and final agency decision documents the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

The initial response and final agency decision documents the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

The HSO has not received any emergency grievance over the last twelve months alleging sexual abuse. However, the administrative grievance process is used regarding the appeal process for the investigative findings of a sexual abuse allegation, not to report an alleged sexual abuse. The process is to merely exhaust their administrative due process as it relates to the findings of the PREA investigation.

115.52 Provision (g)

The Hampton City Sheriff's Office does not have a policy governing the need to discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.

Conclusion

The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency's procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if the Chief Correctional Officer receives a grievance alleging sexual abuse or sexual harassment by staff or sexual abuse by an inmate, the grievance is immediately handed over to the PREA Coordinator, Upper Management, or assigned to a PREA Investigator for further investigation. The grievance process is immediately stopped, and an administrative investigation is immediately initiated. Therefore, this standard is not applicable in the meaning and purpose for which it is intended. The grievance process is to serve as a vehicle to provide due process in certain situational incidents in a confinement setting and not the purpose of reporting or investigating a sexual abuse allegation in this facility.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 pages 23 and 24 c) HSO Inmate Handbook both in English and Spanish d) Cooperative Agreement (CA) between the HSO and The Center for Sexual Assault Survivors (The Center) e) PREA Poster in both English and Spanish. The poster is labeled “Outside Support Services” and provides the contact information either by phone, web address or mailing address to the Rape Crisis Center Advocate. f) Inmate Sexual Abuse Information Orientation form <p>Interviews:</p> <ul style="list-style-type: none"> a) Inmates who reported a Sexual Abuse b) 16 interviews with Random Inmates <p>Observations made during the on-site audit and document review.</p> <p>115.53 Provision (a)</p> <p>HSO SOP PREA Policy 297, page 23, paragraph 17, states in part that; inmates will be provided access to an outside advocacy group using a mailing address and hotline number for outside emotional support services related to sexual abuse.</p> <p>The agency has entered into a Cooperative Agreement (CA) with “The Center” of Newport News to provide outside victim advocacy related to sexual abuse. Stated in the CA, the Sheriff’s Office has agreed to provide telephone numbers and mailing addresses to incarcerated victims who request sexual violence crisis intervention services, emotional support, and/or supportive counseling. The Center services are provided by mail, a phone hotline, and in person, upon request. The Center also provides sexual assault educational materials in areas accessible to inmates. The contact information for The Center is located on the brochures and posters displayed in the housing units. The auditor observed these posters during the facility tour. In addition, the contact information for The Center is can be found in every inmate handbook, which is issue to every inmate upon commitment into the facility. In addition, every inmate that is classified and assigned a housing unit receives an “Inmate Sexual Abuse Information Orientation.” During this orientation, the inmate is once again provided contact information for the rape crisis center. This procedure is documented and</p>

acknowledged by signature from the inmate. The hotline phone call is free of charge to the inmate. Outgoing facility mail is not scanned, opened, nor read. The crisis intervention services are confidential, and The Center has no duty to report unless involving a juvenile or vulnerable adult.

HSO SOP PREA policy 297 page 13, paragraph 1, states in part that; the Hampton Sheriff's Office does not detain inmates solely for civil immigration purposes. However, consular notification is the responsibility of the arresting officer, as the deputy is to ensure notification has been made during the intake process.

During the on-site audit, the Auditor performed 16 random inmate interviews. 13 inmates were aware that services are available outside the facility for dealing with sexual abuse, while in the facility. One inmate stated that they were not sure and 2 stated that they were not aware of such services. Those inmates that were aware of the services also knew how to contact the crisis center. They were also cognizant that the communication with the crisis advocate is confidential. When asked if they could tell me about the kind of services there are, 7 inmates identified the Rape Crisis Center, one inmate stated a victim advocate, one inmate said therapy, one inmate replied classes and 3 inmates were unsure. The Auditor was not able to interview an inmate that reported a sexual abuse while housed in the facility. No inmates that met that criteria were incarcerated at the time of the on-site audit.

The evidence collected for this provision shows that the agency has procedures in place to provide crisis intervention services from an outside advocacy group free of charge that is confidential. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.53 Provision (b)

HSO SOP PREA policy 297, page 18,19 states in part that; inmates are allowed reasonable communication with an outside advocacy group in a confidential manner as possible. Page 19 states in part that; the Hampton City Jail will inform the inmates that communication with outside advocacy groups may be monitored and reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

The HSO informs inmates through a pre-recorded phone message that their calls may be monitored before making every call. The inmate sexual abuse information orientation also informs the inmates that their calls are subject to monitoring and may be referred out for investigation. The CA between the HSO and The Center states that; the HSO will respect the confidential nature of communication between The Center for Sexual Assault Survivors, advocates, and clients that are detained at the Hampton City Jails.

Due to the conflicting language between the agency's policy and the CA that was entered into between the HSO and The Center for Sexual Assault Survivors the auditor reached out to the agency PREA Coordinator for clarification. The PREA Coordinator confirmed to the auditor that the phone number to the rape crisis center is not monitored or recorded. Therefore, the communication between inmates and "The Center" remains confidential.

The Auditor performed 16 random inmate interviews. The 13 inmates that were aware of these services assumed that the information was confidential.

The evidence collected for this provision shows that the agency does inform inmates the extent to which their communications are being monitored. Therefore, through agency procedures, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.53 Provision (c)

The agency has provided a copy of a Cooperative Agreement between the HSO and The Center for Sexual Assault Survivors of Newport News dated 08/12/2016 as proof that confidential emotional support services are being provided to the inmates at the Hampton City Jails. The expiration date for this MOU is indefinite until such time as one or both parties wish to terminate the agreement.

The evidence collected for this provision shows that the agency has entered into a Cooperative Agreement with an outside advocacy group to provide the inmates emotional support as it relates to sexual abuse. Therefore, through the signed CA and personal observation the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard requiring the agency provide inmate access to outside confidential support services. No corrective action is required.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO Agency Website <p>Observations made during the on-site audit and document review.</p> <p>115.54 Provision (a)</p> <p>The HSO has the following information published on their agency website explaining how someone would report a sexual abuse on behalf of an inmate housed in the Hampton City Jails.</p> <p>The Hampton Sheriff's Office inmates can privately report sexual abuse, sexual harassment or retaliation by other inmates or staff by using the following:</p> <ul style="list-style-type: none"> • Inmate Correspondence Form • Inmate Grievance Form • Verbal Report • Sexual Assault Hotline 800-656-HOPE(4673) • Third-party reporting <p>If you or someone you know has been sexually assaulted in this facility please contact the supervisor on duty at (757) 727-6185, or if you do not wish to speak to anyone, an on-line reporting form may be filled out. Please have as many details as possible to include:</p> <ul style="list-style-type: none"> • Name of the inmate(s) • Name(s) of person(s) involved • Names(s) of any witnesses • Description of the incident • Date and time of the incident • Location of where the incident occurred • Any additional relevant information

- Your name and contact information (optional)

All allegations of sexual abuse, harassment and retaliation concerning an incident of sexual abuse at any of the Hampton Correctional Facilities will be thoroughly investigated and shall be subject to administrative and/or criminal prosecution. The Hampton Sheriff's Office shall have a policy in place stating their responsibility to set guidelines in order to prevent and report sexual abuse/assault within the facilities in accordance with the Prison Rape Elimination Act (PREA). The Hampton Police Division shall have a policy in place stating their responsibility to conduct criminal investigations of sexual abuse in the City of Hampton. Reporting a sexual assault is a serious allegation and will be treated as such. False reporting will carry serious consequences.

The evidence collected for this provision shows that the agency has procedures in place to address third-party reports of sexual abuse or harassment both formally and publicly. Therefore, through document review and personal observations, the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring a method to receive third-party reports alleging sexual abuse and distribute that information publicly. No corrective action is required.

115.61	Staff and agency reporting duties
	<p data-bbox="252 168 896 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 523 280">Auditor Discussion</p> <p data-bbox="252 324 1412 398">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 443 411 477">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 515 981 548">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="252 586 686 620">b) HSO SOP PREA Policy 297 <p data-bbox="252 665 395 698">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 736 753 770">a) 12 Interviews with Random staff <li data-bbox="252 808 785 842">b) Interview with Warden or Designee <li data-bbox="252 880 912 913">c) Interview with Medical or Mental Health Staff <li data-bbox="252 952 753 985">d) Interview with PREA Coordinator <p data-bbox="252 1030 1114 1064">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1108 518 1142">115.61 Provision (a)</p> <p data-bbox="252 1180 1484 1467">HSO SOP PREA policy 297, page 11, paragraph 2, states in part that; All staff is required to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment, retaliation against inmates or staff, and any staff neglect or violations of responsibilities that may have contributed to an incident or retaliation that occurs in the Hampton Sheriff’s Office or any other facility to a security officer or supervisor. When the inmate is subject to a substantial risk of imminent sexual abuse the staff shall take immediate action to protect the inmate.</p> <p data-bbox="252 1512 1452 1624">During the interview process this Auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor.</p> <p data-bbox="252 1668 1460 1825">The evidence collected for this provision shows that the agency has procedures in place to address immediately reporting any knowledge, suspicion, or information regarding sexual abuse or sexual harassment. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.</p> <p data-bbox="252 1870 518 1904">115.61 Provision (b)</p> <p data-bbox="252 1942 1476 2098">HSO SOP PREA policy 297, 11, paragraph 4, states in part that; Staff is not to reveal any information related to a sexual abuse report to anyone except designated supervisors and/or officials who are responsible for treatment, investigation, and other security and management decisions.</p>

During the interview process the Auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor and must only relay information on a 'need to know' basis.

The evidence collected for this provision shows that the agency has procedures in place to address not revealing information related to a sexual abuse report to anyone other than to the extent necessary. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.

115.61 Provision (c)

HSO SOP PREA policy 297, page 12, paragraph 5, states in part that; Medical and mental health staff will be required to report sexual abuse and required to inform inmates of staff's duty to report, and the limitations of confidentiality.

The Auditor interviewed the Health Services Administrator. The Administrator stated that they do notify the inmate of the duty to report sexual abuse allegations and the limitations surrounding confidentiality. She also stated that they have a duty to report all suspicions, knowledge, or information regarding sexual abuse. In addition, the Administrator stated that she had not experienced a situation where an alleged sexual abuse allegation had been made, but if she had, she would immediately notify a supervisor.

The evidence collected for this provision shows that the agency has procedures in place to require medical and mental health practitioners to report any incidents they have been made aware of involving the knowledge, suspicion, or information regarding sexual abuse. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.

115.61 Provision (d)

HSO SOP PREA policy 297, page 11, paragraph 3, states in part that; If the alleged victim is under the age of 18 or considered a vulnerable adult in accordance with the definition of a vulnerable adult under State of Virginia Code, 8.1-227.24, the HSO will report allegation to the designated state or local services agency under applicable mandatory reporting laws. In addition, both the PREA Coordinator and Warden/Designee were interviewed and stated that the HSO has not recently housed any juveniles or currently house vulnerable adults. The Warden/Designee stated that he would not only treat the circumstance the same as any other sexual abuse allegation, but make sure the juvenile inmates are out of sight and sound of adult inmates. The PREA Coordinator indicated the agency usually doesn't house juveniles and that he had not experienced any situation regarding a juvenile reporting an alleged sexual abuse.

115.61 Provision (e)

HSO SOP PREA policy 297, page 12, paragraph 8, states in part that; Information reported by

a third- party concerning an alleged sexual abuse or sexual harassment will be forwarded to the Director of Corrections or his designee to investigate. Third parties including: fellow inmates, staff members, family members, attorneys, and outside advocates will be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and shall be permitted to file such requests on behalf of inmates. If the inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, then the decision to decline shall be documented.

During the document review the Auditor evaluated 5 investigative files. The files showed that the facility followed these procedures in those cases. The Warden/Designee was also interviewed and explained that all allegations of sexual abuse are assigned to a PREA trained investigator.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all allegations of sexual abuse is turned over to a PREA designated investigator to initiate an inquiry. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring staff and agency reporting duties. No corrective action is required.

115.62	Agency protection duties
	<p data-bbox="248 168 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="248 445 408 481">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="248 517 979 553">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="248 589 687 624">b) HSO SOP PREA Policy 297 <p data-bbox="248 665 392 701">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="248 736 759 772">a) 12 Interviews with Random Staff <li data-bbox="248 808 783 844">b) Interview with Warden or Designee <li data-bbox="248 880 695 916">c) Interview with Agency Head <p data-bbox="248 956 1110 992">Observations made during the on-site audit and document review.</p> <p data-bbox="248 1032 515 1068">115.62 Provision (a)</p> <p data-bbox="248 1104 1474 1480">HSO SOP PREA policy 297, page 11, paragraph 2, states in part that; All staff is required to report immediately any knowledge, suspension, or information regarding an incident of sexual abuse or sexual harassment, retaliation against inmates or staff. In addition, any staff neglect or violations of responsibilities that may have contributed to an incident or retaliation that occurs in the Hampton Sheriff’s Office or any other facility to a security officer or supervisor. When the inmate is subject to a substantial risk of imminent sexual abuse, the staff shall take immediate action to protect the inmate. In the last twelve months the agency has reported there have been no incidents where the inmate was deemed a substantial risk of imminent sexual abuse.</p> <p data-bbox="248 1520 1482 1856">Interviews were conducted with 12 random staff. Of those staff interviewed, all 12 staff members stated that they would immediately remove the inmate from the situation, block, or housing unit. In addition, they stated that they would conduct an initial inquiry and notify a supervisor. Also interviewed was the Agency Head and Warden/Designee. In both interviews it was stated that they would have the inmate immediately removed from the situation and initiate an investigation to collect the facts. Also, that a housing change would immediately take place. The inmate would be re-evaluated and then the information obtained would be considered to determine the best and safest housing assignment moving forward.</p> <p data-bbox="248 1897 1469 2058">The evidence collected for this provision shows that the agency has procedures in place to address when an inmate is subject to a substantial risk of sexual abuse and immediate action is taken to protect that inmate. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.</p> <p data-bbox="248 2098 397 2134">Conclusion</p>

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring agency protection duties. No corrective action is required.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Agency Head <p>Observations made during the on-site audit and document review.</p> <p>115.63 Provision (a), (b), and (c)</p> <p>HSO SOP PREA policy 297, page 13, paragraph 13, states in part that; If the Hampton Sheriff’s Office receives an allegation that an inmate was sexually abused, while confined at another facility, the Sheriff or his designee will notify the agency head, where the alleged abuse occurred within 72 hours. The notification will be documented. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting unless the inmate is under the age of 18.</p> <p>The HSO reported that there were no incidents over the last twelve months where notification was made to another confinement facility about an allegation of sexual abuse.</p> <p>The evidence collected for these provisions shows that the agency has procedures in place to address when an allegation of sexual abuse is received from an inmate, but the incident occurred at a different confinement facility. Therefore, through written policy and document review the agency has demonstrated that it meets these provisions.</p> <p>115.63 Provision (d)</p> <p>The HSO SOP PREA policy 297, page 13, paragraph 13, states in part that; If the Hampton Sheriff’s Office receives an allegation that an inmate was sexually abused, while confined at another facility, the Sheriff or his designee will notify the agency head, where the alleged abuse occurred within 72 hours. The notification will be documented. If the Hampton Sheriff’s Office receives an allegation of sexual abuse from an outside confinement facility, the PREA Coordinator shall ensure that the allegation is investigated in accordance with PREA standards. The HSO reported that they have not received any alleged sexual abuse allegation from another confinement facility within the last twelve months.</p> <p>When the Warden/Designee was interviewed he stated that all contacts are funneled to the</p>

PREA Coordinator who will assign a PREA Investigator to the case within 72 hours of being notified of the allegation. If it appears to be criminal in nature, then the Hampton City Police are contacted to investigate. The Warden/Designee stated that the agency had not received any reported allegation from another facility since 2012. The Agency Head/Designee stated that the point of contact for all sexual abuse allegations are directed through the PREA Coordinator who would assign a PREA Investigator to conduct a thorough investigation into the allegation.

The evidence collected for this provision shows that the agency does have a policy in place to address when an allegation of sexual abuse is received from another agency. Also, they have policy in place to govern when and how to handle allegations received by their agency regarding sexual abuse allegations made that occurred at another outside confinement facility. Therefore, through written policy and interviews conducted the agency has demonstrated that it does meet this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring the reporting to other confinement facilities and investigating reports from other confinement facilities. Corrective action is not required.

115.64	Staff first responder duties
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Copies of PREA Administrative investigations <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Security Staff First Responders b) Interview with Inmates that reported Sexual Abuse c) Interviews Non-Security Staff d) Interviews with 12 Random Staff <p>Observations made during the on-site audit and document review.</p> <p>115.64 Provision (a)</p> <p>HSO SOP PREA policy 297, page 12, paragraph 6, states in part that; The first Security staff to respond following a report of an alleged sexual abuse will:</p> <ul style="list-style-type: none"> Ø Separate the alleged victim and abuser; Ø Preserve and protect any alleged crime scene by securing the immediate area to ensure nothing is disturbed, until the collection of evidence is conducted and completed by the Hampton City Police Department. Ø Request that the alleged abuser or alleged victim not destroy physical evidence such as washing, brushing teeth, changing clothes, urinating, defecating, drinking, or eating. <p>As of the date of this report, the facility reported in the last twelve months that 5 inmates reported they were sexually abused. In one incident, the security staff member was first to respond and immediately separated the alleged victim and abuser; and the security staff was able to preserve any possible physical evidence at the scene. In 3 cases the sexual abuse allegation was made through the alleged victim. Finally, the last incident involved another inmate notifying security staff about an ongoing consensual sexual relationship.</p> <p>An interview with a security staff first responder was conducted. The first responder was asked to describe the actions taken when first on the scene of an alleged inmate sexual abuse allegation. The first responder stated that he would make sure the scene was safe, separate</p>	

the victim and alleged abuser, report to a supervisor, preserve the evidence, get medical to see them, write a report, and protect the possible crime scene. The agency reported that there were no inmates that had reported sexual abuse, still incarcerated, during the on-site phase of the audit. Therefore, the auditor could not provide the inmate who reported sexual abuse perspective regarding this provision.

The evidence collected for this provision shows that the agency has procedures in place to address the responsibilities of staff first responders when confronted with an allegation of an inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.

115.64 Provision (b)

HSO SOP PREA policy 297, page 12, paragraph 7, states in part that; If a security staff member is not the first to respond, the responder will request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. The facility reported no incidents of sexual abuse where the first responder was not a security staff member and the staff member immediately notified security staff. When conducting interviews, 12 random staff were questioned about their responsibilities when confronted with an allegation of an inmate sexual abuse. The responses were broken down into the following ways. As a side note, the auditor has incorporated the staff's multiple responses into the listed general topics.

- 10 staff members stated they would separate the victim and abuser;
- 5 staff members would also contact a supervisor.
- 3 staff members mentioned contacting medical personnel,
- 3 staff members cited preserving evidence,
- 10 staff members said they would secure the scene
- and 4 staff members stated they would write a report.

In addition, the Auditor interviewed 4 contractors/volunteers during this audit and all non-security staff stated that they would immediately notify a security staff member.

The evidence collected for this provision shows that the agency has procedures in place to address the responsibilities of non-security staff first responders when confronted with an allegation of an inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring Staff first responder duties. No corrective action is required.

115.65	Coordinated response
	<p data-bbox="252 170 927 203">Auditor Overall Determination: Exceeds Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 411 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 979 551">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="252 591 687 624">b) HSO SOP PREA Policy 297 <li data-bbox="252 665 874 698">c) Hampton Sheriff's Office Institutional Plan <p data-bbox="252 739 395 772">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 813 794 846">a) Interview with Warden or Designee <p data-bbox="252 887 1114 920">Observations made during the on-site audit and document review.</p> <p data-bbox="252 960 517 994">115.65 Provision (a)</p> <p data-bbox="252 1034 1485 1361">The HSO has provided an outlined coordinated response plan in the form of an eleven-page institutional plan for the facility to follow when confronted with an inmate sexual abuse incident. The document outlines the procedures/steps to follow and includes the actions of the first responders, medical & mental health practitioners, PREA Facility Managers, PREA Compliance Manager, PREA Coordinator, PREA Investigators, Incident Review Team, and the Retaliation Officer. In an interview with the Warden/Designee it was confirmed that the agency uses a coordinated response plan to follow when dealing with incidents of alleged inmate sexual abuse.</p> <p data-bbox="252 1402 1453 1525">The evidence collected for this provision shows that the agency has a coordinated response plan to follow during incidents of alleged inmate sexual abuse. Therefore, through written policy, and interviews conducted the agency has demonstrated that it meets this provision.</p> <p data-bbox="252 1565 395 1599">Conclusion</p> <p data-bbox="252 1639 1390 1762">Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring a coordinated response. No corrective action is required.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) Code of Virginia 40.1-57.2 (Prohibition against Collective Bargaining) c) PREA Coordinator Memorandum dated 04/01/2020 stating how the agency does not participate in collective bargaining <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head or Designee <p>Observations made during the on-site audit and document review.</p> <p>115.66 Provision (a)</p> <p>Employees in the Commonwealth of Virginia do not have collective bargaining rights per the Code of Virginia 40.1-57.2. There is no collective bargaining agreement entered into since August 2012. The Auditor confirmed this during the interview with the Agency Head. In addition, the agency provided a memorandum from the HSO has not entered into or renewed any collective bargaining agreements nor is it part of a union.</p> <p>The evidence collected for this provision shows that this standard is not applicable to this agency or any confinement agency in the Commonwealth of Virginia if it chooses not to engage in collective bargaining. Therefore, through state law and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that this standard is not applicable to this agency. No corrective action is required.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO Agency Organizational Chart d) Copies of PREA Administrative Investigations <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head / Designee b) Interview with Warden / Designee c) Interview with Staff Member charged with Monitoring Retaliation d) Inmate who reported Sexual Abuse <p>Observations made during the on-site audit and document review.</p> <p>115.67 Provision (a)</p> <p>HSO SOP PREA policy 297, page 14, paragraph 17 a & b, states in part that; After the report of sexual abuse, Retaliation Officer will monitor the conduct and treatment of inmates. All allegations of sexual abuse and sexual harassment including third-party and anonymous reports will be reported to the designated PREA investigators. The Hampton Sheriff's Office protection against retaliation consists of, but not limited to:</p> <ul style="list-style-type: none"> Ø The Hampton Sheriff's Office has a policy to protect all inmates and staff reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigation from retaliation by other inmates or staff, and the Retaliation Officer will monitor retaliation. Ø The Hampton Sheriff's Office has employed protective measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with the victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. <p>The designated staff member charged with monitoring possible retaliation is the Retaliation Officer is the Administrative Services Lieutenant.</p>

The evidence collected for this provision shows that the agency has procedures in place and staff to monitor retaliation associated with reports of sexual abuse. Therefore, through written policy and document review the agency has demonstrated that it meets this provision.

115.67 Provision (b)

HSO SOP PREA policy 297, page 14, paragraph 17 a & b, states in part that; after the report of sexual abuse, Retaliation Officer will monitor the conduct and treatment of inmates. All allegations of sexual abuse and sexual harassment including third-party and anonymous reports will be reported to the designated PREA investigators. The Hampton Sheriff's Office protection against retaliation consists of, but not limited to:

Ø The Hampton Sheriff's Office has a policy to protect all inmates and staff reporting sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigation from retaliation by other inmates or staff, and the Retaliation Officer will monitor retaliation.

Ø The Hampton Sheriff's Office has employed protective measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with the victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The agency has provided several incident reports of alleged sexual abuse or sexual harassment. In those reports the agency employed multiple protection measures. For example, the alleged abuser was immediately moved to different housing, several alleged inmate victims were referred to mental health professionals, the alleged abuser was re-evaluated for suitable housing, and a couple of alleged abusers were reclassified. In addition, both the Agency Head and Warden were interviewed and explained that they could use multiple ways to protect inmates or staff from retaliation. They spoke of changing housing assignments, transfers, providing mental health treatment, and requesting a courtesy hold for the abuser. The staff member charged with monitoring retaliation stated that she monitors the situation, talks to the individuals involved within 72 hours and documents their conversations. She also stated that she meets with the victim bi-weekly and encourages the individuals involved to contact her through the post deputy if they experience what they believe to be retaliation. No inmate that reported sexual abuse was incarcerated at the time of the on-site audit and therefore, no perspective can be provided.

The evidence collected for this provision shows that the agency employs multiple protection measures for those inmates and staff who fear retaliation. Therefore, through document review, and interviews conducted the agency has demonstrated that it meets this provision.

115.67 Provision (c)

HSO SOP PREA policy 297, page 15, paragraph 17c, states in part that; For at least 90 days following a report of sexual abuse, the Hampton Sheriff's Office will monitor the conduct and treatment of inmates and staff who reported the sexual abuse and the inmates who were reported to have suffered the sexual abuse to see if there any changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation.

The Hampton Sheriff's Office will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

The Warden / Designee stated that when he suspects retaliation he will immediately initiate an investigation. Based on the findings of that investigation staff may be reassigned or receive discipline up to termination. Inmates can be charged both with in-house charges and criminal prosecution or transferred to a different confinement facility. The staff member charged with retaliation monitoring stated that she monitors individuals for at least 90 days but will continue to monitor them if he feels it necessary even if and no threat exists.

The evidence collected for this provision shows that the agency monitors both staff and inmates who have alleged sexual abuse or assisted in the investigation for a minimum of 90 days. Therefore, through written policy, document review, and interviews conducted the agency has demonstrated that it meets this provision.

115.67 Provision (d)

HSO SOP PREA policy 297, page 15, paragraph 17d, states in part that; In the case of inmates, such monitoring shall also include periodic status checks.

When conducting the interview with the staff member responsible for monitoring retaliation, she stated that she monitors the situation, talks to the individuals involved within 72 hours and documents their conversations. She also stated that she meets with the victim bi-weekly and encourages the individuals involved to contact her through the post deputy if they experience what they believe to be retaliation.

The evidence collected for this provision shows that the agency monitors inmates for retaliation periodically. Therefore, through policy and interviews conducted the agency has demonstrated that it meets this provision.

115.67 Provision (e)

HSO SO PREA policy 297, page 15, paragraph 17e, states in part that; If any other individual who cooperates with an investigation expresses a fear of retaliation, the Hampton Sheriff's Office will take appropriate measures to protect that individual against retaliation.

When conducting the interview with the Agency Head/ Designee, he stated that an inmate that is accused of retaliation may be sent to restricted housing or moved to another facility. The Warden/Designee stated that the Retaliation Officer monitors those situations and that an inmate engaging in retaliation may be moved to a different housing assignment or to an entirely different facility. The Warden/Designee also stated that if staff was engaged in retaliation, the staff member may be placed on Administrative leave until an investigation is completed.

The evidence collected for this provision shows that the agency has procedures in place to address protection for other individuals who cooperate with PREA investigations from retaliation. Therefore, through written policy the agency has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the PREA Auditor has

determined that the agency is fully compliant with this standard requiring agency protection from retaliation. No corrective action is required.

115.68	Post-allegation protective custody
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Staff who supervise inmates in Segregation. <p>Observations made during the on-site audit and document review.</p> <p>115.68 Provision (a)</p> <p>HSO SOP policy 297, page 15, paragraph 17f, states in part that; Any use of segregated housing to protect an inmate, alleged to have suffered sexual abuse, shall be subject to the requirements identified in the Screening Risk section (G) of this policy.</p> <p>Every 30 days, a review of the housing assignment shall be completed to determine if there is a continuing need for separation from the general population. Over the last 12 months, the agency reported that they had not assigned any inmate who alleged to have suffered sexual abuse to involuntary segregated housing, for the purpose of separating that inmate due to no other housing alternatives. During the facility tour, the Auditor visited the special housing unit and reviewed the cell assignments to verify that no inmate was being housed involuntarily due to alleging sexual abuse.</p> <p>The Warden / Designee stated during his interview that the agency does have a policy prohibiting placing inmates who alleged to have suffered sexual abuse in involuntary segregated housing, in lieu of other housing areas. He also stated that only if there were no alternatives would an inmate be involuntarily segregated because of alleging sexual abuse. He further stated if that were the case the Classification Section would evaluate the inmate's situation every 30 days. The Warden / Designee explained that, at most, an inmate would stay in segregation for no more than 30 days.</p> <p>The staff member working in segregated housing stated during his interview that if an inmate was placed in segregation based on being an alleged victim of a sexual abuse, that inmate would still have access to all the privileges and opportunities that all other inmates would have. He stated that the housing assignment is not seen as a punishment. The staff member also stated that he has no specific example where an inmate was placed in involuntary segregation based on alleging a sexual abuse.</p>	

The evidence collected for this provision shows that the agency has procedures in place to ensure that if an inmate is placed in segregation due to alleging sexual abuse that inmate would retain all the privileges and opportunities that all other inmates are afforded. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring limitation on protective custody. No corrective action is necessary.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 pages 24 and 25 c) Memorandum of Understanding between the HSO and Hampton City Police <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Investigative Staff c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.71 Provision (a)</p> <p>HSO SOP PREA policy 297 page 8, paragraph 15, states in part that; all investigations into allegations of sexual abuse and sexual harassment will be done promptly, thoroughly, and objectively. Investigators will interview alleged victims, suspected perpetrators, and witnesses and will review prior complaints and reports of sexual abuse involving the suspected perpetrators. All investigations into allegations of sexual abuse and sexual harassment, including third party and anonymous reports will be done promptly, thoroughly, and objectively. These will be done through the coordinated actions among first responders, medical and mental health practitioners, investigators, and administration.</p> <p>The Auditor reviewed 5 investigative files during the document review. The average length of investigation for those 5 files was approximately 21 days. During the interview with the investigative staff, the investigator stated that an administrative investigation is immediately initiated once notification is made to the PREA Coordinator. The investigator suggested that an investigation would begin within the first twenty-four hours of the allegation being made. The investigator stated that anonymous and third party reports are handled exactly in the same manner as all other sexual abuse allegations.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that it investigates sexual abuse allegations promptly, thoroughly, and objectively. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.71 Provision (b)</p>

HSO SOP PREA policy 297, page 24, paragraph 2, states in part that; investigators with special training in sexual abuse investigations will be used when sexual abuse is alleged.

In addition, HSO SOP PREA policy 297, page 19, paragraphs 3 and 4 state in part that; All sexual abuse investigators, who conduct investigations in a confinement setting, will be specialized trained. These techniques include interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in a confinement setting, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The HSO reported that the agency has 2 PREA certified investigators. During the pre-audit phase, this Auditor requested training records for the 2 investigators. The facility provided that information and the Auditor verified that those 2 investigators had received special sexual abuse training in a confinement setting. During the interview process, the investigator confirmed that she had received the initial training on April 15-17, 2013 in Baltimore Maryland from the Moss Group. The PREA Coordinator provided certificates of completion for these two investigators in the Pre-Audit Questionnaire.

The evidence collected for this provision shows that the agency has procedures in place to ensure that only specially trained sexual abuse investigators conduct investigations into sexual abuse allegations. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (c)

HSO SOP PREA policy 297, page 24, section 21, states in part that; the Hampton Police Investigation Division will be responsible to gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. Paragraph 4 states in part that; Investigators will interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

The Auditor reviewed several administrative investigations, and there was one particular investigation where camera video footage was part of the evidence to assist in the investigation. The investigation files revealed that alleged victims, suspected perpetrators, and witnesses were interviewed, and that prior criminal and institutional records of the individual involved were examined.

When conducting the interview with the investigator, she stated that if the allegation looked as if it was criminal in nature a call to the Hampton Police would be made. She further stated that the allegation would go up through the PREA Compliance Manager to the PREA Coordinator. The Coordinator would request for an administrative investigation and if the PREA investigator established probable cause to believe a crime had been committed, it would be turned back to the PREA Coordinator. The PREA Coordinator would arrange for the Hampton Police to investigate. The investigator explained that her agency is responsible for collecting digital video and protecting the crime scene. The Hampton City Police Department is responsible for collecting direct evidence.

The evidence collected for this provision shows that the agency has procedures in place to ensure that HSO investigators collect circumstantial evidence and that the Hampton City Police Department collect direct evidence. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (d)

HSO SOP PREA policy 297 page 24, paragraph 5, states in part that; evidence that appears to support criminal prosecution, the Hampton Police Department will conduct the interviews. Therefore, when the quality of evidence appears to support criminal prosecution, compelled interviews shall be conducted only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. There are no examples of investigative reports supporting compelled statements. When asked about compelling staff to answer questions, the PREA Investigator explained that she would go along with the Hampton City Police Detective to discuss the issue with the Commonwealth Attorney to see if charges would be filed before any compelled interviews would be conducted.

The evidence collected for this provision shows that the agency has procedures in place governing compelled interviews. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (e)

HSO SOP PREA policy 297, page 24, paragraph 6, and 7, states in part that; the credibility of an alleged victim, suspect, or witness will be assessed on an individual basis and will not be determined by the persons status as an inmate or staff. The policy goes on to state that; the inmate who alleged that he or she was sexually abused will not be required to submit to a polygraph examination or other truth-telling devise as a condition for proceeding with the investigation of alleged allegation.

The PREA Investigator was interviewed and stated that she takes every allegation the same and handles them in a serious manner. The Investigator also stated that polygraphs are not used to determine truthfulness in allegations of sexual abuse. The Auditor was not able to conduct an interview with an inmate that reported sexual abuse. Therefore, no evidence exists to provide input from an inmate's perspective.

The evidence collected for this provision shows that the agency has procedures in place ensuring that an individual's credibility shall not be determined by the person's status as an inmate or staff. Furthermore, polygraph examinations will not be used as a condition for proceeding with the investigation of a sexual abuse allegation. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (f)

HSO SOP PREA policy 297, pages 24, 25, paragraphs 8, 9, states in part that; Administrative investigators will investigate to ensure that staff actions or failure to act did not contribute to the abuse. An administrative investigation shall include an effort to determine whether staff actions or failures to act contributed to the abuse.

Paragraph 9, states in part that; a written report on all administrative and criminal investigations shall include the following:

- a. Description of the physical and testimonial evidence
- b. The reasoning behind credibility assessments

c. Investigative facts and findings

A sample of investigative files were examined during the document review phase and revealed that only one of the five investigations included a detailed investigative report. Therefore, most of the administrative investigations did not have an investigative report. However, the investigative files did contain witness notes, the initial report, and supplemental reports. The agency provided a memorandum generated by the Chief Deputy dated 02/05/2021, reiterating and directing the agency's two PREA investigators to follow the agency policy and produce a detailed PREA administrative investigation report for every PREA allegation.

When interviewing the PREA Investigator, she stated that to determine if staff actions contributed to a sexual abuse, she would make sure that staff followed policy and agency protocol. She also stated that witness statements, incident reports, circumstantial evidence, and findings would be found in an administrative investigation file.

The evidence collected for this provision shows that the agency has procedures in place to ensure efforts are made to determine if staff actions or failures contributed to a sexual abuse. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (g)

HSO SOP PREA policy 297, page 25, paragraph 10, states in part that; any substantiated allegations of sexual conduct that appear criminal will be referred to the Hampton Police Division or appropriate law enforcement agency for investigation and prosecution. In addition, the HSO has a Memorandum of Understanding with the Hampton City Police Department to conduct all criminal investigations that occur in that facility. The MOU states that; criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. The PREA Investigator confirmed this practice when asked if her agency conducts criminal investigations. She stated no, any criminal investigation is conducted by the Hampton City Police Department.

The evidence collected for this provision shows that the agency does not conduct criminal investigations. The Hampton City Police Department has that responsibility. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (h)

HSO SOP PREA policy 297, page 25, paragraph 10, states in part that; any substantiated allegations of sexual conduct that appear criminal will be referred to the Hampton Police Division or appropriate law enforcement agency for investigation and prosecution.

This provision is the responsibility of the Hampton City Police Department. Therefore, this provision is not applicable to the HSO. The agency did not report that there was any case in the last twelve months that was referred to the Commonwealth Attorney's Office. The PREA Investigator confirmed this practice when asked if her agency conducts criminal investigations. She stated no, any criminal investigation is conducted by the Hampton City Police Department.

The evidence collected for this provision shows that the agency does not conduct criminal investigations. The Hampton City Police Department has that responsibility. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.

115.71 Provision (i)

HSO SOP PREA policy 297, page 25, paragraph 11, states in part that; all written reports of administrative and criminal investigations will be retained by the Hampton Sheriff's Office for as long as the alleged abuser is incarcerated or employed by the agency plus 5 years. The Auditor reviewed investigative cases along with additional files provided during the pre-audit phase of this audit.

The evidence collected for this provision shows that the agency has procedures in place to ensure written investigative reports are retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. Therefore, through written policy and document review the agency has demonstrated that it meets this provision.

115.71 Provision (j)

HSO SOP PREA policy 297, page 25, states in part that; an investigation will not be terminated just because the alleged abuser or victim is no longer employed or incarcerated by the Hampton Sheriff's Office. The PREA Investigator was asked how she would proceed when a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation. The investigator explained that she would continue forward as best as possible in the same fashion. By trying to locate the individual and make contact, in an attempt to provide an outcome of the investigation.

The evidence collected for this provision shows that the agency has procedures in place to ensure that an administrative investigation continues regardless of if the abuser or victim is no longer employed or under the agency's control. Therefore, through written policy and interviews conducted the agency has demonstrated that it meets this provision.

115.71 Provision (l)

HSO SOP PREA policy 297, page 25, states in part that; the Hampton Sheriff's Office will cooperate with outside investigators and will remain informed about the progress of the investigation. In addition, the HSO has a Memorandum of Understanding with the Hampton City Police Department to conduct all criminal investigations that occur in that facility. The MOU states that; the Hampton Sheriff's Office shall cooperate with the Hampton Police Department investigators and shall endeavor to remain informed about the progress of the investigation.

Interviews were conducted with the Warden/Designee, PREA Coordinator, PREA Compliance Manager, and Investigative staff about this provision. The PREA Coordinator, PREA Compliance Manager and Warden/Designee were asked how the agency remains informed of the progress of a criminal sexual abuse case. The PREA Coordinator responded by saying that he is the point of contact for the agency and communicates with the Hampton Police Detective assigned to the sexual abuse case. The Warden / Designee (Chief Deputy) stated that he receives updates through the PREA Coordinator. The PREA Compliance Manager stated that the Hampton Police Department communicates with the agency through the PREA

Coordinator. And finally, the PREA Investigator was asked what role she plays in a criminal investigation. The investigator explained that she was the point of contact for setting up all staff and inmate interviews for the Hampton Police Department and run parallel investigations.

The evidence collected for this provision shows that the agency has procedures in place to try and stay informed about ongoing criminal sexual abuse investigations being conducted by the Hampton Police. Therefore, through written policy and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring criminal and administrative agency investigations.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="252 170 895 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 445 408 479">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 979 551">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="252 589 687 622">b) HSO SOP PREA Policy 297 <p data-bbox="252 663 392 696">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 734 751 768">a) Interview with Investigative Staff <p data-bbox="252 808 1110 842">Observations made during the on-site audit and document review.</p> <p data-bbox="252 882 512 916">115.72 Provision (a)</p> <p data-bbox="252 956 1477 1077">HSO SOP PREA policy 297, page 25, paragraph 14, states in part that; The Hampton Sheriff’s Office will not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="252 1117 1469 1279">The Agency PREA Investigator was asked what standard of evidence she requires to substantiate allegations of sexual abuse or sexual harassment. The Investigator replied, “The preponderance of the evidence or 51% of the evidence suggests one way or the other.” In addition, the auditor reviewed investigative files and observed case findings.</p> <p data-bbox="252 1319 1485 1525">The evidence collected for this provision shows that the agency has procedures in place to not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual assault is substantiated. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p data-bbox="252 1565 408 1599">Conclusion:</p> <p data-bbox="252 1639 1390 1760">Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring evidentiary administrative investigations.</p>

115.73	Reporting to inmates
	<p data-bbox="248 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="248 443 408 477">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="248 517 979 551">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="248 591 687 624">b) HSO SOP PREA Policy 297 <li data-bbox="248 665 1294 743">c) PREA Coordinator Memorandum dated 04/01/2020 regarding (no outside investigations) <li data-bbox="248 784 1410 862">d) PREA Coordinator Memorandum dated 04/01/2020 regarding (no incidents of Staff sexual abuse) <li data-bbox="248 902 1370 981">e) PREA Coordinator Memorandum dated 04/01/2020 regarding (no abuser being criminally charged for sexual abuse) <li data-bbox="248 1021 1481 1099">f) PREA Coordinator Memorandum dated 04/01/2020 regarding (no incidents of an abuser being criminally charged for sexual abuse and the need to document notification to the victim) <p data-bbox="248 1137 392 1171">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="248 1211 791 1245">a) Interview with Warden or Designee <li data-bbox="248 1285 746 1319">b) Interview with Investigative Staff <li data-bbox="248 1359 983 1393">c) Interview with Inmates that reported sexual abuse <p data-bbox="248 1431 1110 1464">Observations made during the on-site audit and document review.</p> <p data-bbox="248 1505 515 1538">115.73 Provision (a)</p> <p data-bbox="248 1576 1481 1778">HSO SOP PREA policy 297, page 13, paragraph 14, states in part that; An inmate who alleges that he or she suffered sexual abuse while in the facility will be informed verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded by following an investigation by the agency. The Hampton Sheriff's Office should request the relevant information if the investigation was not conducted by the agency.</p> <p data-bbox="248 1816 1481 2063">The agency reported 5 investigations of alleged sexual abuse during the last twelve months that were completed by the agency. Of those 5 investigations, the auditor reviewed all 5 investigative files. The agency policy is that the PREA Coordinator makes written notification to the alleged inmate victim. The PREA Coordinator confirmed with the auditor this practice and provided several written memorandums to alleged inmate victims informing them of the disposition of the administrative investigation.</p> <p data-bbox="248 2101 1370 2134">During the interview with the investigative staff, the investigator stated that her agency</p>

procedures require her to notify the PREA Coordinator of the investigative findings and that the Coordinator makes the notification to the alleged inmate victim. The Warden/Designee stated that yes; notification is made to the inmate as to the findings of his/her allegation. The investigator or PREA Coordinator usually does the notification. Lastly, no inmate who reported sexual abuse was interviewed. Therefore, the auditor cannot provide that perspective for this provision.

The evidence collected for this provision shows that the agency has procedures in place to inform the inmates who allege sexual abuse of the findings of the investigation. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.73 Provision (b)

HSO SOP PREA policy 297, page 13, paragraph 14, states in part that; An inmate who alleges that he or she suffered sexual abuse while in the facility will be informed verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded by following an investigation by the agency. The Hampton Sheriff's Office should request the relevant information if the investigation was not conducted by the agency.

In the past twelve months the agency has reported no incidents where an inmate alleged sexual abuse and was investigated and completed by the Hampton City Police Department.

The evidence collected for this provision shows that the agency has procedures in place to ensure that when an investigation is completed by an outside agency, the inmate is informed of the findings. Therefore, through document review the agency has demonstrated that it meets this provision.

115.73 Provision (c)

HSO SOP PREA policy 297, page 13, paragraph 15, states in part that; following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the Hampton Sheriff's Office will inform the inmate (unless the agency has determined the allegation is unfounded) whenever:

- The staff member is no longer posted within the inmate's housing unit.
- The staff member is no longer employed at the Hampton Sheriff's Office.
- The Hampton Sheriff's Office learns that the staff member has been indicted on a charge related to sexual abuse within the jail.
- The Hampton Sheriff's office learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

The agency has provided a memorandum dated 04/01/2020 from the PREA Coordinator stating that there have been no sexual abuse allegations involving staff or inmates that have been referred to criminal prosecution.

The evidence collected for this provision shows that the agency has procedures in place to inform alleged inmate victims when the alleged staff perpetrator's criminal circumstances change due to the sexual abuse allegation. Therefore, through written policy, document

review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.73 Provision (d)

HSO SOP PREA policy 297, page 14, paragraph 16, states in part that; When an inmate alleges that he or she has been sexually abused by another inmate, who is incarcerated at the Hampton Sheriff's Office, the agency shall subsequently inform the alleged victim whenever:

- The Hampton Sheriff's Office learns that the alleged abuser has been indicted on a charge related to sexual abuse within a facility.
- The Hampton Sheriff's Office learns that the alleged abuser has been convicted or;
- The Hampton Sheriff's Office learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
- All such notifications or attempted notifications shall be documented.
- The obligation to report under this standard shall terminate if the inmate is released from the agency's custody.

The evidence collected for this provision shows that the agency has procedures in place to inform alleged inmate victims when the alleged inmate sexual perpetrator's criminal circumstances change due to the sexual abuse allegation. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.73 Provision (e)

HSO SOP PREA policy 297, page 14, paragraph 16 states in part that; all such notifications or attempted notifications must be documented. If the inmate is released from the Hampton Sheriff's Office, the obligation to report is terminated in accordance with PREA Standard 115.73.

The agency has provided a memorandum dated 04/01/2020 from the PREA Coordinator stating that there have been no sexual abuse allegations involving staff or inmates that have been referred to criminal prosecution.

The evidence collected for this provision shows that the agency has procedures in place to ensure all notifications and attempted notifications are documented. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring reporting to inmates.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Memorandum dated 04/01/2020, by the Agency PREA Coordinator regarding (no staff terminations based on PREA policy violations) <p>Interviews:</p> <p>Observations made during the on-site audit and document review.</p> <p>115.76 Provision (a)</p> <p>HSO SOP PREA policy 297, page 26, states in part that; the HSO staff will be subject to disciplinary sanctions up to and including termination for violating the sexual abuse or sexual harassment policy.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure staff will be subject to disciplinary actions for violating the agency’s sexual abuse and sexual harassment policies. Therefore, through written policy the agency has demonstrated that it meets this provision.</p> <p>115.76 Provision (b)</p> <p>The Hampton Sheriff’s Office provided a written memorandum authored by the agency PREA Coordinator dated 04/01/2020, stating that the HSO has not had any staff terminated due to violating the agency’s PREA policy over the last twelve months. There have been no substantiated cases involving staff violating the agency’s sexual abuse or sexual harassment policies and no staff has been terminated based on PREA violations in the past twelve months.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that termination should be the presumptive disciplinary action for staff who have engaged in sexual abuse. Therefore, through written policy agency has demonstrated that it meets this provision.</p> <p>115.76 Provision (c)</p> <p>HSO SOP PREA policy 297, page 26, states in part that; other disciplinary sanctions for violating the sexual abuse or sexual harassment policy (other than actually engaging in sexual abuse), will be based on the following:</p>

- Ø they shall be appropriate with the nature and circumstances of the acts committed,
- Ø the staff member's disciplinary history,
- Ø and the sanctions imposed for comparable offenses by other staff with similar histories.

The agency reported that there have been no staff disciplined for any PREA related allegations associated with sexual abuse or sexual harassment in the last twelve months.

The evidence collected for this provision shows that the agency has procedures in place to discipline staff who violate sexual abuse or sexual harassment policies, but do not engage in sexual abuse. Therefore, through written policy and document review agency has demonstrated that it meets this provision.

115.76 Provision (d)

HSO SOP PREA policy 297, page 26, states in part that; all terminations or resignations for violations of the agency sexual abuse or sexual harassment policy, will be reported to the Hampton Police Division of the offense, if determined to be criminal. All terminations for violation of agency sexual abuse or sexual harassment policies, or resignations by staff that would have been terminated, if not for the resignation, shall be reported to the Hampton Police Division, if determined to be criminal.

The HSO reported that no staff member has been terminated for PREA policy violations and therefore, no law enforcement agency or licensing bodies contacted.

The evidence collected for this provision shows that the agency has procedures to contact law enforcement and licensing bodies when a staff member is terminated or resigns due to an alleged violation of the agency's sexual abuse or sexual harassment policies. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring disciplinary sanctions for staff. No corrective action is necessary.

115.77	Corrective action for contractors and volunteers
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 1414 405">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="252 443 408 477">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="252 517 979 551">a) HSO Agency Pre-Audit Questionnaire Responses <li data-bbox="252 589 600 622">b) HSO SOP Policy 297 <li data-bbox="252 660 1477 784">c) Memorandum dated 04/01/2020 by the Agency PREA Coordinator (documenting there were no substantiated allegations of sexual abuse or sexual harassment against volunteers or contractors.) <p data-bbox="252 822 392 855">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="252 896 807 929">a) Interview with the Warden/Designee <p data-bbox="252 967 1110 1001">Observations made during the on-site audit and document review.</p> <p data-bbox="252 1039 513 1072">115.77 Provision (a)</p> <p data-bbox="252 1111 1477 1279">HSO SOP PREA policy 297, page 26, paragraph 4, states in part that; any contractor or volunteer who engages in sexual abuse will be prohibited from contact with inmates and will be reported to the Hampton Police Division, unless the act was determined to be non-criminal, and to licensing bodies.</p> <p data-bbox="252 1317 1477 1485">The agency provided a memorandum dated 04/01/2020 stating that there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with inmates based on PREA violations in the past twelve months.</p> <p data-bbox="252 1523 1477 1727">The evidence collected for this provision shows that the agency has procedures in place to ensure volunteers or contractors who engage in sexual abuse do not have contact with inmates. In addition, when allegations of sexual abuse are alleged then local law enforcement is notified. Therefore, through written policy and document review the agency has demonstrated that it meets this provision.</p> <p data-bbox="252 1765 513 1798">115.77 Provision (b)</p> <p data-bbox="252 1836 1477 1960">HSO SOP PREA policy 297, pages 26, paragraph 5, states in part that; in case of any other violation of agency sexual abuse or sexual harassment policy by a contractor or volunteer, the agency will consider whether to prohibit further contact with inmates Breach of confidentiality.</p> <p data-bbox="252 1998 1477 2166">The agency provided a memorandum dated 04/01/2020 stating that there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with inmates based on PREA violations in the past twelve months.</p>

The Auditor interviewed the Warden/Designee and he stated that if a contractor or volunteer were accused of violating the agency's sexual abuse or sexual harassment policy, then that individual could no longer stay. If it were determined that the allegation was substantiated, the contractor or volunteer would no longer have access to the facility and the Hampton City Police Department would be contacted.

The evidence collected for this provision shows that the agency has procedures in place to address actions to be taken when a contractor or volunteer violates agency's PREA policies but does not engage in sexual abuse of an inmate. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring corrective action for contractors and volunteers. No corrective action necessary.

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with the Warden/Designee b) Medical & Mental Health Staff <p>Observations made during the on-site audit and document review.</p> <p>115.78 Provision (a)</p> <p>HSO SOP PREA policy 297, page 26, paragraph 6, states in part that; Inmates will be subject to disciplinary sanctions through a formal disciplinary process following:</p> <ul style="list-style-type: none"> Ø An administrative finding that the inmate engaged in inmate-on-inmate sexual abuse Ø or following a criminal finding of guilt for inmate-on-inmate sexual abuse. <p>In the past twelve months the agency has reported that there has been no inmate-on-inmate sexual abuse at the facility that was substantiated.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates are subject to disciplinary sanctions following a finding that the inmate engaged in inmate-on-inmate sexual abuse. Therefore, through written policy and document review the agency has demonstrated that it meets this provision.</p> <p>115.78 Provision (b) & (c)</p> <p>HSO SOP PREA policy 297, page 27, paragraph 7, states in part that; inmate disciplinary sanctions will take in consideration the following:</p> <ul style="list-style-type: none"> Ø The nature and circumstances of the abuse committed Ø The inmate’s disciplinary history Ø The sanctions imposed for similar offenses by other inmates with similar histories Ø The inmate’s mental disabilities or mental illness <p>When conducting the interview with the Warden/Designee, he was asked what disciplinary</p>

sanctions inmates are subject to following an investigation that found the inmate had engaged in inmate-on-inmate sexual abuse. In addition is mental illness considered when determining sanctions? The Warden/Designee stated that the maximum in-house charge could result in disciplinary segregation, but the punishment would be determined on the severity of the violation. He also stated that the mental illness part would be considered on the front end, deciding if the inmate should be charged in the first place due to his/her disability.

The evidence collected for these provisions shows that the agency has procedures in place to discipline those inmates who have been found responsible for engaging in inmate-on-inmate sexual abuse. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets these provisions.

115.78 Provision (d)

The HSO reported in the Pre-Audit Questionnaire that the agency does not provide therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse.

When conducting the interview with the Medical & Mental Health Administrator, she was asked if the facility offers therapy, counseling, or other intervention services designed to address and correct the underlying reasons for sexual abuse. The Administrator stated that they do not offer those services. I confirmed the fact with the PREA Coordinator that all inmates that are housed in segregation, which would initially include an accused sexual abuse aggressor, would be seen by a mental health professional. However, the HSO does not offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for sexual abuse but they would consider providing those services if directed by the courts or recommended by the jail physician.

115.78 Provision (e)

HSO SOP PREA policy 297, page 27, paragraph 8, states in part that; the Hampton Sheriff's Office may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

The agency did report having an incident of this nature over the past twelve months. The inmate was charged with inhouse charges and provided due process. It is unclear if the inmate received any disciplinary sanctions. The PREA Coordinator determined that the incident would not be classified as a PREA related incident.

The evidence collected for this provision shows that the agency has procedures in place to discipline those inmates who have engaged in sexual abuse against staff members. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.78 Provision (f)

HSO SOP PREA policy 297, page 27, paragraph 9, states in part that; An inmates' report of sexual abuse made in good faith based upon a reasonable belief will not be disciplined for falsely reporting an incident or lying, even if the investigation does not establish evidence

sufficient to substantiate the allegation.

The evidence collected for this provision shows that the agency has procedures in place to prohibit those inmates that report sexual abuse or sexual harassment in good faith be disciplined regardless of the investigative findings. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.78 Provision (g)

HSO SOP PREA policy 297, page 27, paragraph 10, states in part that; the Hampton Sheriff's Office prohibits any sexual acts between inmates and will discipline inmates for any such acts. In addition, the HSO will not deem the activity as sexual abuse if it was not coerced.

The evidence collected for this provision shows that the agency has procedures in place to prohibit any type of sexual activity between inmates and will discipline inmates for those activities. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring disciplinary sanction for inmates. No corrective action necessary.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO Memorandum by the Agency PREA Coordinator documenting no reports of prior sexual abuse either in a correctional setting or in the community. d) Institutional Classification Committee (ICC) daily summarization documents <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff Responsible for Risk Screening b) Interviews with Medical & Mental Health Staff c) Interviews with Inmates who disclose Sexual Victimization during Risk Screening <p>Observations made during the on-site audit and document review.</p> <p>115.81 Provision (a) & (c)</p> <p>HSO SOP PREA policy 297, page 22, paragraph 1, states in part that; if the intake screening indicates that an inmate has experienced prior sexual victimization in an institutional setting or in the community, the inmate will be offered follow-up meeting with medical or mental health within 14 days.</p> <p>The agency reported that no inmate currently incarcerated at the facility had disclosed prior sexual abuse during the screening process. Therefore, no follow-up meeting with medical or mental health staff was needed. However, after learning this, the auditor requested that the agency run a specific report to try and capture those inmates that had reported prior sexual victimization that were currently incarcerated. The agency identified three inmates that had reported prior sexual victimization during the risk screening interview.</p> <p>The following is the agency's procedure for identifying and conducting the 14-day follow-up meeting with medical staff when an inmate reports prior sexual victimization. The intake deputy documents the report in a jail management system (JMS). The JMS generates a report every morning and those identified inmates are discussed during the Institutional Classification Committee (ICC) meetings. These meetings take place every morning. The representation consists of a member from the classification staff, medical staff, mental health/substance abuse staff, programs staff, and accreditation staff. The meetings involve discussion about the previous days inmate population that has been identified as having possible issues or concerns associated with Medical/Mental Health, Classification/Records, or Programs. The</p>

meeting's general comments are captured and documented so follow-up action can take place if or when necessary. It is during this meeting that if an inmate reports prior sexual victimization during the risk screening interview, the medical staff member present, schedules a follow-up meeting within 14-days of the time the report was made. The 14-day follow-up is then documented on a supplemental report called medical progress notes. The agency has provided copies of both the ICC meeting notes, where an inmate has reported prior victimization, along with the medical progress notes documenting the date and time of the 14-day meeting. This document also captures the nurse/physician notes about the meeting and any further follow-up if needed.

When conducting the interview with the staff member who is responsible for risk screening, he stated that if an inmate discloses prior sexual victimization during the risk screening process, a box is checked at the bottom of the risk screening form that notates a 14-day follow-up meeting. He stated that medical staff reviews the forms to identify those inmates needing further follow-up meetings. When interviewing those inmates that had reported prior sexual victimization, all 3 inmates stated that they were not offered any follow-up meeting with medical or mental health. The auditor asked these individuals if they would like for me to arrange a meeting with medical or mental health staff and two inmates accepted the offer. The auditor notified the Agency Warden/Designee.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report prior sexual victimization are offered a follow-up meeting with medical or mental health professionals within 14 days of intake. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it does meet this provision.

115.81 Provision (b)

This agency is a local County Jail holding both pre-trial detainees and sentenced inmates. Their facilities are not a prison. Therefore, this provision is not applicable to the Hampton City Sheriff's Office.

115.81 Provision (d)

HSO SOP PREA policy 297, page 22, paragraph 2, states in part that; all information related to sexual victimization and abusiveness that occurred in an institutional setting will be strictly limited to medical and mental health, and other staff on a need-to-know basis.

The evidence collected for this provision shows that the agency has procedures in place to ensure that reported sexual victimization that occurred in a confinement setting is strictly limited to selected professionals. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.81 Provision (e)

HSO SOP PREA policy 297, page 22, paragraph 3, states in part that; medical and mental health personnel will 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.

The Medical and Mental Health Administrator was asked if they obtain informed consent from

inmates before reporting about prior sexual victimization. In addition, she was asked how she would handle inmates under the age 18 years old. The Administrator stated that she would ask for consent and document that on the agency's Medical Informed Consent document. She also stated that she has not encounter any juveniles and therefore she has never experienced that situation. However, the Administrator is aware of the state of Virginia's mandatory reporting laws involving juveniles.

The evidence collected for this provision shows that the agency has procedures in place to ensure informed consent is obtained from inmates before medical and mental health staff can report those incidents if the sexual victimization did not occur in a confinement setting. Therefore, through written policy, document review and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring a medical and mental health screening, history of sexual abuse.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Memorandum dated 04/01/2020 by the Agency PREA Coordinator documenting no reported incident of sexual abuse requiring access to emergency medical treatment. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff Responsible for Risk Screening b) Interviews with Medical & Mental Health Staff c) Interview with Staff First Responder <p>Observations made during the on-site audit and document review.</p> <p>115.82 Provision (a)</p> <p>HSO SOP PREA policy 297, page 22, paragraph 4, states in part that; all inmates victims of sexual abuse will receive timely and unimpeded access to emergency medical treatment and crisis intervention services.</p> <p>The Administrator of Medical and Mental Health was interviewed and asked if inmate victims of sexual abuse receive immediate and unimpeded emergency medical care and she answered that they do. In addition, she stated that the nature and scope of the treatment is at their professional discretion.</p> <p>The agency provided documentation of secondary materials i.e. mental health visit documentation, memorandums documenting follow-up visits, and discharge documentation. The agency has provided examples of these documents as proof of compliance.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report prior sexual victimization 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. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.82 Provision (b)</p> <p>HSO SOP PREA policy 297, page 23, paragraph 11, states in part that; if the Hampton</p>

Sheriff's Office has no qualified medical or mental health practitioners on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to 115.62 and shall immediately notify the appropriate medical and mental health practitioners.

HSO agency PREA Coordinator provided a memorandum stating that a licensed practical or registered nurse is on duty 24 hours a day 7 days a week, with a licensed physician on call, 24 hours a day 7 days a week.

Interviews were conducted with 12 random staff and of those staff interviewed, 11 staff members stated that they would immediately remove the inmate from the situation, block, or housing unit. When interviewing a first responder he explained that he would make the scene safe, report to a supervisor, preserve evidence, contact medical personnel, write a report, and protect the crime scene. If medical personnel for some reason was not available, then the facility would contact the local rescue emergency services for assistance.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report sexual abuse is offered immediate medical and mental health services when no qualified medical and mental health personnel is available. Therefore, through policy and interviews conducted the agency has demonstrated that it meets this provision.

115.82 Provision (c)

HSO SOP PREA policy 297, page 22, paragraph 5, states in part that; all inmate victims of sexual abuse while at the Hampton Sheriff's Office will be offered information and access to emergency contraception and sexually transmitted infection prophylaxis in accordance with professionally accepted standards of care, where medically appropriate.

The HSO utilizes the services provided by the Sentara Careplex Hospital Forensics Unit to provide these services. The interview with the SANE Nurse specifically outlined that the Sentara Careplex Forensics Unit will offer information, timely access to emergency contraception and sexually transmitted infections prophylaxis.

When conducting interviews with medical and mental health staff it was disclosed that "Yes, the SANE Nurse at the Sentara Careplex Hospital Forensics Unit offers it."

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates are offered information and access to emergency contraception and sexually transmitted infections prophylaxis after allegations of sexual abuse. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.82 Provision (d)

HSO SOP PREA policy 297, page 23, paragraph 16, states in part that; all treatment services for sexual abuse will be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

The evidence collected for this provision shows that the agency has procedures in place to

ensure that inmates that report sexual abuse do not incur any financial responsibility due to a sexual abuse allegation. Therefore, through written policy the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring access to emergency medical and mental health services.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interviews with Medical & Mental Health Staff b) Interview with Inmate who Reported a Sexual Abuse <p>Observations made during the on-site audit and document review.</p> <p>115.83 Provision (a) & (b)</p> <p>HSO SOP PREA policy 297, page 22, paragraphs 6, 7, states in part that; the Hampton Sheriff’s Office will offer medical and mental health evaluation and treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. Also, paragraph 7 states in part that; the evaluations and treatment of such victims will include:</p> <ul style="list-style-type: none"> Ø Follow up services Ø Treatment plans Ø Referrals for continued care following their transfer or release from custody <p>The interviews conducted revealed that medical staff would not take the lead on treatment and would consult with the SANE Nurse. The Medical Administrator stated that the treatment should be individualized based on the type of injury. She also stated that the Community Services Board would handle the mental health portion of the treatment. The Community Services Board would always be offered to provide continued care.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure the facility offer medical and mental health evaluation and treatment to all inmates who have been sexually victimized. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.83 Provision (c)</p> <p>The HSO employs medical professionals that must be licensed and registered to practice in the state of Virginia. These licenses must be maintained to continue employment. The mental health professionals are employed by the county Community Services Board, which provides mental health services to the entire community of the City of Hampton. Both the medical and</p>	

mental health services provided by the HSO are consistent with the community level of care.

An interview was conducted with the Medical & Mental Health Administrator. That interview revealed that the Administrator believes that the medical service is better due to the immediate access. The Community Services Board offers services for the community.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates receive medical and mental health services consistent with the community level of care. Therefore, through interviews conducted the agency has demonstrated that it meets this provision.

115.83 Provision (d) & (e)

HSO SOP PREA policy 297, page 23, paragraphs 13, 14, states in part that; inmate victims of sexual abusive vaginal penetration while at the Hampton Sheriff's Office will be offered pregnancy tests. Paragraph 14 states in part that; inmate victims who become pregnant while at the Hampton City Jail will receive comprehensive information about all lawful pregnancy-related medical services. There have been no incidents of this nature at this facility over the last twelve months.

The HSO has entered into procedural MOU with the Hampton City Police to conduct all criminal investigations to include sexual assault. The Hampton Police Department utilizes the Sentara Careplex Hospital Forensic Nursing Unit to provide these services. The interview with the SANE Nurse confirmed that the Sentara Careplex Forensics Unit will offer information, timely access to emergency contraception, and prophylaxis treatment for sexually transmitted infections.

When conducting an interview with the Administrator of the Medical and Mental Health staff it was revealed that the SANE Nurse at the Sentara Careplex Hospital Forensics Unit offers this service. In addition, the facility agrees to make the inmate available for further future appointments with the Sentara Careplex Hospital Forensics Unit.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that are victims of vaginal penetration are offered pregnancy tests along with timely information about access to all lawful pregnancy-related medical services. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets these provisions.

115.83 Provision (f)

HSO SOP PREA policy 297, page 23, paragraph 15, states in part that; inmate victims of sexual abuse while at the Hampton City Jail will be offered tests for sexually transmitted infections as medically appropriate.

The HSO has entered into procedural MOU with the Hampton City Police to conduct all criminal investigations to include sexual assault. The Hampton Police Department utilizes the Sentara Careplex Hospital Forensic Nursing Unit to provide these services. The interview with the SANE Nurse confirmed that the Sentara Careplex Forensics Unit would offer tests for sexually transmitted infections as medically appropriate.

When conducting an interview with the Administrator of the Medical and Mental Health staff it was revealed that the SANE Nurse at the Sentara Careplex Hospital Forensics Unit offers this service. In addition, the facility agrees to make the inmate available for further future appointments with the Sentara Careplex Hospital Forensics Unit.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that are victims of sexual abuse is offered tests for sexually transmitted infections as appropriate. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.83 Provision (g)

HSO SOP PREA policy 297, page 23, paragraph 16, states in part that; all treatment services for sexual abuse will be provided to the victim without financial cost regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

The evidence collected for this provision shows that the agency has procedures in place to ensure that inmates that report sexual abuse do not incur any financial responsibility due to a sexual abuse allegation. Therefore, through written policy the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring ongoing medical and mental health care for sexual abuse victims and abusers.

115.86	Sexual abuse incident reviews
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Memorandum dated 04/01/2020 by the agency PREA Coordinator documenting no substantiated or unsubstantiated allegations within the last twelve months. <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with the Warden/Designee b) Interview with the PREA Coordinator c) Interview with the Incident Review Team Member <p>Observations made during the on-site audit and document review.</p> <p>115.86 Provision (a) & (b)</p> <p>HSO SOP PREA policy 297, page 27, paragraph 1, states in part that; a sexual abuse incident review will be conducted by the Hampton Sheriff’s Office Incident Review Team within 30 days after the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.</p> <p>The evidence collected for these provisions shows that the agency has procedures in place to ensure that an incident review is conducted after every sexual abuse investigation exuding those that are unfounded. In addition, the incident review shall occur within 30 days of the conclusion of the investigation. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.</p> <p>115.86 Provision (c)</p> <p>HSO SOP PREA policy 297, page 27, paragraph 2, states in part that; The review team will consist of upper-level management officials, supervisors, investigators, and medical/mental health personnel.</p> <p>The agency provided a memorandum documenting that there have been no incidents of substantiated or unsubstantiated allegations of sexual abuse, and therefore, no incident review was conducted over the last twelve months. Review of the investigative files by the auditor confirmed this statement.</p> <p>In the interview with the Warden/Designee he stated that the agency does utilize an incident</p>	

review team and the input from these individuals are considered, and many times part of the team review depending on the situation.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the review team is made up of upper-level management, supervisors, investigators, and medical/mental health staff. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.86 Provision (d) & (e)

HSO SOP PREA policy 297, pages 27, 28, paragraph 3, states in part that; The review team will review data collected and aggregated, in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training including:

Ø A need to change policy or practice to better prevent, detect, or respond to sexual abuse and identify problem areas.

Ø If the incident was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, perceived status, gang affiliation.

Ø Taking corrective action when needed

Ø Examine the area in the facility (Jail, Annex, Lock-up) where the incident occurred to assess whether physical barriers in the area may enable abuse.

Ø The adequacy of staffing levels in that area during different shifts.

Ø Whether monitoring technology should be deployed or augmented to supplement supervisions by staff.

Ø The review team will prepare a report of findings, determinations, and any recommendations for improvement as well as the agency on a whole and submit a report to the Sheriff or his designee and the PREA Coordinator. Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

Ø The Hampton Sheriff's Office will implement the review team's recommendations for improvements or will document the reasons for not doing so.

The agency provided a memorandum documenting that there have been no incidents of substantiated or unsubstantiated allegations of sexual abuse, and therefore, no incident review was conducted over the last twelve months. Review of the investigative files by the auditor confirmed this statement.

Interviews with the Warden/Designee, Incident Review Team Member, and PREA Compliance Manager all revealed that these topics are considered and discussed during the review. The agency forwards all incident review documentation to the Sheriff for review. The PREA Compliance Manager stated that the reports are not forwarded to him for review.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the incident review team considers all the above listed criteria when convening

their meetings. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring sexual abuse incident reviews.

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Main PREA Investigation Log d) Copy of the Hampton Sheriff's Office 2019 PREA Annual Report <p>Interviews:</p> <p>Observations made during the on-site audit and document review.</p> <p>115.87 Provision (a) & (c)</p> <p>HSO SOP PREA policy 297, page 28, paragraph 4, states in part that; The Hampton Sheriff's Office will collect annually collect accurate, uniform data for every allegation of sexual abuse necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice (DOJ).</p> <p>The facility reported that their collection instrument is based directly off the SSV. The facility also provided the "Main PREA Investigation Log" documenting those characteristics necessary to complete and document the information relied upon to complete the SSV for the DOJ and the Bureau of Justice Statistics.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to collect accurate uniform data for every allegation of sexual abuse. The data collected is used to complete the federal mandated Survey of Sexual Violence questionnaire. Therefore, through written policy and document review, the agency has demonstrated that it meets these provisions.</p> <p>115.87 Provision (b)</p> <p>HSO SOP PREA policy 297, page 28, paragraph 6, states in part that; the HSO shall aggregate the incident-based sexual abuse data at least annually.</p> <p>The facility has provided the last five years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that the agency will aggregate the incident based sexual abuse data annually. Therefore, through written policy and document review, the agency has demonstrated that it</p>

meets this provision.

115.87 Provision (d)

HSO SOP PREA policy 297, page 28, paragraph 5, states in part that; the HSO shall maintain, review, and collect as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. All such data, upon request, from the previous calendar year shall be provided to the Department of Justice by no later than June 30.

The facility has provided the “Main PREA Investigation Log” containing the collected data used to complete and submit the SSV for the Department of Justice Bureau of Justice Statistics.

The evidence collected for this provision shows that the agency has procedures in place to maintain, review, and collect data ensure that the incident review team consider all the above listed available incident-based documents. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.87 Provision (e)

This provision is not applicable to this facility because the agency does not contract for the confinement of its inmates.

115.87 Provision (f)

HSO SOP PREA policy 297, page 29, states in part that; upon request, from the previous calendar year shall be provided to the Department of Justice by no later than June 30.

The facility has provided the “Main PREA Investigation Log” containing the collected data used to complete and submit the SSV for the Department of Justice, Bureau of Justice Statistics.

The evidence collected for this provision shows that the agency has procedures in place to submit their annual SSV report to the Department of Justice. However, the agency has not been requested by the DOJ to provide this information at this time. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring Data Collection.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) Copy of the Hampton Sheriff’s Office 2019 PREA Annual Report d) Copies of the last four years of the PREA Annual Report e) Copies of the last four years of the Sheriff’s approval of the PREA Annual Reports f) The Hampton City Sheriff’s Office Jail Website <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head b) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.88 Provision (a)</p> <p>The HSO 2019 PREA Annual report states that; Pursuant to §115.87 of the PREA standard, data is collected, aggregated, and reviewed in regard to report of sexual abuse incidents. Subsequently, the statistics are published in an annual report and made public on the HSO website mandated by PREA standard §115.88. The following 2019 Annual PREA Report details incidents of sexual abuse from January 1, 2015 to December 31, 2019:</p> <ul style="list-style-type: none"> • HSO definitions; • Findings of reported incidents of sexual abuse; and • Corrective actions <p>In addition, the 2019 HSO PREA Annual Report states that; PREA Standard §115.88 Data review for corrective action: (a) The agency shall 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:</p>

- (1) Identifying problem areas;
- (2) Taking corrective action on an ongoing basis;
- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

The agency has provided the last five years of their PREA Annual Report as evidence to support compliance with this provision. The reports include all of the above elements outlined in this provision, specifically, under the annual accomplishments and recommendation portions of the annual reports.

Interviews conducted with the Agency Head and PREA Coordinator confirmed that an annual report is generated to assess and improve the effectiveness of the agency's prevention, detection, and response to sexual abuse. The PREA Compliance Manager stated that the report was used to justify additional monitoring and training.

The evidence collected for this provision shows that the agency has procedures in place to review data collected to better assess and improve the effectiveness of its sexual abuse policies. Therefore, through written reports, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.88 Provision (b)

The HSO 2019 PREA Annual report states that; Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse. The 2019 Hampton Sheriff's Office PREA Annual Report makes comparisons for Inmate-on-Inmate Allegations of Sexual Abuse from 2015 to 2019.

The facility has provided the last five years' worth of PREA annual reports containing comparisons of the current years data and corrective actions from the previous year's assessment of the agency's progress.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the agency provides prior year comparisons in its yearly PREA annual report. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.88 Provision (c)

HSO SOP PREA policy 297, page 29, paragraph 8, states in part that; the annual report will be made readily available to the public through the department website excluding all personal identifiers after final approval by the Sheriff or his designee. All personal identifiers will be removed before data is publicly available.

The facility has posted the last five years of sexual safety statistics in their 2019 PREA Annual Report on their website. This is a public website that provides access to those reports. When interviewing the Agency Head/Designee, he stated that the undersheriff approves all PREA Annual Reports before being published on the agency website.

The evidence collected for this provision shows that the agency has procedures in place to make the PREA Annual Report public by posting to their website, and that the Sheriff or designee must have final approval. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

115.88 Provision (d)

HSO SOP PREA policy 297, page 29, paragraph 8, states in part that; the annual report will be made readily available to the public through the department website excluding all personal identifiers after final approval by the Sheriff or his designee. All personal identifiers will be removed before data is publicly available.

The agency reported that the only information redacted from the annual reports are the names of the individuals involved and that there has been no material redacted. The PREA Coordinator stated during his interview that only personal identifiers and threats to safety and security would be the only reasons to redact information from the PREA Annual Report.

The evidence collected for this provision shows that the agency has procedures in place to redact only specific information from the PREA Annual Report. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring Data Review for corrective action.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) HSO Agency Pre-Audit Questionnaire Responses b) HSO SOP PREA Policy 297 c) HSO 2019 PREA Annual Report d) The Hampton City Sheriff's Office Jail Website <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.89 Provision (a)</p> <p>HSO SOP PREA policy 297, page 29, paragraph 9, states in part that; the Hampton Sheriff's Office will ensure all data collected is securely retained by the PREA Coordinator for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.</p> <p>The PREA Coordinator was interviewed and asked how the agency ensures that the data collected is securely retained. The PREA Coordinator stated that all hardcopies of files, investigations, and reports are kept in his office in a locked filing cabinet. Only the Supervisor of this section has access to this cabinet. In addition, all electronic files are kept on a server that only the Supervisor of the Professional Standards Unit, PREA Coordinator, and Chief Deputy has access to.</p> <p>The evidence collected for this provision shows that the agency has a procedure in place to secure collected data regarding sexual abuse allegations. Therefore, through written policy and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.89 Provision (b) &(c)</p> <p>HSO SOP PREA policy 297, page 29, paragraph 8, states in part that; the annual report will be made readily available to the public through the department website excluding all personal identifiers after final approval by the Sheriff or his designee. All personal identifiers will be removed before data is publicly available.</p> <p>The facility has posted the 2019 PREA Annual Reports on their website. This is a public website that provides access to this report. This report can be viewed by going to the agency's website.</p>

The evidence collected for this provision shows that the agency has procedures in place to make the PREA Annual Report public by posting to their website and that all personal identifiers are redacted prior to publication. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

115.89 Provision (d)

HSO SOP PREA policy 297, page 29, paragraph 9, states in part that; the Hampton Sheriff's Office will ensure all data collected is securely retained by the PREA Coordinator for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

The evidence collected for this provision shows that the agency has procedures in place to ensure sexual abuse data is retained for at least 10 years after the date of the initial collection. Therefore, through written policy and document review, the agency has demonstrated that it meets this provision.

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA Auditor has determined that the agency is fully compliant with this standard requiring data storage, publication, and destruction. No corrective action necessary.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>PREA Standard 115.401 Frequency and Scope of Audits</p> <p>This is the Hampton City Sheriff's Office second PREA Audit. The initial audit was conducted in July of 2017. At that time, the facility met 36 PREA standards, exceeded in 3 standards, and 4 standards were not applicable. There was no corrective action necessary during the 2017 audit.</p> <p>The Auditor was provided full access to and observed all areas of the facility without obstruction. The Auditor received all requested documents or copies of relevant materials. The Auditor was also permitted to conduct all interviews in a private setting with both inmates and staff. Finally, the inmates were permitted to send the Auditor confidential correspondence in the same manner that legal mail would be handled. This topic was discussed and documented prior to the audit.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>PREA Standard 115.403 Audit Contents and Findings</p> <p>The Hampton City Sheriff's Office has posted the 2017 PREA Auditor's Summary report on their website. Therefore, evidence would suggest that this would happen once again after receiving the 2020 PREA audit final report.</p>

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

	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, 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).)	yes

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

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual	yes

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

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	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.)	na
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	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?	no
	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?	no
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na

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

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	na

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.)	yes
	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).	na
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.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes

115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	no
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
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.)	na
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.)	na
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.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
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