

PREA Facility Audit Report: Final

Name of Facility: Albemarle Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/13/2023

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: Karen d. Murray	Date of Signature: 09/13/ 2023

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	08/23/2023
End Date of On-Site Audit:	08/24/2023

FACILITY INFORMATION	
Facility name:	Albemarle Correctional Institution
Facility physical address:	44150 Airport Road, New London, North Carolina - 28127
Facility mailing address:	P.O. Box 460 , Badin, North Carolina - 28009

Primary Contact	
Name:	Zachary Guthrie
Email Address:	zachary.guthrie@dac.nc.gov
Telephone Number:	704-422-3036

Warden/Jail Administrator/Sheriff/Director	
Name:	Kenneth Diggs
Email Address:	kenneth.diggs@dac.nc.gov
Telephone Number:	704-422-3036

Facility PREA Compliance Manager	
Name:	Zachary Guthrie
Email Address:	zachary.guthrie@dac.nc.gov
Telephone Number:	
Name:	Adam Dillingham
Email Address:	adam.dillingham@dac.nc.gov
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Sheana Litaker
Email Address:	sheana.litaker@dac.nc.gov
Telephone Number:	704-422-2740

Facility Characteristics	
Designed facility capacity:	856
Current population of facility:	581

Average daily population for the past 12 months:	574
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	21-99
Facility security levels/inmate custody levels:	Medium
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	176
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	10
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	81

AGENCY INFORMATION

Name of agency:	North Carolina Department of Adult Correction
Governing authority or parent agency (if applicable):	
Physical Address:	214 West Jones Street , Raleigh , North Carolina - 27603
Mailing Address:	
Telephone number:	9198252739

Agency Chief Executive Officer Information:

Name:	
Email Address:	

Telephone Number:	
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Agency-Wide PREA Coordinator Information			
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Name:	Charlotte Jordan-Williams	Email Address:	charlotte.williams@dac.nc.gov
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Facility AUDIT FINDINGS	
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Summary of Audit Findings	
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The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

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:	
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4	<ul style="list-style-type: none"> • 115.13 - Supervision and monitoring • 115.32 - Volunteer and contractor training • 115.51 - Inmate reporting • 115.83 - Ongoing medical and mental health care for sexual abuse victims and abusers
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Number of standards met:	
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41	
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Number of standards not met:	
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0	
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POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-08-23
2. End date of the onsite portion of the audit:	2023-08-24

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Esther House of Stanly County Inc., (Advocate) North Carolina Department of Adult Correction PREA Hotline (from offender phones) North Carolina Department of Safety Fraud, Waste, Abuse or Misconduct Hotline. (Third-party)

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	856
15. Average daily population for the past 12 months:	574
16. Number of inmate/resident/detainee housing units:	4
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	577
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	4
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	50
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	2

<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>3</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>23</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>176</p>
<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>81</p>

<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>10</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>
<p>INTERVIEWS</p>	
<p>Inmate/Resident/Detainee Interviews</p>	
<p>Random Inmate/Resident/Detainee Interviews</p>	
<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>15</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None </p>
<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>Four days before the onsite review the facility provided offender rosters by targeted categories and housing unit. Once the Auditor choose the targeted offenders, random offenders from each dorm of each living unit were randomly chosen.</p>

56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	15
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	1
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Through a facility tour, informal and formal interviews with staff and offender, this category of offenders did not appear to be at the facility during the onsite review.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Through a facility tour, informal and formal interviews with staff and offender, this category of offenders did not appear to be at the facility during the onsite review.</p>

<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>2</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Through a facility tour, informal and formal interviews with staff and offender, this category of offenders did not appear to be at the facility during the onsite review.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>3</p>

<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>3</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility does not house victims in the special management unit.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>12</p>

<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>Four days before the audit the facility provided staff rosters for each shift of each day of the onsite review. Security staff were chosen from each of the two shifts, from different living units.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>17</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)

- Agency contract administrator
- Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- Line staff who supervise youthful inmates (if applicable)
- Education and program staff who work with youthful inmates (if applicable)
- Medical staff
- Mental health staff
- Non-medical staff involved in cross-gender strip or visual searches
- Administrative (human resources) staff
- Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- Investigative staff responsible for conducting administrative investigations
- Investigative staff responsible for conducting criminal investigations
- Staff who perform screening for risk of victimization and abusiveness
- Staff who supervise inmates in segregated housing/residents in isolation
- Staff on the sexual abuse incident review team
- Designated staff member charged with monitoring retaliation
- First responders, both security and non-security staff
- Intake staff

	<input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of VOLUNTEERS who were interviewed:	1
b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	1
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input checked="" type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

Yes

No

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

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?

Yes

No

86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?

Yes

No

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

Yes

No

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

Yes

No

<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>
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Documentation Sampling

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

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
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<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:

2

<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>2</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>1</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	1
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	No text provided.
SUPPORT STAFF INFORMATION	
DOJ-certified PREA Auditors Support Staff	
115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	<input type="radio"/> Yes <input checked="" type="radio"/> No

Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

The audited facility or its parent agency

My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)

A third-party auditing entity (e.g., accreditation body, consulting firm)

Other

Standards
<p>Auditor Overall Determination Definitions</p> <ul style="list-style-type: none"> • 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)
<p>Auditor Discussion Instructions</p> <p>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.</p>

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC PREA Prevention Planning Policy DAC-PREA-100, dated 10.11.2023 3. NCDAC Prisons Policy & Procedures, Section F. 3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 4. NC Department of Adult Correction Organization Chart, dated 1.23.2023 5. NCDAC Memorandum, RE: Designation of PREA Compliance Manager(s), dated 6.29.2023 <p>Interviews:</p>

1. Random Offenders
2. Targeted Offenders
3. Correctional Officers
4. Administrative Personnel
5. Facility Compliance Specialist
6. Correctional Captain / PREA Compliance Manager
7. PREA Coordinator
8. Correctional Warden IV
9. Head of Agency

Through interviews with offenders and staff and review of offender and personnel files, review of facility and agency protocols and a facility tour, it is evident that this facility interweaves requirements of PREA in their daily protocols. Both offenders and staff could speak to facility PREA practices and protocols being used as is described in the agency's Offender Sexual Abuse and Sexual Harassment Policy.

Site Review Observation:

During the tour, multiple informal interviews were conducted with offenders and personnel. Offenders stated they were aware of PREA and how to report through information posted in their dorms. Informal interviews with staff demonstrated each was aware they would immediately report allegations to their supervisor or up the chain of command and keep victims separated from offenders until a supervisory staff could respond.

During the tour of the facility, the Auditor witnessed standardized PREA bulletin boards with orange Audit Notices, Crisis Intervention Memorandums, No Means No, Esther House - Advocate, and Reporting - Report Sexual Abuse and Harassment flyers and brochures in both English and Spanish.

The facility has three units, of which two are open and one closed while air conditioning is being installed. Of the two open units, each have two-tiered dorms A - G. Each dorm is a replica of the each. Each dorm has an open dayroom area, two payphones with advocate and PREA hotline contact information, bathrooms with two toilets, each behind a $\frac{3}{4}$ wall rising to waist level on most offenders and two shower head behind a full wall covering $\frac{3}{4}$ of the shower area with an opening at the entrance. Review of showers and toileting areas in the intake hallway were observed

to provide view of offender toileting. During the onsite review metal barriers were placed in over screens to ensure privacy.

Facility cameras were reviewed in the Correctional Warden IV's office. Areas reviewed consisted of unit bathrooms demonstrating ½ wall cover toilets if the offender is of under a normal height, and offenders cannot be viewed unless they store their towels and dry clothing at the entrance of the shower. The facility does not have wet cells with cameras in them of any sort. All cameras appeared to be operable, and the Correctional Warden IV stated an electronic work order system is utilized for repairs and staff supervision would be used until the camera could be repaired.

Preface: North Carolina Department of Adult Corrections (NCDAC) is a new department, effective 1.1.2023. It was formerly part of North Carolina Department of Public Safety (NCDPS). The agency is in the process of updating policies to reflect the new department titles. Policies updated to reflect NCDAC, are essentially the same as previously established NCDPS policies, so may reflect an earlier effective date. Some documents included in the audit retain the NCDPS titles.

(a) The Albemarle Correctional Institution PAQ states the agency Safe Prisons/ PREA Plan mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract.

NCDAC PREA Prevention Planning Policy DAC-PREA-100, page 1, section Purpose, states, "The purpose of this policy is to provide guidelines to North Carolina Department of Public Safety (DPS) employees, volunteers, contractors, and custodial agents for the prevention of sexual abuse and sexual harassment of offenders, residents, and safekeepers under the supervision of DPS. B. It is important for all DPS employees, volunteers, contractors, and custodial agents to be aware of Prison Rape Elimination Act (PREA) requirements because there is the potential for any DPS employee, volunteer, contractor, or custodial agent to come into contact with an offender, resident, or safekeeper."

(b) The Albemarle Correctional Institution PAQ states the agency employs or designates an upper-level, agency-wide PREA Coordinator. The position of the PREA Coordinator in the agency's organizational structure is the PREA Director.

The facility provided a NC Department of Adult Correction Organization Chart. Page 2 of the organization chart demonstrates the PREA Director is in the agency

	<p>organizational chart and reports directly to the Professional Standards Deputy Secretary.</p> <p>(c) The Albemarle Correctional Institution PAQ states the facility has designated a PREA Compliance manager. The PREA Compliance Manager has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.</p> <p>The facility provided a NCDAC Memorandum, RE: Designation of PREA Compliance Manager(s) by the Facility Administrator, stating, "As required by PREA Standards § 115.11 (c), I have designated the below listed staff as the primary and alternate PREA Compliance Manager for this facility, Designees have sufficient time and authority to coordinate this facility's efforts to comply with the PREA standards." The Facility Compliance Specialist is the secondary PREA Compliance Manager, and the Correctional Captain II is the primary designated PREA Compliance Manager.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. Memorandum of Agreement, Center for Community Transitions, dated 3.2.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Director / Head of Agency <p>During the pre-audit phase, the PREA Director conveyed the agency did have one privatized contract. Such contracts do contain language mandating each private provider comply with PREA standards. In addition, unionized staff are mandated to comply with PREA standards and disciplinary action would swiftly take place should noncompliance exist.</p>

	<p>(a-b) The Albemarle Correctional Institution PAQ states the agency does contract with one private agency for confinement services of their inmates.</p> <p>The facility provided a Memorandum of Agreement between the State of North Carolina and the Center for Community Transitions. Page 10, section PREA, contains language demonstrating the facility is required to comply with the Prison Rape Elimination Standards.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC PREA Prevention Planning, Policy DAC-PREA-100, dated 10.11.2021 3. NCDAC Staffing Plan Analysis - Albemarle Correctional Institution, dated 8.17.2023 4. NCDAC Staffing Plan Analysis - Albemarle Correctional Institution, dated 2022 5. Albemarle Correctional Institution Emergency Plans Review, dated 7.27.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Officers 2. Correctional Captain / Rounds 3. Correctional Warden IV <p>Interviews with Correctional Officers demonstrate Sergeants, Lieutenants and Captains complete unannounced rounds throughout their shifts and those unannounced rounds are documented on Unit Shift Narratives in red ink.</p> <p>The interview with the Correctional Captain demonstrated he conducts unannounced</p>

rounds every day, throughout the entire facility, by changing the way he walks through the facility at different time. The Correctional Captain stated he documents unannounced rounds in the Unit Shift Narratives, at each post he visits, in red ink. The Correctional Captain stated Captains, Lieutenants and Sergeants are required to complete documented unannounced rounds each day, on each shift.

The interview with the Correctional Warden III demonstrated he reviews the Staffing Plan Analysis annually in collaboration with the PREA Office. The Correctional Warden III was aware the plan would be updated throughout the year should the facility complete any major modifications or when changes to post assignments took place.

Site review observation:

During the tour unannounced rounds were reviewed in the Operations Department. Unannounced rounds were observed to have been documented electronically on the facility shift narratives demonstrating those rounds are documented six to eight times per a 24-hour period.

(a) The Albemarle Correctional Institution PAQ states the agency requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of inmates is 574. The average daily number of inmates on which the staffing plan was predicated is 574.

The facility provided a NCDAC Staffing Plan Analysis - Albemarle Correctional Institution. The analysis demonstrates the following plan and review areas:

- NCDAC PREA Report: Staffing Analysis
- General Facility Information
 - o Mission
 - o Offender Population and Special Vulnerabilities
 - o Facility Program and Services
 - o Staffing
 - o Operational Areas
 - § Physical Structure Considerations

§ Housing

§ Programs

§ Medical/Mental Health

§ Upcoming Projects

§ Judicial Findings of Inadequacy

o History of Potentially Violent Infractions

· PREA

o Prevalence of Substantiated and Unsubstantiated Incidents of Sexual Abuse and Harassment

o Previous Audit Findings

o Recommendations and Considerations

· Conclusion

(b) The Albemarle Correctional Institution PAQ states each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility did not have deviations from the Staffing Analysis.

(c) The Albemarle Correctional Institution PAQ states at least once every year the facility/agency, in collaboration with the PREA coordinator, reviews the staffing plan to whether adjustments are needed in (a) the staffing, (b) the deployment of monitoring technology, or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance with the staffing plan. The facility completes a staffing plan annually to ensure continued compliance.

(d) The Albemarle Correctional Institution PAQ states the facility requires that intermediate level or higher-level staff conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

NCDAC PREA Prevention Planning, Policy DAC-PREA-100, page 9, section 5. ii, states, "Prohibit employees from alerting one another that supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility."

	<p>The facility provided Albemarle Correctional Institution Emergency Plans Review. In this plan are the Shift Narratives that demonstrate Captains complete unannounced rounds, of different areas of the facility, throughout both shifts.</p> <p>Through such reviews of the facility completing several documented unannounced rounds per day, the facility exceeds the standard requirements.</p>
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115.14	Youthful inmates
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	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Captain / PREA Compliance Manager 2. Correctional Warden IV <p>Interviews with the PREA Compliance Manager and the Correctional Warden IV demonstrated youthful inmates were not housed at this facility.</p> <p>Site Observation:</p> <p>The facility tour, formal and informal interviews with offenders and staff demonstrated youthful inmates were not housed at the facility.</p> <p>(a) The Albemarle Correctional Institution PAQ states the facility prohibits placing youthful inmates in a housing unit in which a 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. The facility does not house youthful offenders.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.15	Limits to cross-gender viewing and searches
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 266 544 300">Auditor Discussion</p> <p data-bbox="256 344 523 378">Document Review:</p> <ol data-bbox="256 412 1437 1162" style="list-style-type: none"> <li data-bbox="256 412 863 445">1. Albemarle Correctional Institution PAQ <li data-bbox="256 479 1342 557">2. NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, dated 10.11.2021 <li data-bbox="256 591 1241 624">3. NCDAC Operational Searches, Chapter E. .1900, dated 4.22.2023 <li data-bbox="256 658 1417 736">4. NCDPS Safe Search Practices Office of Staff Development and Training, dated 7.1.2014 <li data-bbox="256 770 1430 848">5. Training Progress Summary Pie Chart - SOP In-Service - Safe Search Practices, dated 7.28.2023 <li data-bbox="256 882 1390 960">6. Post Audit: NCDAC Memorandum, RE: Cross-Gender Announcements, dated 8.28.2023 <li data-bbox="256 994 1437 1072">7. Post Audit: Cross-Gender Announcement Policy Acknowledgement Form, dated 8.25.2023 <li data-bbox="256 1106 1278 1162">8. Post Audit: Cross-Gender Announcement Policy Checklist, not dated <p data-bbox="256 1263 416 1296">Interviews:</p> <ol data-bbox="256 1330 1023 1733" style="list-style-type: none"> <li data-bbox="256 1330 587 1364">1. Random Offenders <li data-bbox="256 1397 592 1431">2. Targeted Offenders <li data-bbox="256 1464 612 1498">3. Correctional Officers <li data-bbox="256 1532 740 1565">4. Facility Compliance Specialist <li data-bbox="256 1599 1018 1632">5. Correctional Captain / PREA Compliance Manager <li data-bbox="256 1666 571 1700">6. PREA Coordinator <p data-bbox="256 1756 1461 2058">Interviews with offenders demonstrated cross gender announcements were made at the beginning of each shift over the intercom and many were frustrated with the search procedures, although the search procedures are followed to the letter of the standing operating procedure. Due to offender's lack of education of the search procedures the Auditor did request such procedures be placed on offender tablets in an effort to educate them. Offenders were also verbal in regard to not having urinals and the 'short' walls in-between toilets and the shower not providing a curtain at the</p>

entrance due to this area being where they store their dry clothes while showering. Offenders also thought female staff could view them from the Control Room.

Interviews with female Correctional Officers demonstrated each had been trained in cross gender and as well as transgender strip search protocols through video instruction. Interviews with male and female Correctional Officers demonstrated cross gender announcements were made by the Control Room at the beginning of their shift.

The interview with the PREA Compliance Manager and the Facility Compliance Specialist demonstrated offenders are searched in a back room where Special Management Unit offender personal property is stored. One Correctional Officer to one offender, one each on each side of the room in order to have two staff in the room at one time.

Interviews with facility administration and the PREA Coordinator demonstrated transgender search protocols would be approved during the Transgender Accommodation Review Committee, before the offender arrived at the facility when facility personnel would be made aware of the accommodation.

Site Review Observation:

During the tour the intake search area was observed to be in a back room with offender personal items stored. The room is divided by an island providing space on each side for searches. One staff to one offender are on each side during searches and all other offenders are kept in a holding cell adjacent to the search area. The search area is out of line of sight of cameras and other personnel. To ensure privacy the facility has large signs, placed on to ends of the hallway which read, "Strip Searches in Progress. No Females Behind This Point".

The tour demonstrated toileting areas had a half wall in-between toilets and a tiled wall was $\frac{3}{4}$ the length of the shower area, providing privacy during offender showers. Due to multiple complaints regarding the height of the toilet walls the Auditor had the tallest offender in the unit stand in the stall while viewing him from the Control Room. Due to the height of the offender a possibility remained that his genitals could be viewed from the Control Room and the camera and it was decided that a sign would be placed on the wall stating, "If you are taller than 6'2", have a seat".

Recommendations:

- Educate offenders on Search Procedures. Facility response: An informational memo based on search policies and procedures is being created for distribution through the offender tablet system.
- Talk through and train staff on transgender search protocols for this facility. Facility response: OICs have been instructed to address in staff line-up the transgender portion of Security Manual policy SM .3303 Facility Search Procedures and corresponding portions of F .4300 Evaluation and Management of Transgender Offenders.
- Provide area for offenders to hang towels and clothes to ensure they are not walking out of shower, in line of sight of female staff, when they are retrieving dry clothes. Facility response: Maintenance staff have measured and are ordering short grab bars to mount on the partition wall in the showers for offenders to hang their towels and clothes.

Action Plan:

- Complete training with female staff to ensure each are completing cross-gender announcements when entering an offender housing unit.
- Warden to provide a memorandum with a sustainable action plan of which facility position will monitor cross-gender announcements to ensure ongoing compliance with this provision.
- Upload all documentation to the supplemental files.

Post audit the facility provided a NCDAC Memorandum, RE: Cross-Gender Announcements, from the facility Warden IV, to the Albemarle Correctional Institution Staff, stating, "In addition to our cross-gender announcements made via the intercom system, female staff are required to make cross-gender announcements when they enter a unit dorm or a side of the Special Management Unit. This announcement will be documented on the activity log. All current female staff at Albemarle Correctional Institution must sign form E .3200(a) Cross-Gender Announcement Policy Acknowledgement. This form will be forwarded to the facility PREA Compliance Manager's office for filing by September 5, 2023.

The facility Correctional Training Specialist will ensure new female staff complete this form during the PREA section of New Employee Orientation and will forward the completed forms to the facility PREA Compliance Manager.

The Associate Warden for Custody/Operations or their designee will be responsible for ensuring cross-gender announcements are completed as required by our policy. They

will ensure compliance with this directive by observing staff rounds and reviewing the activity logs from the housing units and Special Management Unit for the required documentation.”

Post audit the facility provided a Cross-Gender Announcement Policy Acknowledgement Form. The form states the announcement direction as provided in the Warden IV memorandum and requests the following from each employee.

- Work Assignment
- Title
- Printed name
- Signature
- Date

Post audit the facility provided a Cross-Gender Announcement Policy Checklist. The checklist demonstrates personnel having access to offenders have completed training on and the Cross-Gender Announcement Policy Acknowledgement Form.

(a) Albemarle Correctional Institution PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Inmates. In the past 12 months zero cross-gender strip or cross-gender visual body cavity searches of offenders.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. a., states, “Each ACJJ facility shall limit cross-gender viewing and searches by: a) Not conducting cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.”

(b) Albemarle Correctional Institution PAQ states this standard is not applicable as females are not housed at the Albemarle Correctional Institution.

(c) Albemarle Correctional Institution PAQ states the facility policy requires that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. c., states, "Documenting all cross-gender strip searches and cross-gender visual body cavity searches and documenting all cross-gender pat-down searches of female offenders, residents, and safekeepers."

(d) Albemarle Correctional Institution PAQ states the facility has implemented policies and procedures that enable Inmates 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 (this includes viewing via video camera). Policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 9, section B. d., states, "Implementing policies and procedures that enable offenders, residents, and safekeepers to shower, perform bodily functions, and change clothing without nonmedical employees of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require employees of the opposite gender to announce their presence when entering an offender, resident, and safekeeper housing unit."

(e) The Albemarle Correctional Institution PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex Inmate for the sole purpose of determining the Inmate's genital status. Such searches did not occur in the past 12 months.

NCDAC Operational Searches, Chapter E. .1900, page 2, section (h), states, "Searches of offenders shall not be conducted for the purpose of determining the person's genital status as it relates to transgender or intergender. "

(f) The Albemarle Correctional Institution PAQ states 100% of security staff at each facility receive training on conducting cross-gender pat-down searches and searches of transgender and intersex Inmates in a professional and respectful manner.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 10,

section B. f., states, "Training applicable employees in how to conduct cross-gender pat-down searches, and searches of transgender and intersex offenders, residents, or safekeepers, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs."

The facility provided NCDPS Safe Search Practices. Training objectives include the following.

1. Define safe search practices as it relates to prison operations.
2. Identify six (6) types of operational searches conducted by officers to control contraband.
3. Identify the attitude an officer should have when inspecting for contraband.
4. Identify the three (3) types of individual searches.
5. Identify the five (5) rules to follow when conducting a body search.
6. State the three (3) areas on a person that are common places to hide contraband.
7. Identify things to avoid while conducting a routine body search.
8. After instructor demonstration, trainees will conduct a routine body search.
9. Describe the proper techniques for conducting a complete body search.
10. State who is authorized to conduct body cavity searches.
11. Describe the proper techniques for conducting a building and living quarter's search.
12. Describe the techniques used in the care of inmate property.
13. State the final action to be taken after the completion of a search.
14. List proper control of evidence.
15. State how correctional staff can control the flow of contraband inside the facility.

The facility provided a Training Progress Summary Pie Chart – SOP In-Service – Safe Search Practices with a training date range of 7.1.2019 through 7.1.2021. This document demonstrates 100%, 387 security staff have completed Safe Search Practices training within the date range specified.

Through such reviews, the facility meets the standard requirements.

115.16	<p data-bbox="252 107 1374 197">Inmates with disabilities and inmates who are limited English proficient</p> <p data-bbox="252 232 959 266">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 309 544 342">Auditor Discussion</p> <p data-bbox="252 383 523 416">Document Review:</p> <ol data-bbox="252 456 1445 864" style="list-style-type: none"> <li data-bbox="252 456 871 490">1. Albemarle Correctional Institution PAQ <li data-bbox="252 530 1445 607">2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <li data-bbox="252 647 1350 723">3. NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, dated 10.11.2021 <li data-bbox="252 763 1235 797">4. Language Resource Center Contact Instruction Sheet, not dated <li data-bbox="252 837 1098 871">5. Ways to Report Flyer, Spanish version, dated 1.1.2023 <p data-bbox="252 972 416 1005">Interviews:</p> <ol data-bbox="252 1046 603 1151" style="list-style-type: none"> <li data-bbox="252 1046 603 1079">1. Targeted Offenders <li data-bbox="252 1117 539 1151">2. Unit Manager I <p data-bbox="252 1191 1481 1431">Interviews with targeted offenders to include three cognitive, five LEP, one physically handicapped, one hard of hearing offenders demonstrated each had been educated on PREA through staff reading orientation packet information to them and providing the education to each in English and Spanish. One LEP was very proud of the fact that he had been at the facility for four months and was enrolled in ESL and he was able to complete the interview with the Auditor without the use of an interpreter.</p> <p data-bbox="252 1541 1465 1742">The interview with the Unit Manager I demonstrated Case Managers come in as soon as the offenders arrive the facility and educate each with the orientation packet information is read to them in a group setting, in English and Spanish, which is the same time each signs their PREA education acknowledgments. The Unit Manager I stated orientation education occurs every Tuesday and Thursday.</p> <p data-bbox="252 1852 612 1886">Site Review Observation:</p> <p data-bbox="252 1926 1453 2085">Standardized PREA information was observed to be posted in offender living units to include Watch Your Step, Cross Gender Announcements, End the Silence and Reporting – Help Prevent Prison Sexual Violence flyers and brochures in both English and Spanish.</p>
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(a) The Albemarle Correctional Institution PAQ states the agency has established procedures to provide disabled Inmates equal opportunities to be provided with and learn about the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment.

NCDAC PREA Prevention Planning, Policy Number: DAC-PREA-100, page 10, section 9. a-e, states, "Each ACJJ facility shall take appropriate steps to ensure that offenders, residents, and safekeepers with disabilities (including, for example, offenders, residents, and safekeepers who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) and offenders, residents, and safekeepers who are Limited English Proficient, have an equal opportunity to participate in or benefit from all aspects of DPS's efforts to prevent, detect, and respond to sexual abuse and sexual harassment by:

- a. Ensuring effective communication with offenders, residents, and safekeepers who are deaf or hard of hearing, by providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary;
- b. Ensuring that written materials are provided in formats or through methods that ensure effective communication with offenders, residents, and safekeepers with disabilities;
- c. Providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary; and
- d. Not relying on offender, resident or safekeeper interpreters, readers, or other types of assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender, resident, or safekeeper's safety, the performance of first-response duties under PREA standards §115.64, 115.264, and 115.364 or the investigation of the offender, resident, or safekeeper's allegations.
- e. ACJJ facilities are not required to take actions they can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under Title II of the Americans with Disabilities Act, 28 CFR 35.164."

The facility provided a Language Resource Center Contact Instruction Sheet. The instruction sheet demonstrates the facility has an active contract with a language service and provides contact instructions for medical staff, Dental staff, Mental Health staff, Programs Staff and ADA and Custody staff.

(b) The Albemarle Correctional Institution PAQ states the agency has established procedures to provide Inmates with limited English 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.

The facility provided a Prison Rape Elimination Act) PREA) Ways to Report flyer, in Spanish. The flyer contains the following information.

- Policy
- Employee Responsibilities
- Staff Reporting
- Inmate Reporting
- Family and Friends: Ways to Report
 - o As a family member or friend, you can report allegations of sexual abuse or harassment to NCDAC. Reports can be made by:
 - § Email: PREA@dac.nc.gov
 - § By phone to the Fraud, Waste, Abuse or Misconduct Hotline at 844.208.4018
 - § Anonymously by phone, mail, or email.

(c) The Albemarle Correctional Institution PAQ states the agency prohibits the use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations. In the last 12 months the facility has had zero instances where inmates were used for interpreters. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, dated 10.11.2021
3. Employee Statement, PREA Hiring and Promotion Prohibitions, dated 12.2020
4. NC DPS Criminal History Check Form, dated 9.2013
5. NCDPS Applicant Verification Form, dated 12.2020
6. Post Audit: NCDAC Memorandum, RE: Five-Year Background Checks, dated 8.24.2023
7. Post Audit: Background Spreadsheet, not dated

Interviews:

1. Administration Officer

The interview with the Administrative Officer demonstrated all applicants, contractors and volunteers' complete criminal history background checks upon hiring, promotion and or contracts for services. Administrative adjudication questions are completed during hiring, interview and promotional processes. Institutional reference checks are completed for each applicable applicant and when a written request is received, institutional reference check information is provided if the applicant in question has provided the agency with a written consent.

Site Review Observation:

By utilizing the PREA Audit Adult Prison & Jail Documentation Review Employee File/ Records template demonstrated 21 of 24 employee files reviewed had background checks upon hire and every five years, thereafter. The facility was able to demonstrate administrative adjudication questions were asked during the hiring and promotion processes and institutional references are requested or attempted to be requested for applicable applicants. File review demonstrated three employees and security contractors did not have a current criminal background check on file.

Action Plan:

- Provide spreadsheet tracking employee/contractor criminal history result dates
- Run background checks for all employees/contractors who are expired
- Warden to provide a memorandum with a sustainable action plan of which facility

position will monitor background checks to ensure ongoing compliance with this provision.

- Upload all documentation to the supplemental files.

Post audit the facility provided a NCDAC memorandum, RE: Five-Year Background Check, from the facility Warden IV, to Albemarle Correctional Institution Administration Department, stating “In order to monitor our required five-year background checks more accurately, the facility HR Tech I will maintain the attached spreadsheet. Staff information to include name and background completion date will be entered by the HR Tech I. The spreadsheet will automatically generate a due date for the next background check. The Administrative Officer III or their designee will be responsible for ensuring the background checks are completed by the due date as indicated on the spreadsheet. The Administrative Officer III will also be responsible for conducting periodic checks on the process to ensure compliance with this directive.”

Post audit the facility provided a Background Check spreadsheet. The spreadsheet documents the following information.

- Employee Name
- Background check completion date
- Next background check due date

The spreadsheet demonstrates all facility personnel have a current background check on file and includes color coded cells demonstrating background checks in October are forthcoming.

(a) The Albemarle Correctional Institution PAQ states the agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who: (1) 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); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 2., states,

1. "DPS shall not hire or promote anyone who may have contact with offenders, residents, or safekeepers, and shall not enlist the services of any contractor who may have contact with offenders, residents, or safekeepers, who:

i. 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);

ii. 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;

iii. Has a substantiated finding of abuse, neglect, or other rights infringement on any applicable NC registry, criminal justice standards commission, or other licensing authorities or bodies; or iv. Has been civilly or administratively adjudicated to have engaged in the activities described in this section.

2. In the event an employee is alleged to have engaged in any of the activities described in Sections IV.C.1.i-iv, they will be reassigned from all offender, resident, and safekeeper contact and management will consult with the DPS PREA Office, DPS Central Human Resources, and the DPS Office of the General Counsel to determine whether an internal investigation is required in accordance with the DPS-SI-100 OSI Authority to Conduct Investigations policy."

The facility provided an NCDPS Employee Statement, demonstrating applicants have affirmed they have not engaged in sexual harassment and sexual abuse, upon hire.

The facility provided an NCDPS Employee Statement, demonstrating staff have affirmed they have not engaged in sexual harassment and sexual abuse, upon promotion.

The facility provided NCDPS Applicant Verification where applicant affirm agreement with PREA hiring and Promotion Prohibitions in relation to 115.17.

The facility provided a NCDPS Criminal History Record Check demonstrating the applicant has no convictions, traffic violations other than those that are considered minor.

(b) The Albemarle Correctional Institution PAQ states agency policy requires the consideration of any incidents of sexual harassment when determining to hire and or promote anyone, or to enlist services of any contractor, who may have contact with inmates.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 3., states, "DPS shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or custodial agents, who may have contact with offenders, residents, or safekeepers."

(c) The Albemarle Correctional Institution PAQ states agency policy requires that before it hires any new employees who may have contact with inmates, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes 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. In the past 12 months, the number of persons hired who may have contact with inmates who have had criminal background record checks was 13.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 4., states, "Before hiring new employees who may have contact with offenders, residents, or safekeepers DPS shall:

- a. Perform a criminal and administrative background records check, to include any applicable North Carolina registry, criminal justice standards commission, or other licensing authorities or bodies; and
- b. Consistent with Federal, State, and local law, make its best effort 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."

(d) The Albemarle Correctional Institution PAQ states the agency policy requires that a criminal background records check be completed before enlisting the services of any contractor who may have contact with inmates. In the past 12 months there were 13 contracts for services where criminal background record checks were conducted on all contractors covered in the contract who might have contact with inmates. Policy compliance can be found in provision (c) of this standard.

(e) The Albemarle Correctional Institution PAQ states the agency requires background checks to be completed every five years.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, section C. 6., states, "For current employees and contractors who may have contact with person in

confinement residents, or safekeepers, DAC shall conduct criminal background records checks at least once every five years.”

(f) NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, page 6, section C. 7, states, “For all applicants and employees who may have contact with offenders, residents, or safekeepers, DPS shall ask about previous misconduct described in this section in written applications, in interviews for hiring or promotions, and in any interviews or written self- evaluations conducted as part of reviews of current employees.”

(g) The Albemarle Correctional Institution PAQ states that agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, page 6, section C. 8, states, “All employees shall have a continuing affirmative duty to disclose sexual misconduct. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.”

(h) NCDAC Prisons Policy & Procedures, Policy DAC-PREA-100, page 5, page 6, section C. 9, states, “Unless prohibited by law, upon receiving a request from an institutional employer for whom an employee or former employee has applied to work, DAC shall provide information on substantiated allegations of sexual abuse or sexual harassment involving the employee or former employee.”

The facility provided a NCDPS Professional Reference Check. Page 2 states and asks the past employer the following: “The NC Department of Public Safety (NCDPS) is required to conduct background checks on all applicants and employees who may have direct contact with offender or resident (juvenile) populations as a requirement by the standards of the Prison Rape Elimination Act (PREA) of 2003 (Public Law 108-79), specifically Hiring and Promotion Prohibitions Standards (§115.17). As part of this background check, we would like to ask you the following question: Are you aware of your employee, being involved in any allegation of sexual abuse or sexual harassment that was found to be true or resigning during a pending investigation of any allegation of sexual abuse or sexual harassment before the investigation was finished.”

Through such reviews, the facility meets the standard requirements.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Warden IV <p>Interviews with facility Correctional Warden III demonstrated the facility has not acquired a new facility or made substantial expansions since the last PREA Audit.</p> <p>(a) The Albemarle Correctional Institution PAQ states the facility has acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit. The PAQ states, "Have A/C project ongoing. Special Management Unit cells made ADA compliant."</p> <p>(b) The Albemarle Correctional Institution PAQ states the facility has installed electronic surveillance system since the last PREA audit.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy: PREA Investigations, DAC-PREA-300, dated 1.1.2023 3. NCDAC Offender Sexual Abuse and Sexual Harassment, Chapter E., Section .0900, dated 4.22.2023

4. NCDPS Clinical Practice Guidelines CP-18, dated 2.2014,
5. Email Agreement, Atrium Health, Forensic Nursing, dated 8.4.2023
6. Memorandum of Understanding, Esther House of Stanly County Inc., dated 6.16.2023
7. Memorandum of Understanding, Badin Police Department, not dated

Interviews:

1. Registered Nurse, Lead Nurse

The interview with the Nurse supervisor demonstrated she is aware of signs and symptoms of sexual abuse and would immediately report allegations to the Officer in Charge and make arrangements to send inmates to the Stanley Hospital for forensic exams.

(a) The Albemarle Correctional Institution PAQ states the facility is responsible for conducting administrative sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). If another agency has responsibility for conducting either administrative or criminal sexual abuse investigations, the name of the agency that has responsibility is the Badin Police Department.

NCDAC Offender Sexual Abuse and Sexual Harassment, Chapter E., Section .0900, page 29, section (xviii), states, "If Albemarle Correctional Institution is not responsible for the investigation the agency or facility responsible for the investigation must follow all protocols and procedures set forth in this facility SOP and State guidelines."

(b) The Albemarle Correctional Institution PAQ states the protocol is not developmentally appropriate for youth.

(c) The Albemarle Correctional Institution PAQ states the facility offers all inmates who experience sexual abuse access to forensic medical examinations. Forensic examinations are offered at no cost to the victim. Where possible, all examinations are conducted by SAFE or SANE examiners. The number of forensic exams conducted during the past 12 months is zero.

NCDPS Clinical Practice Guidelines CP-18, page 5, section VI., states, "All care for sexual abuse will be provided at no cost."

The facility provided an email communication from the Nurse Manager, Forensic Nursing, Atrium Health Cabarrus, Kannapolis, Harrisburg and Stanly, stating, "Our team provides care for patients at Atrium Health Stanly who have sexually assaulted. Generally, these patients are brought into the emergency department for medical care. The emergency department notifies the SANE on call. The SANE would discuss treatment/exam options with the patient. This process would not be any different for people housed in a correctional facility. I believe the MOU would have to be signed by a member of senior leadership for Atrium Health Stanly. I am trying to confirm that and will get back to you as soon as possible."

(d) The Albemarle Correctional Institution PAQ states the facility attempts to make a victim advocate from a rape crisis center available to the victim, in person or by other means. All efforts are documented. If a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff or community member.

The facility provided a Memorandum of Understanding, between Albemarle Correctional Institution and Esther House of Stanly County Inc. The memorandum appears to be current and establishes guidelines for the provision of victim advocate services to offenders in the custody of Albemarle Correctional Institution who have been sexually abused or harassed. The memorandum is signed by the facility Warden and the Executive Director of the Esther House of Stanly County Inc. on 6.16.2023.

The facility provided a NCDAC Memorandum, RE: Designation of PREA Support Person(s), demonstrating 10 facility personnel have been designated as PREA Support Personnel, none of which include the PREA Compliance Manager.

(e) The Albemarle Correctional Institution PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.

(f, g, h) The Albemarle Correctional Institution PAQ states the agency is not responsible for investigating administrative or criminal allegations of sexual abuse and relies on another agency to conduct these investigations, the agency has

	<p>requested that the responsible agency follow the requirements of paragraphs §115.21 (a) through (e) of the standards.</p> <p>The facility provided a Memorandum of Understanding with the Badin Police Department. The memorandum is signed by the Chief of Police.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy: PREA Investigations, DAC-PREA-300, dated 1.1.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Officers 2. Registered Nurse, Lead Nurse 3. Human Service Program Manager II - Psychologist 4. Correctional Captain / Investigator <p>Staff interviews demonstrated each would immediately report all allegations to their immediate supervisor, or the Officer in Charge.</p> <p>The Investigator stated all allegations of sexual harassment or sexual abuse are investigated regardless of the source of the allegation.</p> <p>Site Review Observation:</p> <p>The facility has received one sexual harassment and two sexual abuse allegations in the past 12 months. Of those three investigations, each were reviewed during the onsite review, none required law enforcement contact and investigations began</p>

within one day of being reported.

(a) The Albemarle Correctional Institution PAQ states the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse and staff sexual misconduct). In the past 12 months the facility has had 63 allegations of sexual abuse and sexual harassment that were received. In the past 12 months, the number of allegations resulting in an administrative investigation was one. In the past 12 months, the number of allegations referred for criminal investigation was one.

NCDAC Policy: PREA Investigations, DAC-PREA-300, page 6, section B., states, "All facilities that house persons in confinement, residents, or safekeepers shall implement a written institutional plan, consistent with the DAC coordinated plan, to coordinate actions taken by employee first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse."

(b-c) The Albemarle Correctional Institution PAQ states the agency has policy that requires allegations of sexual abuse or harassment to be referred for investigation to an agency with the legal authority to conduct criminal investigations.

NCDAC Policy: PREA Investigations, DAC-PREA-300, page 6, section L., states, "Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

(d) The Albemarle Correctional Institution PAQ states if the agency is responsible for conducting administrative or criminal investigations of alleged sexual abuse, and another state entity has that responsibility, this other entity has a policy governing how such investigations are conducted is not applicable.

The agency policy is available on the agency website at: https://files.nc.gov/ncdps/documents/files/Divisions/DAC/Prisons/F.340_0_-_Offender_Sexual_Abuse_and_Sexual_Harrasment.pdf

Through such reviews, the facility meets the standard requirements.

115.31 Employee training

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Policy: PREA Prevention Planning, DAC-PREA-100, dated 1.1.2023
3. NCDPS DAC Office of Staff Development and Training PREA: Sexual Abuse and Sexual Harassment 101, dated 7.1.2022
4. PREA Staff Training Acknowledgment of Understanding, dated 1.1.2023

Interviews:

1. Correctional Officers

Interviews with Correctional Officers demonstrated each were aware of and received initial, annual and refresher PREA training. Correctional Officers stated training is delivered to them once a year through in person in-service training, the learning management system and is line up where the James B. French Memorandum, an introduction to PREA protocols from 2007, is read to them every month.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Employee File / Records Review template demonstrated 27 of 27 employee training files demonstrate annual and refresher training has been completed within the last two years.

(a) The Albemarle Correctional Institution PAQ states the agency trains all employees who may have contact with Inmates in all required provisions of this standard.

NCDAC Policy: PREA Prevention Planning, DAC-PREA-100, page 6, section D. Training, 2., states, "In addition, all employees with direct contact with person in confinement, residents, or safekeepers shall complete the following PREA trainings before any contact with those populations: a) SAH 101; and b) SAH 201 Refresher."

The facility provided a NCDPS DAC Office of Staff Development and Training PREA: Sexual Abuse and Sexual Harassment 101. The plan includes the following training objectives:

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the agency's zero-tolerance policy of sexual abuse and sexual harassment for offenders/persons under supervisions.
2. Define sexual abuse and sexual harassment.
3. Define offenders'/persons under supervisions' right to be free from sexual abuse and sexual harassment; and from retaliation for reporting.
4. Identify relevant laws.
5. Define employee responsibilities when responding to sexual abuse and sexual harassment.
6. Define the unique attributes of working with females in confinement/under supervision.
7. Define the unique attributes of working with males in confinement/under supervision.
8. Define the vulnerabilities of persons in confinement/under supervision.
9. Identify the dynamics of sexual abuse and sexual harassment in confinement/under supervision.
10. Identify how to detect signs of threatened and actual sexual abuse in confinement/under supervision.
11. Identify the common reactions to sexual abuse and sexual harassment.
12. Identify methods of avoiding inappropriate relationships with offenders/persons under supervisions. DPS In-Service Training PREA: Sexual Abuse and Sexual Harassment 101 Course Code: DPS-556 Revision Date: 07/01/2022 Academic Checklist Page 2
13. Identify techniques for communicating effectively and professionally with offenders/persons under supervisions including lesbian, gay, bisexual, transgender, intersex (LGBTI) and gender nonconforming populations.

(b) The Albemarle Correctional Institution PAQ states training is tailored to the unique needs and attributes and gender of Inmates at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training. Training compliance can be found in provision (a) of this standard.

(c) The Albemarle Correctional Institution PAQ states between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. The facility completes refresher trainings, annually.

The facility provided NCDPS DAC Office of Staff Development and Training: PREA Sexual Abuse and Sexual Harassment 201. The plan includes the following training objectives:

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the agency's zero-tolerance policy of sexual abuse and sexual harassment for offenders/persons under supervisions.
2. Define sexual abuse and sexual harassment.
3. Define offenders'/persons under supervisions' right to be free from sexual abuse and sexual harassment; and from retaliation for reporting.
4. Identify relevant laws.
5. Define employee responsibilities when responding to sexual abuse and sexual harassment.
6. Define the unique attributes of working with females in confinement/under supervision.
7. Define the unique attributes of working with males in confinement/under supervision.
8. Define the vulnerabilities of persons in confinement/under supervision.
9. Identify the dynamics of sexual abuse and sexual harassment in confinement/under supervision.
10. Identify how to detect signs of threatened and actual sexual abuse in confinement/under supervision.
11. Identify the common reactions to sexual abuse and sexual harassment.
12. Identify methods of avoiding inappropriate relationships with offenders/persons under supervisions.
13. Identify techniques for communicating effectively and professionally with offenders/persons under supervisions including lesbian, gay, bisexual, transgender, intersex (LGBTI) and gender nonconforming populations.

(d) The Albemarle Correctional Institution PAQ states the agency documents that employees who may have contact with Inmates, understand the training they have

	<p>received through employee signature or electronic verification.</p> <p>The facility provided a PREA Staff Training Acknowledgment of Understanding form. This form documents, "I acknowledge understanding of the Prison Rape Elimination Act of 2003, NC General Statute Chapter 14-27.31, and NCDPS zero-tolerance policy for sexual abuse and sexual harassment. I also acknowledge that I must report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment immediately."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.32	Volunteer and contractor training
	<p>Auditor Overall Determination: Exceeds Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy: PREA Prevention Planning, DAC-PREA-100, dated 1.1.2023 3. NCDPS DAC Office of Staff Development and Training PREA: Sexual Abuse and Sexual Harassment 101, dated 7.1.2022 4. Acknowledgment of Volunteer Training and Orientation Form, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Contract Educator 2. Volunteer - Community Resource Counsel <p>The interview with the contract educator demonstrated she completes annual training on the agency zero tolerance policy and would make reports of sexual harassment or sexual abuse to the Education Coordinator. The interview with the volunteer demonstrated he attends annual in person training with PREA Support Staff. The volunteer stated he would ensure offenders are protected, make sure they are kept separate, wouldn't leave them alone so they could be effected adversely, protect any evidence, report to the Officer in Charge, and help offenders call the hotline, if necessary.</p>

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Employee File / Records Review template demonstrated the volunteer and contractors had completed training on the agency sexual abuse and sexual harassment 101 training within the last 12 months.

(a) The Albemarle Correctional Institution PAQ states all volunteers and contractors who have contact with Inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and harassment prevention, detection, and response. 81 total contract staff and volunteers who have contact with Inmates, have completed the required training.

NCDAC Policy: PREA Prevention Planning, DAC-PREA-100, page 6-7, section D. Training, 3., states, "All contractors and recurring volunteers shall be required to complete the following PREA trainings upon hiring/approval to provide services based on the level of contact they have with the person in confinement, resident, or safekeeper population, and annually thereafter:

a. New hire/volunteer approval requirements:

- i. Hiring and Promotions Prohibitions (Contractor only);
- ii. Form Online OPA T10 Acknowledgement; and
- iii. SAH 101

b. Annual training requirements:

i. Hiring and Promotions Prohibitions (Contractor only);

- i. Form OPA T10 Acknowledgement;
- ii. SAH 101; and
- iii. SAH 201 Refresher"

(b) The Albemarle Correctional Institution PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates. All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

The facility provided a NCDPS Office of Staff Development and Training Plan 101. The plan includes the following components:

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the agency's zero-tolerance policy of sexual abuse and sexual harassment for offenders/persons under supervisions.
2. Define sexual abuse and sexual harassment.
3. Define offenders'/persons under supervisions' right to be free from sexual abuse and sexual harassment; and from retaliation for reporting.
4. Identify relevant laws.
5. Define employee responsibilities when responding to sexual abuse and sexual harassment.
6. Define the unique attributes of working with females in confinement/under supervision.
7. Define the unique attributes of working with males in confinement/under supervision.
8. Define the vulnerabilities of persons in confinement/under supervision.
9. Identify the dynamics of sexual abuse and sexual harassment in confinement/under supervision.
10. Identify how to detect signs of threatened and actual sexual abuse in confinement/under supervision.
11. Identify the common reactions to sexual abuse and sexual harassment.
12. Identify methods of avoiding inappropriate relationships with offenders/persons under supervisions. DPS In-Service Training PREA: Sexual Abuse and Sexual Harassment 101 Course Code: DPS-556 Revision Date: 07/01/2022 Academic Checklist Page 2
13. Identify techniques for communicating effectively and professionally with offenders/persons under supervisions including lesbian, gay, bisexual, transgender, intersex (LGBTI) and gender nonconforming populations.

(c) The Albemarle Correctional Institution PAQ states the agency maintains documentation confirming that the volunteers and contractors understand the training they have received.

	<p>The facility provided an Acknowledgment of Volunteer Training and Orientation Form. The acknowledgment is affirmed by signature that they have completed the following.</p> <p>I have read (or have had it read to me) and understand the following NC Department of Adult Correction, Prisons policies on:</p> <ul style="list-style-type: none"> · PREA (Prison Rape Elimination Act) · Non-Disclosure (Volunteer Privilege Community Form) · Tobacco · Cell Phone <p>Through such reviews of volunteers and contractors completing annual PREA training on the agency zero tolerance policy, the facility exceeds the standard requirements.</p>
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115.33	Inmate education
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDAC Facilitator Talking Points: Sexual Abuse & Sexual Harassment, dated 1.1.2023 4. NCDAC Offender PREA Education Acknowledgement, dated 1.27.2023 5. End the Silence Brochure, dated 3.24.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders 3. Unit Manager I <p>Interviews with 15 random and 15 targeted offenders demonstrated they were educated on PREA during the orientation process, typically within one to three days of</p>

entering the facility. Offenders were aware of their rights, the agency zero tolerance policy and multiple internal and external reporting options.

The interview with the Unit Manager I demonstrated Case Managers come in as soon as the offenders arrive the facility and educate each with the orientation packet information is read to them in a group setting, in English and Spanish, which is the same time each signs their PREA education acknowledgments. The Unit Manager I stated orientation education occurs every Tuesday and Thursday.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template demonstrated 12 of 30 offenders have been admitted into the program in the past 12 months. Of those 12 offenders, 12 had received PREA education within 72 hours of intake to include orientation and comprehensive education.

(a) The Albemarle Correctional Institution PAQ states Inmates receive information at time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The number of inmates admitted in the past 12 months who were given this information at intake was 585.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 10, section (d) Offender Education, 1-2, state,

1. "RECEPTION: All offenders shall receive, during reception, information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse and sexual harassment, prevention/intervention, self-protection, treatment, and counseling (5-ACI-3D
2. INTAKE: All offenders shall receive comprehensive education about sexual abuse and sexual harassment. Such education shall be completed within 30 days of intake and upon transfer to a different facility. (A) Comprehensive education shall include: (i) Offenders' rights to be free from sexual abuse and sexual harassment; (ii) Offenders' rights to be free from retaliation for reporting incidents of sexual abuse and sexual harassment; and (iii) Policies and procedures for responding to incidents of sexual abuse and sexual harassment. (iv) Methods available to offenders for reporting incidents of sexual abuse or sexual harassment internally and to an external agency or entity."

(b) The Albemarle Correctional Institution PAQ states the number of those inmates

admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) who received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake was 451.

The facility provided an Inmate Sexual Abuse & Sexual Harassment Orientation Upon Transfer Talking Points document. Talking points include the following information.

Point #1: Inmates' rights to be free from sexual abuse and sexual harassment

Point #2: The agency's policies and procedures for responding to incidents

Point #3: Ways to Report incidences of sexual abuse and sexual harassment.

(c) The Albemarle Correctional Institution PAQ states of those who were not educated during 30 days of intake, all inmates have been subsequently educated. Agency policy requires that inmates who are transferred from one facility to another be educated regarding their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous facility.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 10, section (d) Offender Education, 3, states, "TRANSFER: All offenders shall receive education about sexual abuse and sexual harassment upon transfer to a different facility.

- a. Education shall be completed utilizing the Offender Fact Sheet OPA-T101 Facilitator Talking Points.
- b. Each offender shall receive a copy of the PREA Brochure.
- c. Each offender will sign the Orientation Form and placed in his/her field jacket.
- d. Education for offenders shall be offered by a designated employee at the facility."

(d) The Albemarle Correctional Institution PAQ states Inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient, deaf, visually impaired, otherwise disabled or have limited reading skills.

(e) The Albemarle Correctional Institution PAQ states the facility maintains

documentation of inmate participation in PREA education sessions. Documentation can be found in provision (d) of this standard.

The facility provided a NCDAC Offender PREA Education Acknowledgement. Offenders acknowledge receipt through their printed name, signature and date.

(f) The Albemarle Correctional Institution PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, inmate handbooks, or other written formats.

The facility provided an End the Silence Brochure. The brochure provides the following information.

- Zero Tolerance - department zero-tolerance policy
- What Is Sexual Harassment?
- What is Sexual Abuse?
- What is Staff Voyeurism?
- Examples of Staff Voyeurism
- Tips for Avoiding Sexual Abuse and Sexual Harassment
- Right to Report
- How to Report
- External Reporting Options
- If You Are Abused
- Notice for Failure to Report

Through such reviews, the facility meets the standard requirements.

115.34	Specialized training: Investigations
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC PREA Investigations Policy DAC-PREA-300, dated 1.1.2023
3. NCDPS PREA: Sexual Abuse and Sexual Harassment Investigation, for the Office of Special Investigations, dated 7.1.2017
4. Training transcripts - PREA: Specialized Investigations Training

Interviews:

1. Correctional Captain / Investigator

Interviews with the Investigator and personnel file review demonstrated that the investigator had completed investigator training through the learning management system.

Site Observation:

During the pre-audit phase training transcripts for facility investigators were uploaded to the online audit system.

(a) The Albemarle Correctional Institution PAQ states the agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.

NCDAC PREA Investigations Policy DAC-PREA-300, page 3, section P., states, "Sexual Abuse and Sexual Harassment (SAH) Investigator A DAC employee who has been assigned or designated to administratively investigate a report of alleged person in confinement, resident, or safekeeper sexual abuse and/or sexual harassment; and has received specialized training in conducting such investigations in confinement settings."

(b) The agency states investigator training has been completed in the agency learning management system which was derived from the National Institute for Corrections Specialized Investigator training website, which includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The facility provided a NCDPS PREA: Sexual Abuse and Sexual Harassment Investigation, for the Office of Special Investigations. The training objectives include the following.

1. Identify the "Prison Rape Elimination Act (PREA) of 2003" and the National Standards.
2. Identify associated North Carolina sexual offense statutes.
3. Identify NCDPS Divisional Sexual Abuse and Sexual Harassment Policies.
4. Define the importance of a specialized Sexual Abuse (PREA) Investigator.
5. Define sexual abuse and sexual harassment.
6. Define Investigative Warnings
7. Identify common patterns of sexual abuse in confinement settings.
8. Define a Victim-Centered Investigative Approach.
9. Identify interviewing sexual abuse victims.
10. Identify the responsibilities of the Investigator in sexual abuse and sexual harassment incidents.
11. Identify the process and responsibilities of the OSI Investigator in a sexual abuse or sexual harassment investigation.
12. Define Incident Scene and Evidence Processing in confinement settings.
13. Determine validity and standard of proof for administrative action or prosecution referral.

(c) The Albemarle Correctional Institution PAQ states the agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The facility has two employees who have completed investigator training.

The facility provided training transcripts - PREA: Specialized Investigations Training demonstrating two employees completed specialized training in the years 2015 and 2016.

Through such reviews, the facility meets the standard requirements.

115.35	Specialized training: Medical and mental health care
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 266 544 300">Auditor Discussion</p> <p data-bbox="256 344 523 378">Document Review:</p> <ol data-bbox="256 412 1410 636" style="list-style-type: none"> <li data-bbox="256 412 836 445">1. Albemarle Correctional Institution PAQ <li data-bbox="256 479 1410 568">2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <li data-bbox="256 602 778 636">3. 13 NC Learning Center Transcripts <p data-bbox="256 748 416 781">Interviews:</p> <ol data-bbox="256 815 1035 927" style="list-style-type: none"> <li data-bbox="256 815 751 848">1. Registered Nurse, Lead Nurse <li data-bbox="256 882 1035 927">2. Human Service Program Manager II - Psychologist <p data-bbox="256 960 1434 1128">Interviews with medical and mental health staff demonstrated they had completed specialized training for medical and mental health staff through the online learning management system, webinars and medical staff walk throughs by the Officer in Charge and the PREA Specialist.</p> <p data-bbox="256 1229 504 1263">Site Observation:</p> <p data-bbox="256 1296 1422 1420">Medical and mental health staff employed by the agency training transcripts were uploaded to the online audit system during the pre-audit and onsite review audit phases.</p> <p data-bbox="256 1532 1466 1688">(a) The Albemarle Correctional Institution PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. 17 staff, 100% of medical and mental health staff who work at the facility who have received training required by agency policy.</p> <p data-bbox="256 1800 1426 1912">NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 9-10, section 2. A-C, states, "Medical and Mental Health care practitioners:</p> <ol data-bbox="256 1957 1461 2069" style="list-style-type: none"> <li data-bbox="256 1957 1461 2069">A. Shall complete mandated training defined in section .3406(a) for Employees; or mandated training defined in section .3406(b) for Volunteers, Custodial Agents, Contractors, and Other Persons Providing Services to Offenders for contractors. All

	<p>full- and part-time medical and mental health care practitioners who work regularly in its facilities shall be trained in:</p> <ul style="list-style-type: none"> I. Detecting and assessing signs of sexual abuse and sexual harassment; II. Preserving physical evidence of sexual abuse; III. Responding effectively and professionally to victims of sexual abuse and sexual harassment; and IV. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>B. Verification of employee training shall be documented on form OSDT-1 and in appropriate agency training tracking system.”</p> <p>(b) The Albemarle Correctional Institution PAQ states their medical staff do not conduct forensic medical exams.</p> <p>(c) The Albemarle Correctional Institution PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>The facility provided NC Learning Center transcripts for 13 medical and mental health staff, to include traveling nurse, demonstrating each have completed PREA - Sexual Abuse and Sexual Harassment Medical & Mental Health Response (Prisons - Health Services).</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ul style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and

Sexual Harassment Policy, dated 6.9.2022

3. NCDPS OPA-S010 Screening for Risk, dated 10.18.2021

Interviews:

1. Random Offenders
2. Targeted Offenders
3. Correctional Case Manager

Interviews with offenders demonstrated many remembered two or more of the risk screening questions being asked; however, many were aware of their options for mental health services and spoke to the orientation processes with their case manager alluding to risk screening questions being asked.

Interviews with the Correctional Case Manager demonstrated she completes a risk assessment on every offender who arrives at the facility within 72 hours and 15 days thereafter. The Correctional Case Manager stated in a one on one setting she reads risk screening questions to offenders while she assesses body language, hygiene, anxiety, nervousness, demeanor, sexual identity, previous abuse and victimization, stature, vulnerable population and any collateral is reviewed before arrival. The Correctional Case Manager stated on the Officer in Charge had access to completed risk screenings to ensure vulnerable offenders could be placed in high visibility bunks in the units.

Site Observation:

Through utilization of the PREA Audit Adult Prison & Jail Documentation Review Inmate File / Records Review template demonstrated 12 of 30 offenders have been admitted into the program in the past 12 months. Of those 12 offenders 10 had completed risk assessments within 72 hours of intake and again within 30 days of admission into the facility. Two offenders had risk assessments completed within 'three business days' of intake and again within 30 days of admission.

Recommendation:

- Ensure risk assessments are completed within 72 hours as opposed to three business days. Facility response: Programs staff have been made aware of the issue and a memo has been drafted outlining our new procedure to ensure compliance with this standard.

· Ensure bed assignments are assigned in accordance with risk assessments when arriving to facility and during inter-facility movements by facility staff. Facility response: We have spoken to the PREA office concerning this issue and will monitor bed assignments in relation to risk assessments as directed by Division PREA staff.

(a) The Albemarle Correctional Institution PAQ states the facility has a policy that requires screening, upon admission or transfer, for risk of sexual abuse victimization or sexual abusiveness toward other Inmates.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 11-12, section (e) General Provision, (1)(A) states, "Screening for risk of victimization and abusiveness:

A. All offenders and safekeepers shall receive a screening inventory, administered via the web-based OPUS intake system, within 24 hours after admission to Prisons (5-ACI-3D-10). Diagnostic Services staff shall conduct screening to determine an offender's risk of being sexually abused by other offenders or their risk of being sexually abusive towards other offenders (5-ACI-3D-12, 5-ACI-3D-13). The screening shall use an objective screening instrument that obtains the following minimum biographical data about the offender:

- (i) Whether the offender has a mental, physical, or developmental disability;
- (ii) The age of the offender;
- (iii) The physical build of the offender;
- (iv) Whether the offender has previously been incarcerated;
- (v) Whether the offender's criminal history is exclusively nonviolent;
- (vi) Whether the offender has prior convictions for sex offenses against an adult or child;
- (vii) Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (viii) Whether the offender has previously experienced sexual victimization;
- (ix) The offender's own perception of vulnerability; (x) Whether the offender is detained solely for civil immigration purposes; and
- (x) The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing offenders for risk of being sexually abusive."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (G), states, "Upon transfer to another facility, within 24 hours, the PCM and/or OIC shall review an offender's risk of victimization and abusiveness by reviewing the dashboard and acknowledging housing placement is appropriate."

(b) The Albemarle Correctional Institution PAQ states the number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other inmates with 72 hours of their entry into the facility was 585, 100% of inmates. Policy compliance can be found in provision (a) of this standard.

(c-e) The Albemarle Correctional Institution PAQ states the facility conducts risk assessments by using an objective screening instrument. The facility does not house offenders solely for civil immigration purposes.

The facility provided a NCDPS OPA-S010 Screening for Risk. The screening includes the following components:

A. Ask the Person in Confinement

1. (§115.41(d)1-3 and 115.241(d)1-3 (fig.1, q.1-3, 10)

i. General information such as gender, body build, race, age, date of birth, and height

ii. Health class information to include physical capability and mental health

iii. Education level to include: Highest grade completed (if Person in Confinement is a HS graduate or has a GED? Years of college- if applicable

iv. If the Person in Confinement has any ADA status requirements?

v. Status as Developmental Disability?

2. (§115.41(d)4-6 and 115.241(d)4-6 (fig.1, q.4-6)

i. Previous incarceration

ii. Criminal History (Fig 2)

iii. Prior convictions for sex offenses against an adult or child

Note: This information reassesses in the event new charges have been added.

3. (§115.41(d)7-9 and 115.241(d)7-9 (fig.1, q.7,11-13)

i. If the Person in Confinement is gay, lesbian, bisexual, transgender, intersex, or gender non-conforming

ii. If the Person in Confinement has experienced prior sexual victimization

iii. Offender's/resident's own perception of vulnerability (115.81(a-c)), they will be afforded an opportunity for a follow-up meeting with mental health. (fig.1, q.13)

B. Observe the Person in Confinement

1. (§115.41(d)7 and 115.241(d)7 (fig.1, q.14)

Does the screener perceive the Person in Confinement to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming?

C. Alerts and Referrals

1. An automatic referral is made to mental health when there is a "Yes" response to any question 1-6."

(f) The Albemarle Correctional Institution PAQ states the policy requires that the facility reassess each inmate's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. The number of inmates entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 30 days or more) who were reassessed for their risk of sexual victimization or of being sexually abusive with 30 days after their arrival at the facility based upon any additional relevant information received since intake was 451.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (F), states, "Within a set time period, not to exceed 30 days from the offender's arrival at the facility, the facility will reassess the offender's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening."

(g) The Albemarle Correctional Institution PAQ states the policy requires that an inmate's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13, section (H), states, "An offender's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse and/or sexual harassment, or receipt of additional information that bears on the offender's risk for sexual victimization or abusiveness."

(h) The Albemarle Correctional Institution PAQ states the policy prohibits disciplining inmates for refusing to answer (or for not disclosing complete information related to) questions regarding: (a) whether or not the inmate has a mental, physical, or developmental disability; (b) whether or not the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) whether or not the inmate has previously experienced sexual victimization; and (d) the inmate's own perception of vulnerability.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 12, section (E), states, "Offenders may not be disciplined for refusing to answer or for not disclosing complete information during screening or assessment."

(i) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 11, section (D), states, "The responses to the MHSI, are confidential; therefore, the facility shall implement appropriate controls on the dissemination of responses to questions asked in order to ensure that sensitive information is not exploited to the offender's detriment by staff or other offenders."

Through such reviews, the facility meets the standard requirements.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. Screening Review for High Risk Victims/Aggressors

Interviews:

1. Targeted Offenders
2. Facility Compliance Specialist
3. Correctional Captain / PREA Compliance Manager
4. PREA Coordinator
5. PREA Director / Head of Agency

Interviews with three high risk, and two gay offenders demonstrated each felt safe in the facility with no complaints of their current housing assignments.

The interview with the Facility Compliance Specialist, PREA Compliance Manager and the PREA Coordinator demonstrated offenders at risk of victimization and or abusiveness are placed in high visibility bunks, in each unit. Staff also spoke to the facility monthly Transgender Accommodation Review Committee meetings held to ensure transgender and intersex offenders are accommodated as much as is available within the facility confinements.

The interview with the PREA Director demonstrated the agency has a Transgender Accommodation Review Committee that reviews all special requests from individual transgender inmates. In addition, the PREA Director stated the agency system will not allow potential victims and potential aggressors to be placed in work or education assignments at the same time, preventing any possible ongoing victimization and or perpetration incidents from taking place.

Site Observation:

During the tour of the facility high visibility bunks were observed in each living unit as was described throughout interviews with administrative personnel.

(a) The Albemarle Correctional Institution PAQ states the facility uses information from the risk screening required by §115.341 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13-14, section (3) Use of screening information, (C) states, "Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law."

The facility provided a Screening Review for High Risk Victims/Aggressors demonstrating the following information is monitored on a daily basis.

- Date of Review
- Assignment area reviewed (housing, work assignment, program & education
- # of high risk victims
- # of high risk aggressors
- Does area have direct supervision
- Are there cameras/mirrors to augment supervision
- Documented Non-heterosexual orientation
- Review completed by (staff ID)
- Notes

(b) The Albemarle Correctional Institution PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each inmate. Policy compliance can be found in provision (a) of this standard.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section 3 (B)(iv), states, "The facility shall make individualized determination for bed assignments, based on facility housing designs, to ensure the safety of each offender."

(c) The Albemarle Correctional Institution PAQ states the agency/facility makes housing and program assignments for transgender, or intersex inmates in the facility on a case-by-case bases.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (E) states, "In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems."

(d) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (F) states, "Placement and programming assignments for each transgender or intersex offender shall be reassessed by the case manager at least twice each year to review any threats to safety experienced by the offender."

(e) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 15, section (G) states, "A transgender or intersex offender's own views with respect to his or her own safety shall be given serious consideration."

(f) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (H) states, "Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders."

(g) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (I) states, "The agency shall not place lesbian, gay, bisexual, transgender, or intersex offenders in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such offenders."

Through such reviews, of the agency Transgender Accommodation Review Committee and agency database not allowing potential victims and potential aggressors to be assigned work and or education assignments to take place at the same time, the facility exceeds the standard requirements.

115.43 Protective Custody

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Sergeant II

The interview with the Correctional Sergeant demonstrated victims have not been held in the special management unit in the 15 years he has worked this post. The Correctional Sergeant II stated victims would be allowed their personal items, privileges and would be treated the same as if they were on the yard.

(a) The Albemarle Correctional Institution PAQ states the agency has a policy prohibiting the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless and an assessment of all available alternatives has been made and a determination has been made that there is not available alternative means of separation from likely abusers. The number of inmates at risk of sexual victimization who were held in involuntary segregated housing the past 12 months for one to 24 hours awaiting completion of assessment was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (4)(A) Protective Custody A., states, "Offenders at high risk for sexual victimization shall not be placed in restrictive 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 (5-ACI-4B-34). If a facility cannot conduct such an assessment immediately, the facility may hold the offender in restrictive housing for less than 24 hours while completing the assessment."

(b) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 16, section (4) (B)., states, "Offenders placed in restrictive housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts

access to programs, privileges, education, or work opportunities, the facility shall document:

- i. The opportunities that have been limited;
- ii. The duration of the limitation; and
- iii. The reasons for such limitations.”

(c) The Albemarle Correctional Institution PAQ states the number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months, for longer than 30 days while awaiting alternative placement was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4) (C)., states, “The facility shall assign such offenders to restrictive housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

(i) Alternative placements can include, but are not limited to, the following temporary options:

- Relocation to a different housing unit;
- Placement in a cell or bed closer to the Corrections Officer’s desk within the unit;
- Any other housing area that the facility head or designee deems appropriate to separate from likely abusers.”

(d) The Albemarle Correctional Institution PAQ states from a review of case files of inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facilities concern for the inmate’s safety, and (b) the reason or reason why alternative means of separation could not be arranged was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4)(D), states, “If a restrictive housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly

	<p>document:</p> <ul style="list-style-type: none"> i. The basis for the facility’s concern for the offender’s safety; and ii. The reason why no alternative means of separation can be arranged. iii. The other alternative means for separation that were explored; <p>(e) The Albemarle Correctional Institution PAQ states if an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p>NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (4)(E), states, “Every 30 days, the facility shall afford each such offender a review to determine whether there is a continuing need for separation from the general population.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.51	Inmate reporting
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Document Review:</p> <ul style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. InterAct Brochure, dated 2016 4. End the Silence Brochure, dated 3.24.2023 <p>Interviews:</p> <ul style="list-style-type: none"> 1. Random Offenders 2. Targeted Offenders

3. Correctional Officers
4. Administrative Assistant – Mailroom
5. Administrative Associate II - Records

Interviews with the 15 targeted and 15 random offenders demonstrated they were aware of reporting options to include the PREA hotline. Many offenders commented on the 'new' signs that were placed near offender phones providing them with internal and external phone numbers.

Interviews with Correctional Officers demonstrated they would accept and report any type of allegation received, heard or rumored regarding sexual harassment and sexual abuse to their Sergeants or through the chain of command.

Site Observations:

During the tour, standardized PREA bulletin boards were observed throughout the facility. Postings included the Reporting – Help Prevent Prison Sexual Violence flyer which includes the PREA hotline calling instructions and a Crisis Intervention Memorandum providing offenders with Case Management services. Additionally, signs were posted near each offender payphone to include the agency PREA hotline and advocacy calling instructions. During the tour, the Auditor phoned the PREA hotline at 1:30 pm and requested a call back to ensure the call was received with information on what steps the agency takes when a call is received from an offender phone. The call was returned, the same day, at 1:34 pm stating the call had been received and she would contact the PREA Director and provide her with information left on the PREA Hotline.

During the tour the mailroom was observed to be manned by two Administrative Assistants of which one stated all legal mail is logged and delivered to and signed by offenders, by mailroom staff. A sign was on the mailroom door stating the Warden, Assistant Wardens, Administrative Officer III and Fiscal Sergeant were the only personnel allowed access to the mailroom.

During the tour, the records room was observed to have several filing cabinets with padlocks, behind a door with a lock. The Administrative Associate II stated the only staff who had access to the records room were the eight Case Managers, three Program Supervisors the Program Director and herself.

(a) The Albemarle Correctional Institution PAQ states the agency has established

procedures allowing for multiple internal ways for inmates to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f)(1)(A)(i), states, "Multiple internal ways shall be provided for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents."

The facility provided an End the Silence Brochure. The brochure provides the following information.

- Zero Tolerance - department zero-tolerance policy
- What Is Sexual Harassment?
- What is Sexual Abuse?
- What is Staff Voyeurism?
- Examples of Staff Voyeurism
- Tips for Avoiding Sexual Abuse and Sexual Harassment
- Right to Report
- How to Report
- External Reporting Options
- If You Are Abused
- Notice for Failure to Report

(b) The Albemarle Correctional Institution PAQ states facility provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency. The agency does not have a policy requiring inmates detained solely for civil immigration purposes be provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f)(ii), states, "At least one way shall be provided for offenders to report abuse or sexual harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to agency officials, allowing the offender to remain anonymous upon request. There shall also be no time limit on when an offender may report sexual misconduct."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f) Reporting and Investigation of Sexual Abuse and Sexual Harassment, (1)(A)(iii), states, "Offenders detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the US Department of Homeland Security."

(c) The Albemarle Correctional Institution PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Staff are required to document verbal reports.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 18, section (f) Reporting and Investigation of Sexual Abuse and Sexual Harassment, (1)(A)(iv), states, "Ways of reporting incidents of sexual abuse and harassment:

- i. To any Department of Public Safety employee;
- ii. Administrative remedy process;
- iii. PREA/Grievance locked box where applicable; and
- iv. Toll free telephone number for reporting directly to an external agency or entity, incidents of sexual abuse and sexual harassment."

(d) The Albemarle Correctional Institution PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of inmates. The PAQ states, "Staff may report privately via the PREA office at PREA@ncdps.gov or call 919-825-2754."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 17, section (C) Staff and Agency Reporting Duties, state,

	<p>(i) All staff are required to report immediately 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.</p> <p>(ii) Staff has a duty to report any allegations that offenders are having sexual relationships with other offenders or with staff.</p> <p>(iii) Any retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>(iv) Staff may report allegations privately. Ways to report include but are not limited to:</p> <p>i. The PREA office by email at PREA@ncdps.gov, or by telephone at (919) 825-2754.</p> <p>ii. Anonymously by contacting the Fraud, Waste, Abuse & Misconduct Hotline at (844) 208-4018.</p> <p>iii. Local law enforcement agency.</p> <p>(v) All reports of sexual abuse and sexual harassment, however made, are to be forwarded to the Facility Head and the PREA Office.”</p> <p>Through such reviews of the multiple measures the facility takes through postings to ensure offenders are aware of their reporting options internally and externally, the facility exceeds the standard requirements.</p>
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, dated 12.18.2021 3. NCDAC Correspondence Tracking System – Grievance Report, reporting period 6.30.2022 – 7.1.2023

Interviews:

1. Random Offenders
2. Targeted Offenders
3. Correctional Captain / PREA Compliance Manager

Interviews with offenders demonstrated most were aware of the grievance procedures, stated grievances are available upon request to the Correctional Officer. Offenders were aware they could place grievances boxes near the Correctional Officer desk.

The interview with the PREA Compliance Manager demonstrated grievance boxes are checked seven days per week.

Site Observation:

Grievance and mailboxes were observed near Correctional Officer desks near the exit to the yard. During the tour the Auditor observed 30-minute calls where offenders are allowed to come in and out of their dorms for outside recreation time, providing each multiple opportunities to access grievances and or the grievance box.

(a) The Albemarle Correctional Institution PAQ states the agency has an administrative procedure for dealing with Inmate grievances regarding sexual abuse.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 1, section (a)-(d), state, “

a. “The policy of the North Carolina Department of Public Safety is to provide inmates an opportunity for administrative settlement of legitimate grievances. Most grievances can be resolved quickly through informal communication with responsible authorities at the facility in which the problem arose. An inmate should be encouraged to use this method prior to the initiation of a formal grievance. When this method is not possible, the Department of Public Safety seeks to reduce tension and provide a stable atmosphere by providing formal channels of communication of grievances.

b. A grievance is a written complaint by an inmate on the inmate's own behalf concerning an action, incident, policy, or condition within the facility or within Prisons as a whole.

c. The Administrative Remedy Procedure shall afford a successful grievant a

meaningful remedy to include but not be limited to, an order requiring that specific action be taken, modification of Prisons policy, restoration or restitution for personal property, and such other remedies that will meaningfully resolve the grievance presented.

d. Employees who intentionally obstruct the grievance process shall be subject to disciplinary action.”

(b) The Albemarle Correctional Institution PAQ states agency policy or procedure allows an inmate to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred.

NCDAC Policies & Procedures Chapter G Section .0300, page 6, section (c) 1-3, states,
“

“If an emergency grievance alleges an inmate is subject to a substantial risk for imminent sexual abuse, the facility shall:

1. immediately forward the grievance (or any portion thereof that alleges such substantial risk) to a level of review at which immediate corrective action can be taken,
2. provide an initial response within 48 hours, and
3. issue a final agency decision within 5 calendar days.

The initial response and final agency decision shall document the agency’s determination that the inmate is at substantial risk of imminent sexual abuse about and the action taken in response to the emergency grievance.”

(c) The Albemarle Correctional Institution PAQ states the agency’s policy and procedure allows an inmate to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency’s policy and procedure requires that an inmate grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.

NCDAC Policies & Procedures Chapter G Section .0300, page 3, section .0305 Screening Officer, states, “Facility Heads will appoint one or more screening officers to review grievances and decide whether they should be accepted or rejected under the criteria set forth in Sections .0304 and .0306 herein. Facility Heads may designate screening officers or screen grievances themselves. The appointment of fair and

knowledgeable screening officers will ensure compliance with the grievance procedure and facilitate mediation of grievances at the facility level. No employee who appears to be involved in a grievance shall participate in any capacity in the resolution process, except as a witness where necessary. In addition, no employee who appears to be involved in an inmate sexual abuse or harassment allegation shall accept a grievance which suggests such personal involvement or shall participate in any capacity in the response to the grievance.”

(d) The Albemarle Correctional Institution PAQ states the agency’s policy and procedures that require a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months there has been one grievance filed alleging sexual abuse. In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was one.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 4, section .0307 Time Limits (a), states, “From filing to final disposition, all grievances shall be processed within ninety (90) days. For purpose of counting days under the grievance procedure, all references to days shall be interpreted to mean calendar days. The 90-day period commences the day after the grievance has been accepted.”

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 5-6, section .0307 Time Limits (5)(6), state,

4. “If at any level of the administrative remedy process, including the final level, the inmate does not receive a response within the time provided for reply, including any properly noticed extension, the absence of a response shall be a denial at that level which the inmate may appeal, but the 24 hours’ time limit to request an appeal does not begin until the inmate receives a written denial.

5. Prisons may grant an extension of time to respond for up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.”

The facility provided a NCDAC Correspondence Tracking System – Grievance Report demonstrating the facility has had 34 PREA related grievances submitted from 6.30.2022 through 7.1.2023.

(e) The Albemarle Correctional Institution PAQ states agency policy and procedure

permit third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of inmates. Agency policy and procedure requires that if an inmate declines to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the inmate's decision to decline. The number of grievances alleging sexual abuse filed by inmates in the past 12 months in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline was zero.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 2, section .0302 Accessibility, section (4), states, "Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates shall be permitted to assist inmates in submitting a grievance relating to allegations of sexual abuse and shall be permitted to submit such a grievance on behalf of an inmate. If a third party submits a grievance on behalf of an inmate, the facility may require, as a condition of processing the grievance, that the alleged victim agree to have the grievance submitted on his or her behalf and also may require the alleged victim personally to pursue any subsequent steps in the grievance process. If the inmate declines to have the grievance processed on his or her behalf, the facility shall document the inmate's decision. (A) If the inmate declines to have the grievance processed on his or her behalf, the facility shall document the inmate's decision."

(f) The Albemarle Correctional Institution PAQ states the facility has a policy and established procedures for filing an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. The facilities policy and procedures for emergency grievances alleging substantial risk of imminent sexual abuse require an initial response within 48 hours. The facilities policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse require that a final agency decision be issued within five days. Zero grievances were received alleging substantial risk of imminent sexual abuse, that were filed in the past 12 months.

NCDAC Policy & Procedures Chapter G.0300 Administrative Remedy Procedure, page 2, section .0308 Emergency Grievances, section (e), states, "If an emergency grievance alleges an inmate is subject to a substantial risk for imminent sexual abuse, the facility shall:

1. immediately forward the grievance (or any portion thereof that alleges such substantial risk) to a level of review at which immediate corrective action can be taken,
2. provide an initial response with 48 hours, and

3. issue a final agency decision with 5 calendar days.

The initial response and final agency decision shall document the agency's determination that the inmate is at substantial risk of imminent sexual abuse about and the action taken in response to the emergency grievance."

(g) The Albemarle Correctional Institution PAQ states the facility has a written policy that limits its ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the Inmate filed the grievance in bad faith. In the past 12 months, there have been zero grievances alleging sexual abuse to occasions where the agency demonstrated that the Inmate filed the grievance in bad faith.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (4) Offenders, (e), states, "For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."

Through such reviews, the facility meets the standard requirements.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. Memorandum of Understanding, Esther House of Stanly County Inc., dated 6.16.2023 Interviews:

2. Random Offenders
3. Targeted Offenders
4. Correctional Captain / PREA Compliance Manager

Interviews with offenders demonstrated each were aware the facility provided advocates; however, offenders were not 100% aware of the intention of advocate services. Offenders could also speak to having access to contacting advocates through the phone numbers posted near their payphones in the living unit.

Site Observation:

During the tour, Report Sexual Abuse & Harassment signs with the PREA external reporting number and the Rape Crisis Center speed dial number information was posted on permanent placards near each offender phone in their living unit. During the tour Auditor tested the *63 speed dial and was connected with the advocacy operator. After proper introductions and the reason for the call, the operator stated she was aware of helping offenders, would get some basic information from them and report the information and the call to her Executive Director, provide crisis intervention and make the offender aware they could call 24 hours a day, seven days a week and they could be anonymous if they so choose.

(a) The Albemarle Correctional Institution PAQ states the facility provides Inmates with access to outside victim advocates for emotional support services related to sexual abuse by:

- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations.
- The facility provides inmates with access to such services by giving inmates mailing addresses and telephone numbers (including toll-free hotline numbers where available) for immigrant services agencies for persons detained solely for civil immigration purposes.
- The facility provides inmates with access to such services by enabling reasonable communication between inmates and these organizations in as confidential a manner as possible.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (5)(E), states, "Offender victim shall be provided access to outside victim advocates for emotional support services related to sexual abuse by giving the offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy

or rape crisis organizations. The facility shall enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible.”

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (E), states, “Offender victim shall be provided access to outside victim advocates for emotional support services related to sexual abuse by giving the offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between offenders and these organizations and agencies, in as confidential a manner as possible.”

(b) The Albemarle Correctional Institution PAQ states the facility informs Inmates, prior to giving them access to outside support services, the extent to which such communications will be monitored. The facility informs inmates, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply for disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant Federal, State, or local law.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 23, section (F), states, “The facility shall inform the offenders, 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.”

(c) The Albemarle Correctional Institution PAQ states the facility maintains memoranda of understanding with community service providers that are able to provide inmates with emotional support services related to sexual abuse.

The facility provided a Memorandum of Understanding, between Albemarle Correctional Institution and Esther House of Stanly County Inc. The memorandum appears to be current and establishes guidelines for the provision of victim advocate services to offenders in the custody of Albemarle Correctional Institution who have been sexually abused or harassed. The memorandum is signed by the facility Warden and the Executive Director of the Esther House of Stanly County Inc. on 6.16.2023.

Through such reviews, the facility meets the standard requirements.

115.54	Third-party reporting
	<p data-bbox="256 188 959 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 544 297">Auditor Discussion</p> <p data-bbox="256 340 523 374">Document Review:</p> <ol data-bbox="256 412 1474 674" style="list-style-type: none"> <li data-bbox="256 412 871 445">1. Albemarle Correctional Institution PAQ <li data-bbox="256 483 1445 562">2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <li data-bbox="256 600 1474 674">3. Prison Rape Elimination Act) PREA Reporting Help Prevent Prison Sexual Violence Flyer, dated 2.27.2018 <p data-bbox="256 784 416 817">Interviews:</p> <ol data-bbox="256 855 620 1104" style="list-style-type: none"> <li data-bbox="256 855 596 889">1. Random Offenders <li data-bbox="256 927 603 960">2. Targeted Offenders <li data-bbox="256 999 620 1032">3. Correctional Officers <li data-bbox="256 1070 571 1104">4. Supervisory staff <p data-bbox="256 1142 1474 1256">Interviews with offenders demonstrated most were aware of third-party reporting and that a trusted adult could report for them or that they could report for other offenders.</p> <p data-bbox="256 1370 1474 1485">Interviews with Correctional Officers and facility personnel demonstrated each would accept a third-party report and report the allegation to their immediate supervisor as soon as possible.</p> <p data-bbox="256 1599 504 1632">Site Observation:</p> <p data-bbox="256 1671 1474 1785">During the tour of the facility the standardized PREA bulletin board was observed in the visitation area to include the Reporting – Help Prevent Prison Sexual Violence with third party reporting information to the Fraud, Waste and Abuse Misconduct hotline.</p> <p data-bbox="256 1899 1445 2058">(a) The Albemarle Correctional Institution PAQ states the facility provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. The agency publicly distributes information on how to report Inmate sexual abuse or sexual harassment on behalf of Inmates.</p>

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (B) states, "Third Party Reporting: can be made via email, phone or letter."

The facility provided a Prison Rape Elimination Act) PREA Reporting Help Prevent Prison Sexual Violence flyer. The flyer contains the following information.

§ Offender Reporting

§ Family and Friends (reporting information by email, phone to NCDPS Fraud, Waste, Abuse or Misconduct Hotline, 844.208.4018 to any facility staff.)

§ Employee Responsibilities

§ Employee Reporting

On 7.14.2023 at 1:38 pm, this Auditor phoned 844.208.4018 to test this third party reporting option. Upon the second ring the following message was provided. "Thank you for calling the North Carolina Department of Safety Fraud, Waste, Abuse or Misconduct Hotline. We are unavailable to take your call at this time, please leave a message or you can visit us on line at www.NCDPS.gov. On 7.17.2023 at 5:30 am the call was returned explaining she had received the voicemail and whenever a complaint is submitted the office would automatically send to the PREA Director Charlotte Williams and the PREA Help Desk.

Through such reviews, the facility meets the standard requirements.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy: PREA Reporting, DAC-PREA-200, dated 1.1.2023 3. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Officers
2. Medical and Mental Health staff

Interviews with the facility staff demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment.

Site Observations:

Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template demonstrated three of three allegations were reported verbally to a staff member who reported to their immediate supervisor or through the chain of command.

(a/d) The Albemarle Correctional Institution PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy any retaliation against inmates or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 19, section (C) Staff and Agency Reporting Duties, (i)-(iii), state,

- i. “All staff are required to report immediately 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.
- ii. Staff has a duty to report any allegations that offenders are having sexual relationships with other offenders or with staff.
- iii. Any retaliation against offenders or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.”

(b) The Albemarle Correctional Institution PAQ states, apart from reporting to designated supervisors or official and designated state or local service agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33-34, section (k), states, "CONFIDENTIALITY: The Facility Investigator and all others involved in the PREA process, to the extent possible, will ensure the confidentiality of PREA complaints as well as all data collected through the investigation of those complaints except as required in the following circumstances: (1) to cooperate with law enforcement in any investigation and prosecution of the incidents alleged in such complaints; (2) to take and enforce disciplinary action against any staff member as a result of the incidents alleged in the complaints; (3) to defend against claims brought by the offender for violation of the offender's rights for having been subjected to sexual abuse; and (4) to otherwise comply with the law."

(c) NCDAC Policy: PREA Reporting, DAC-PREA-200, page 5, section D. Employee, Volunteer, Contractor, and Custodial Agency Reporting, 2., states, "Unless otherwise precluded by federal, State, or local law, medical and mental health practitioners shall at the initiation of services inform persons in confinement, residents, and safekeepers of the practitioner's duty to report, and the limitations of confidentiality."

(e) NCDAC Policy: PREA Reporting, DAC-PREA-200, page 5, section V. Procedures, A. 1.-3., states, "Employees, volunteers, contractors, custodial agents, and third parties may report sexual abuse or sexual harassment allegations via the following methods:

1. To the DAC PREA Office by email at PREA@dac.nc.gov, or by telephone at (919) 825-2754;
2. Anonymously by contacting the DAC Fraud, Waste, Abuse and Misconduct Hotline at (844) 208-4018; and
3. To their local law enforcement agency."

Through such reviews, the facility meets the standard requirements.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Sergeant

During the onsite review there were zero offenders in the special management unit for reasons pertaining to victimization.

The interview with the Correctional Sergeant demonstrated victims have not been held in the special management unit in the 15 years he has worked this post. The Correctional Sergeant II stated victims would be allowed their personal items, privileges and would be treated the same as if they were on the yard.

Site Observation:

Review of investigations by utilizing the PREA Audit - Adult Prisons & Jails Documentation Review - Investigations template demonstrated two of 10 investigations reviewed during the onsite review were from the offender interviewed in restrictive housing and who had written two letters to the Auditor. Of those investigations neither demonstrate the offender was in restricted housing for more than 30 days or that the offender was not privileges.

(a) The Albemarle Correctional Institution PAQ states when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the Inmate. In the past 12 months, the facility reports zero inmates were subject to substantial risk of imminent sexual abuse. Upon discovery of inmates being subject to substantial risk, the facility immediately separates the victim from the perpetrator, made notification and completed incident reporting requirements.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (2), states, "Protection Duties: When the staff learns that an offender is subject to a substantial risk of imminent sexual abuse

	<p>immediate action shall be taken to protect the offender.”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.63	Reporting to other confinement facilities
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Warden IV <p>The interview with the Correctional Warden IV demonstrated that he was aware that upon receiving an allegation that an offender was sexually abused while confined at another facility he would personally notify the Warden from the facility where the allegation was alleged to have occurred within 72 hours of receipt of the allegation.</p> <p>(a) The Albemarle Correctional Institution PAQ states the agency has a policy requiring that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. The agency’s policy also requires that the head of the facility notify the appropriate investigative agency. In the past 12 months the has received zero allegations that an inmate was abused while in confinement at another facility.</p> <p>NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (D)(i), states, “Upon receiving an allegation that an offender was sexually abused while confined at another facility, the Warden of the facility that received the allegation shall notify the Warden of the facility or appropriate office of the agency where the alleged abuse occurred.”</p>

(b) The Albemarle Correctional Institution PAQ states agency policy requires that the facility head provides such notification as soon as possible, but no later than 72 hours after receiving the allegation. Policy compliance can be found in provision (a) of this standard.

(c) The Albemarle Correctional Institution PAQ states the facility documents that it has not had a need to provide such notification within 72 hours of receiving the allegation. The PAQ states, "There have been no allegations in the last twelve months from inter-transfer offenders regarding sexual abuse while confined at another facility. Policy compliance can be found in provision (a) of this standard.

(d) The Albemarle Correctional Institution PAQ states facility policy requires that allegations received from other agencies or facilities are investigated in accordance with the PREA standards. In the last 12 months, there has been zero allegation of sexual abuse. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: <ol style="list-style-type: none">Albemarle Correctional Institution PAQNCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 Interviews: <ol style="list-style-type: none">Correctional Officers <p>Interviews with Correctional Officers demonstrated they were aware of their first responder responsibilities. If sexual abuse occurred, Correctional Officers stated they would immediately stop the abuse, isolate the offenders involved, protect any and all evidenced by not allowing offenders to wash, change clothing or otherwise disturb evidence and completely lock down the area where the abuse occurred and notify their immediate supervisor or go through the chain of command.</p>

(a) The Albemarle Correctional Institution PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to separate, preserve, protect, collect physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

In the past 12 months, one allegation occurred where an inmate was sexually abused. Of these allegations, the number of time the first security staff member to respond to the report separated the alleged victim and abuser was 14. In the past 12 months, there was one allegation where staff were notified within a time period that allowed for the collection of evidence. Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report preserved and protected any crime scene until appropriate steps could be taken to collect any evidence was zero. Of these allegations in the past 12 months where staff were notified within a time period that still allowed for the collection of physical evidence, the number of times the first security staff member to respond to the report requested that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20-22, section (3)(A), states, "Upon learning of an allegation that an offender was sexually abused, the first security staff member to respond to the report shall be required to:

- i. Take necessary steps to separate the alleged victim and abuser. If the Facility Head, in consultation with the PREA Support Person, determines that the safety of the offender victim requires placement in administrative segregation, then:
 - Such restrictive housing shall be administered in accordance with the applicable policies and procedures for restrictive housing for administrative purposes.
 - The Warden has the discretion regarding how separation occurs, who is moved, and where. Should the alleged victim be placed in restrictive housing, then an analysis of 1) information from the Preliminary Review to include the type of allegation, 2) prior complaints filed against the alleged abuser, 3) will the movement

appear punitive toward an alleged victim shall be considered, and 4) documentation of the decision to move the alleged victim.

- The Region Director and the DPS PREA Office shall be notified of the use of restrictive housing and the reasons therefore.
- To the maximum extent possible, the offender victim while in restrictive housing for administrative purposes shall have the same privileges of access to the canteen, telephone, visitation and property as they were afforded prior to reporting.
- Within 3 business days of the offender victim's release from restrictive housing for administrative purposes, the Warden or designee will return the offender victim to the gain time job assignment the offender victim had prior to period of restrictive housing for administrative purposes, if available. If, for operational reasons, the offender victim's prior job assignment is unavailable, the Warden or designee will place the offender victim in another gain time job assignment that is at least equal to the prior gain time job assignment.
- The Warden or designee will notify the Region Director in writing, that the offender victim has either been returned to prior job assignment or placed in equivalent one.
- Within three business days of the receipt of the written notification from the Warden or designee, the Region Director, or their designee will request in writing to the Director of Rehabilitative Services that the offender victim's gain time be restored.
- When offender victim is released from restrictive housing, whenever possible shall be allowed to return to previously assigned housing unit unless, in the discretion of the Warden, doing so exposes the offender to an increased risk to the offender victim's safety and security or the orderly operation of the facility."

(b) The Albemarle Correctional Institution PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. Of the allegations that an inmate was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22, section (3) First Responder, (B) states, "If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff."

	Through such reviews, the facility meets the standard requirements.
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115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. PREA Sexual Abuse Institutional Response Plan, Albemarle Correctional, dated 4.19.2016 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Warden IV <p>Interviews with the Correctional Warden IV demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p> <p>Site Observation:</p> <p>Review of the facilities Coordinated Response Plan demonstrates clear direction to staff to ensure first responder duties are fulfilled.</p> <p>(a) The Albemarle Correctional Institution PAQ states the facility developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>The facility provided a PREA Sexual Abuse Institutional Response Plan, Central Prison. The response plan includes the following components.</p> <ol style="list-style-type: none"> I. First Responder Duties II. Medical III. Notification Procedures

	<p>IV. Investigations</p> <p>V. PREA Compliance Manager</p> <p>VI. PREA Support Person (PSP)</p> <p>VII. Sexual Abuse Response Team (SART)</p> <p>VIII. Mental Health and Aftercare</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <p>1. Albemarle Correctional Institution PAQ</p> <p>Interview:</p> <p>1. Correctional Warden IV</p> <p>The interview with the Correctional Warden IV demonstrated the facility is not responsible for collective bargaining.</p> <p>(a) The Albemarle Correctional Institution PAQ states the agency, facility, or any other governmental entity responsible for collective bargaining on the agency's behalf has not entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. NCDPS Prison Rape Elimination Act (PREA) Offender/Juvenile Retaliation Monitoring and Period Status Checks Form OPA-124, dated 1.5.2016

Interviews:

1. Program Social Worker – PREA Support Personnel

The interview with the PREA Support Personnel demonstrated she would initiate contact with the offender upon receipt of the allegation and explain the retaliation monitoring process to him to include he could contact her at any time. The PREA Support Personnel stated she would monitor movements in jobs, disciplinary hearings, and any restriction of privileges. The PREA Support Personnel stated she documents each encounter with the offender and meets with him every 30 days for up to 90 days or as long as was necessary.

On Site Observation:

Of the three investigations reviewed during the onsite review each had documented retaliation monitoring attached to the investigation documentation.

(a) The Albemarle Correctional Institution PAQ states the agency has 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. The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation. The facility designates the PREA Support Personnel for retaliation monitoring.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (g)(1) -(2), state, "Retaliation: Retaliation against staff or offenders making an allegation of offender sexual abuse or sexual harassment is prohibited.

(1) Offender monitoring – see section .3406 (f)5 victim support.

(2) Staff monitoring – see section .3406 (f)6 PREA compliance manager."

The facility provided an NCDPS Prison Rape Elimination Act (PREA) Offender/Juvenile Retaliation Monitoring and Period Status Checks Form OPA-124. This form states, "periodic status checks are required." "Note: It is recommended that periodic status checks be documented in this section at a minimum of every 30 days." The form provides an area to include the date, comments and PSP Initials, signs of retaliation, yes or no and any additional comments.

(b) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I)(v), states, "Continue monitoring for a minimum of 90 days or beyond 90 days if the initial monitoring indicates a continuing need."

(c) The Albemarle Correctional Institution PAQ states the facility monitors the conduct or treatment of inmates or staff who reported sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by inmates or staff. The length of time that the facility monitors the conduct of treatment is 90 days. The facility acts promptly to remedy any such retaliation. The agency/facility continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. In the past 12 months, the facility has had zero incidents of retaliation.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I)(i)(ii), state,

i. "Upon notification of a Sexual Abuse or Sexual Harassment allegation the PSP will initiate monitoring the alleged victim and offender who reported the allegation or cooperated with officials during the investigation.

ii. The PSP shall monitor retaliation against the victim and the offender who either report allegations, or cooperate with investigations, of sexual abuse or sexual harassment."

(e) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 22, section (I) Monitor for Retaliation, (ii), states, "In the case of offenders, such monitoring shall also include periodic status checks."

(f) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (I) Monitor for Retaliation, (v), states, "Termination of monitoring prior to minimum of 90 days requires:

	<p>I. Allegation to be determined unfounded</p> <p>II. Approval by Warden”</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Warden IV <p>The interview with the Correctional Warden IV demonstrated protective custody in the special management unit is granted at the request of the victim. The Correctional Warden III stated victims in protective custody are allotted their privileges and personal items while in the special management unit.</p> <p>(a) The Albemarle Correctional Institution PAQ states the agency has a policy prohibiting the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment was zero.</p> <p>NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section (7)(A)(5) states, “Alleged offender abuser - A determination shall be made, based upon the amount of time that has passed since the alleged incident and the possibility of evidence still existing, as to whether the alleged offender abuser, if known, should be placed in a restrictive housing cell to</p>

	<p>preserve forensic evidence. If an offender is placed in a restrictive housing cell for purposes of preserving forensic evidence, the offender shall be strip searched in accordance with the policies set forth in section F.0100, et seq. of Prisons Policy and Procedure Manual and all possessions taken from him or her and a paper gown issued.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Policy: PREA Investigations DAC-PREA-300, dated 1.1.2023 3. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Captain / Investigator <p>The interview with the Investigator demonstrates the facility completes investigations for every allegation of sexual harassment and sexual abuse. The Investigator stated he begins an investigation as soon as the allegation is received and begins gathering evidence, statements, and conducting interviews. Once the Investigator has everything compiled, he makes a determination and documents the investigation in the OPUS database.</p> <p>Site Observation:</p> <p>Review of investigations by utilizing the PREA Audit – Adult Prisons & Jails Documentation Review – Investigations template demonstrated three of three investigations reviewed demonstrated all required standard provisions were completed.</p>

(a) The Albemarle Correctional Institution PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

NCDAC Policy: PREA Investigations DAC-PREA-300, page 1, section Purpose A., states, "The purpose of this policy is to provide guidelines to North Carolina Department of Adult Correction (DAC) employees, volunteers, contractors, custodial agents, persons in confinement, residents, and safekeepers on the Prison Rape Elimination Act (PREA) requirements for the investigation, prosecution and tracking of sexual abuse and sexual harassment."

(b) NCDAC Policy: PREA Investigations DAC-PREA-300, page 3, section P. Sexual Abuse and Sexual Harassment (SAH) Investigator, states, "A DAC employee who has been assigned or designated to administratively investigate a report of alleged person in confinement, resident, or safekeeper sexual abuse and/or sexual harassment; and has received specialized training in conducting such investigations in confinement settings."

(c) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 28, section (viii), states, "Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data including video and/or audio recordings; shall interview alleged victims, suspected perpetrators, and witnesses."

NCDAC Policy: PREA Investigations DAC-PREA-300, page 7, section M. 1-4., states, "The SAH investigator and all others involved in the PREA process, to the extent possible, will ensure the confidentiality of PREA complaints as well as all data collected through the investigation of those complaints except as required in the following circumstances:

1. To cooperate with law enforcement in any investigation and prosecution of the incidents alleged in such complaints;
2. To take and enforce disciplinary action against any employee as a result of the incidents alleged in the complaints;
3. To investigate, respond to, or defend claims brought by the person in confinement, resident, or safekeeper for violation of their rights for having been subjected to sexual abuse; and
4. To otherwise comply with the law."

(d) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29, section (x), states, "When the quality of evidence appears to support criminal prosecution, the Department of Public Safety sexual abuse and harassment investigators shall only be permitted to continue interviews after consulting with local law enforcement agency as to whether interviews may be an obstacle for subsequent criminal prosecution."

(e) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 29-30, section (xii), states, "When the quality of evidence appears to support criminal prosecution, the Department of Public Safety sexual abuse and harassment investigators shall only be permitted to continue interviews after consulting with local law enforcement agency as to whether interviews may be an obstacle for subsequent criminal prosecution examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiv), states, "Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

(f) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiii), states, "Shall include an effort to determine whether staff actions or failures to act contributed to the abuse."

(g) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 30, section (xiv), states, "Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

(h) The Albemarle Correctional Institution PAQ states there has been zero allegations of conduct that appears to be criminal that was referred for prosecution, since the last audit date.

NCDAC Policy: PREA Investigations DAC-PREA-300, page 6, section L., states, "Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution."

(i) The Albemarle Correctional Institution PAQ states the agency retains all written reports pertaining to administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

NCDAC Policy: PREA Investigations DAC-PREA-300, page 7, section N., states, "All written PREA related reports shall be retained in the Offender Population Unified System (OPUS) for as long as the alleged abuser is incarcerated or employed by DAC, plus five years."

(j) NCDAC Policy: PREA Investigations DAC-PREA-300, page 6, section I., states, "The departure of the alleged abuser or victim from the employment or control of the facility or DAC shall not provide a basis for terminating an investigation."

(l) NCDAC Policy: PREA Investigations DAC-PREA-300, page 6, section K., states, "Facilities shall cooperate with non-DAC law enforcement agencies investigating sexual abuse, providing information upon request, unless prohibited by law. Facilities shall endeavor to remain informed about the progress of the investigation."

Through such reviews, the facility meets the standard requirements.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion Document Review: 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

	<p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Captain / Investigator <p>The interview with the Investigator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>(a) The Albemarle Correctional Institution PAQ states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 3, section (t)(4) "The agency shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated, §115.72 of the national standards."</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDAC PREA Support Services Status Notification, dated 1.1.2023 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Captain / Investigator <p>The interview with the Investigator demonstrated notification requirements to victims was given verbally and in writing by the PREA Support Person assigned to the investigation. Documentation of notifications are documented on the Offender</p>

Notification Form.

On Site Observation:

Three of three investigations completed during the past 12 months had documentation of victim notifications attached to investigation documentation.

(a) The Albemarle Correctional Institution PAQ states the agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility in the past 12 months was zero. The PAQ states, "No investigations were completed by an outside agency in the past 12 months."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24, section (J)(i), states, "Following an investigation into an offender's allegation that he or she suffered sexual abuse in a facility, the PSP shall inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Notification shall be documented on Form OPA-I30 Support Services."

(b) The Albemarle Correctional Institution PAQ states If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the Inmate as to the outcome of the investigation. The number of investigations of alleged inmate sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 24-25, section (J)(ii), states, "If the Department of Public Safety did not conduct the investigation, the PSP shall request, through the chain of command, the relevant information from the investigative agency in order to inform the offender."

(c) The Albemarle Correctional Institution PAQ states following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency/facility subsequently informs the Inmate (unless the agency has determined that the allegation is unfounded) whenever:

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

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 25, section (J)(iii), states, "Following an offender's allegation that a staff member has committed sexual abuse against the offender, the PSP shall subsequently inform the offender (unless the allegation is unfounded) whenever:

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

Notification shall be documented on Form OPA-I30A PREA Support Person Services."

(d) The Albemarle Correctional Institution PAQ states following an inmate's allegation that he or she has been sexually abused by another Inmate in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. Policy compliance can be found in provision (c) of this standard.

(e) The Albemarle Correctional Institution PAQ states the agency has a policy that all notifications to inmates described under this standard are documented. In the past 12 months, there has been two notifications to an inmate, pursuant to this standard. Of those notifications, in the past 12 months, two notifications were documented.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 26, section (J)(v), states, "All such notifications or

attempted notifications shall be documented.”

Note, the OPA-130A Support Services form is used to document the following:

Staff

- The staff member is temporarily reassigned away from the alleged victim’s housing until
- The staff member is no longer posted within the alleged victims housing unit.
- The staff member is no longer employed at the facility.
- NCDPS has learned that the staff member has been indicted on a charge related to sexual abuse within the facility.
- NCDPS has learned that the staff member has been convicted on a charge related to sexual abuse within the facility.

Offender/Juvenile

- The alleged abuser has been temporarily reassigned away from the alleged victims housing unit.
- NCDPS has learned the alleged abuser has been indicted on a charge related to sexual abuse within the facility
- NCDPS has learned that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

The notification is signed and dated by the alleged victim and PREA Support Person.

(e) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 25, section (J)(vi), states, “Obligation to report shall terminate if the offender is released from NC Department of Public Safety custody.”

Through such reviews the facility meets the standard requirements.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Warden IV

Interview with the Correctional Warden IV demonstrated the employee would not be allowed into the facility, he or she would go through the interval OSI procedures and law enforcement, and applicable licensing agencies would be notified.

Site Observation:

In the last 12 months, the facility had zero staff who was disciplined for violation of an agency sexual abuse or sexual harassment policy.

(a) The Albemarle Correctional Institution PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (h)(2)(A), states, "Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies."

(b) The Albemarle Correctional Institution PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (h)(2)(B), states, "Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse."

(c) The Albemarle Correctional Institution PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. In the past 12 months, the number of staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse) is zero.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (h)(2)(C), states, “Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.”

(d) The Albemarle Correctional Institution PAQ states 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, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (h)(2)(D), states, “All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.”

Through such reviews, the facility meets the standard requirements.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Correctional Warden IV

The interview with the Correctional Warden IV demonstrated any volunteer or contractor would not be allowed into the facility, the associated agency, law enforcement and any applicable licensing agency would be notified.

Site Observation:

During the last audit cycle, the facility did not have any volunteers or contractors subject to disciplinary action due to violating sexual abuse or sexual harassment policies.

(a) The Albemarle Correctional Institution PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with Inmates. In the past 12 months, there have been zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in sexual abuse of inmates.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (3)(A), states, "Any contractor or volunteer who engages in sexual abuse shall be immediately prohibited from contact with offenders and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

(b) The Albemarle Correctional Institution PAQ states the facility takes appropriate remedial measures and considers whether to prohibit further contact with Inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and

	<p>Sexual Harassment Policy, page 32, section (3) (B-C), states,</p> <p style="padding-left: 40px;">i. “Appropriate remedial measures shall be considered whether to prohibit further contact with offenders in the case of any other violation of sexual abuse or sexual harassment policies.</p> <p style="padding-left: 40px;">ii. If an allegation of sexual abuse is which a volunteer or contracting agent is the alleged abuser is substantiated the volunteer or contracting agent shall be terminated from the relationship with NCDPS.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Correctional Warden IV <p>The interview with the Correctional Warden IV demonstrated normal disciplinary procedures would take place, an investigation would be completed, the aggressor would be placed in the special management unit and or moved to another facility.</p> <p>Site Observation:</p> <p>During the last audit cycle, the facility did not have any offenders subject to disciplinary action due to violating sexual abuse or sexual harassment policies.</p> <p>(a) The Albemarle Correctional Institution PAQ states inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a</p>

criminal finding of guilt for inmate-on-inmate sexual abuse. In the past 12 months there have been zero administrative findings of inmate-on-inmate sexual abuse. In the past 12 months there have zero criminal findings of guilt for inmate-on-inmate sexual abuse.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (4)(A), states, "Shall be subject to disciplinary sanctions pursuant to formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse."

(b) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (4)(B), states, "Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories."

(c) NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 31, section (4)(C), states, "The disciplinary process shall consider whether an offender's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed."

(d) The Albemarle Correctional Institution PAQ states the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. The facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4) (D), states, "A mental health evaluation shall be conducted after a substantiated incident and the offender shall be offered treatment when deemed appropriate by mental health practitioners. If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending offender to participate in such interventions as a condition of access to programming or other benefits."

(e) The Albemarle Correctional Institution PAQ states the agency disciplines inmates for sexual contact with staff only upon finding that the staff member did not consent to such contact.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4)(F), states, "The agency may not discipline an offender victim for sexual contact with staff unless a finding that the staff member did not consent to such contact."

(f) The Albemarle Correctional Institution PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (4)(E), states, "For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation."

(g) The Albemarle Correctional Institution PAQ states the agency prohibits all sexual activity between inmates. If the agency prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.

Through such reviews, the facility meets the standard requirements.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review: 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and

Sexual Harassment Policy, dated 6.9.2022

Interviews:

1. Registered Nurse
2. Human Service Program Manager II / Psychologist

Interviews with medical and mental health staff demonstrated disclosure reports are automatically flagged in the HERO system and or forwarded to them through facility staff. Medical staff stated they would see the offender on the day of the referral and Mental Health staff stated they would see the offender within 14 days for the underlying reason of the disclosure.

(a, c) The Albemarle Correctional Institution PAQ states all Inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner. Follow up meetings are offered within 14 days of the intake screening to 100% of offenders who disclosed prior victimization during the intake screening. Medical and mental health staff maintain secondary materials, documenting compliance with the above required services. The PAQ states, "In the last twelve months, there have been no medical and mental health screenings in which an offender indicated he had experienced prior sexual victimization."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 13, section (2)(A), states, "If the screening for risk of victimization and abusiveness indicates that a prison offender has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening."

(b) The Albemarle Correctional Institution PAQ states all Inmates who have previously perpetrated sexual abuse, as indicated during the screening pursuant to § 115.41, are offered a follow-up meeting with a mental health practitioner. All Inmates are allowed a follow-up meeting offered within 14 days of the intake screening who disclosed they perpetrated sexual abuse and were offered a follow up meeting with a mental health practitioner. The PAQ states, "In the last twelve months, there have been no medical and mental health screenings in which an offender indicated he had previously perpetuated sexual abuse."

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and

Sexual Harassment Policy, page 14, section (2)(B), states, “If the screening for risk of victimization and abusiveness indicates that a prison offender has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the offender is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.”

(d) The Albemarle Correctional Institution PAQ states, Information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (2)(C), states, “Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.”

(e) The Albemarle Correctional Institution PAQ states, Medical and mental health practitioners do not obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institution setting unless the inmate is under the age of 18.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 14, section (2)(D), states, “Medical and mental health practitioners shall obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the offender is under the age of 18.”

Through such reviews, the facility meets the standard requirements.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022
3. NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, dated 2.2014

Interviews:

1. Registered Nurse
2. Human Service Program Manager II / Psychologist

Interviews with medical and mental health staff demonstrated each are aware of access to emergency medical and mental health services upon receipt of an allegation of sexual abuse. The mental health staff stated victims would be seen within seven days.

Site Observation:

In the past 12 months the facility has had zero offenders who needed emergency services due to sexual abuse.

(a) The Albemarle Correctional Institution PAQ states Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 20, section (4) (a-b), state, “

A. “If an alleged act of sexual abuse has occurred and there may be forensic medical evidence, the offender may need medical assistance, or other circumstances dictate, arrangements shall be promptly made to have the alleged offender-victim examined by medical services.

B. Medical Services will follow medical protocol, which includes provisions for examination, documentation and transport to the local emergency department when appropriate, where the following will occur: collection of forensic evidence, testing for sexually transmitted diseases, counseling, and prophylactic treatment. Medical Services will ensure that the offender receives medical follow-up and is offered a referral for mental health services.”

(b) The Albemarle Correctional Institution PAQ states inmate If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 27, section (7)(a)(iv), states, “If an alleged act of sexual abuse or sexual harassment is reported or discovered, an immediate preliminary review shall be conducted to determine if the incident meets the standards of PREA.”

(c) The Albemarle Correctional Institution PAQ states inmate victims of sexual abuse while incarcerated are 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. Policy compliance can be found in provision (a) of this standard.

(d) The Albemarle Correctional Institution PAQ states treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, page 5, section VI., states, “All care for abuse will be provided at no cost.”

Through such reviews, the facility meets the standard requirements.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, dated 2.2014

Interviews:

1. Registered Nurse, Nurse Supervisor
2. Human Service Program Manager II – Mental Health Psychologist

Interviews with medical and mental health staff demonstrated a continuum of medical and mental health treatment would continue directly upon receiving allegations of sexual abuse and upon an offenders return from a forensic exam.

On Site Observation:

The facility has not experienced the need for emergency medical and or mental health services in the past 12 months.

(a-b) The Albemarle Correctional Institution PAQ states the facility offers 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.

NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 1, section B. 2, states, “The nurse’s exam will be documented in the medical record using the DC-387D “Use of Force / Trauma Assessment Form;’ and DC-387 “Chronological Record of Health Care Inpatient / Outpatient Notes” if additional space is needed.”

(c) Per NCDPS Health Services Policy & Procedure Manual Policy CP-18, the facility provides victims with medical and mental health services consistent with the community level of care.

(d) This provision is not applicable as the Albemarle Correctional Facility does not house females.

(e) This provision is not applicable as the Albemarle Correctional Facility does not house females.

(f) The Albemarle Correctional Institution PAQ states inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

NCDPS Health Services Policy & Procedure Manual Policy CP-18, page 2, section H. 2, states, "For sexual abuse reported within 72 hours, consideration of post-exposure prophylaxis (PEP) for HIV, chlamydia, gonorrhea trichomonas and bacterial vaginosis, will be based on current CDC guidelines."

(g) The Albemarle Correctional Institution PAQ states treatment services are 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.

NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, page 5, section VI., states, "All care for abuse will be provided at no cost."

(h) The Albemarle Correctional Institution PAQ states they attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.

NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 4, section 5. F., states, "Once an investigation has been completed and an inmate has been determined to be an inmate-on-inmate abuser, within 60 days, a mental health clinician will attempt to conduct an evaluation and offer treatment when deemed appropriate.

Through such reviews of the facility evaluating and providing a continuum of care upon an offenders' return from forensic examinations, the facility exceeds the standard requirements.

115.86 Sexual abuse incident reviews

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, dated 2.2014

Interviews:

1. Registered Nurse, Nurse Supervisor
2. Human Service Program Manager II - Mental Health Psychologist

Interviews with medical and mental health staff demonstrated a continuum of medical and mental health treatment would continue directly upon receiving allegations of sexual abuse and upon an offenders return from a forensic exam.

On Site Observation:

The facility has not experienced the need for emergency medical and or mental health services in the past 12 months.

(a-b) The Albemarle Correctional Institution PAQ states the facility offers 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.

NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 1, section B. 2, states, "The nurse's exam will be documented in the medical record using the DC-387D "Use of Force / Trauma Assessment Form;" and DC-387 "Chronological Record of Health Care Inpatient / Outpatient Notes" if additional space is needed."

(c) Per NCDPS Health Services Policy & Procedure Manual Policy CP-18, the facility provides victims with medical and mental health services consistent with the community level of care.

(d) This provision is not applicable as the Albemarle Correctional Facility does not house females.

(e) This provision is not applicable as the Albemarle Correctional Facility does not house females.

(f) The Albemarle Correctional Institution PAQ states inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

NCDPS Health Services Policy & Procedure Manual Policy CP-18, page 2, section H. 2, states, "For sexual abuse reported within 72 hours, consideration of post-exposure prophylaxis (PEP) for HIV, chlamydia, gonorrhea trichomonas and bacterial vaginosis, will be based on current CDC guidelines."

(g) The Albemarle Correctional Institution PAQ states treatment services are 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.

NCDPS Health Services Policy & Procedures Manual Clinical Practice Guidelines CP-18, page 5, section VI., states, "All care for abuse will be provided at no cost."

(h) The Albemarle Correctional Institution PAQ states they attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.

NCDPS Health Services Policy & Procedure, Section Clinical Practice Guidelines CP-18, page 4, section 5. F., states, "Once an investigation has been completed and an inmate has been determined to be an inmate-on-inmate abuser, within 60 days, a mental health clinician will attempt to conduct an evaluation and offer treatment when deemed appropriate.

Through such reviews of the facility evaluating and providing a continuum of care

	upon an offenders' return from forensic examinations, the facility exceeds the standard requirements.
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115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Director / Head of Agency <p>The interview with the PREA Director demonstrated the agency reviews all incident reports of sexual harassment and sexual abuse, staff and inmates involved in allegations, compile year end reports, and investigations referred for criminal prosecution and look for common trends. The agency focuses on areas to address in the past year and identifies areas needing corrective action.</p> <p>(a) The Albemarle Correctional Institution PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (j) (1-3), state,</p> <ol style="list-style-type: none"> (1) "All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater (5-ACI-3D-16). (2) Accurate, uniform data for every allegation of sexual abuse shall be documented in OPUS by all facilities. (3) Ensure that data is securely retained."

	<p>(b) The Albemarle Correctional Institution PAQ states the agency aggregates the incident-based sexual abuse data at least annually.</p> <p>(c) The Albemarle Correctional Institution PAQ states the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.</p> <p>(d) The Albemarle Correctional Institution PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Policy compliance can be found in provision (a) of this standard.</p> <p>(e) The Albemarle Correctional Institution PAQ states the agency does obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates as the agency does not have private contracts.</p> <p>(f) The Albemarle Correctional Institution PAQ states the Department of Justice has not requested agency data for the previous calendar year.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Document Review:</p> <ol style="list-style-type: none"> 1. Albemarle Correctional Institution PAQ 2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022 3. NCDPS Prison Rape Elimination Act (PREA) of 2003 Sexual Abuse Annual Report 2021

(a) The Albemarle Correctional Institution PAQ states the agency reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, including:

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

As is described in § 115.87, the agency provided an Annual Report meeting the requirements defined in provision (a) of this standard.

(b) The Albemarle Correctional Institution PAQ states the annual report includes a comparison of the current year's data and corrective actions to those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.

(c) The Albemarle Correctional Institution PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. Policy compliance can be found in provision (a) of this standard.

Annual reports from 2015 through 2021 are available at <https://www.ncdps.gov/dps-services/prison-rape-elimination-act>

(d) The Albemarle Correctional Institution PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. The agency indicates the nature of material redacted.

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Albemarle Correctional Institution PAQ
2. NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, dated 6.9.2022

(a) The Albemarle Correctional Institution PAQ states the agency ensures that incident-based and aggregate data are securely retained.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 33, section (j)(1), states, "All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater."

(b) The Albemarle Correctional Institution PAQ states agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.

NCDAC Prisons Policy & Procedures, Section F.3400 Offender Sexual Abuse and Sexual Harassment Policy, page 32, section (j) Record Retention and Data Collection, (2)(D), states, "The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its offenders."

(c-d) The Albemarle Correctional Institution PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. The agency maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p>(b) This is the fourth audit cycle for Albemarle Correctional Institution and the second year of the fourth audit cycle.</p> <p>(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p>(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p>(m) The Auditor was permitted to conduct private interviews with residents.</p> <p>(n) Residents permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(b) The agency has posted the current 2021 PREA audit report, on their website.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

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

	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.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	na
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	na
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the	na

	facility does not have female inmates.)	
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	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	yes

	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?	
	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.)	yes
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.)	no
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.)	na
	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.)	na
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.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes

	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	

	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes

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

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	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	yes

	suspicious 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.)	
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.)	no
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	yes

	screening instrument?	
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)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
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	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
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	yes

	present management or security problems?	
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	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
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	yes

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

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.).	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	na

	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.)	
	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	yes

	abuse or sexual harassment or retaliation?	
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	yes

	response to an incident of sexual abuse?	
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?	no
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	yes

	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?	
	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	yes

	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).)	
	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	yes

	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?	
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

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

	victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes

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

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	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	yes

	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?	
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	Audit contents and findings	

(f)		
	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