

PREA Facility Audit Report: Final

Name of Facility: Regional Brig Marine Corps Installations East

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 12/06/2021

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Ron L Kidwell	Date of Signature: 12/06/2021

AUDITOR INFORMATION	
Auditor name:	Kidwell, Ron
Email:	ronnie.kidwell@yahoo.com
Start Date of On-Site Audit:	09/27/2021
End Date of On-Site Audit:	09/28/2021

FACILITY INFORMATION	
Facility name:	Regional Brig Marine Corps Installations East
Facility physical address:	1042 Duncan Street, Camp Lejeune, North Carolina - 28547
Facility Phone	
Facility mailing address:	same,

Primary Contact	
Name:	Gene A. Rued
Email Address:	gene.rued@usmc.mil
Telephone Number:	910-451-7457

Warden/Jail Administrator/Sheriff/Director	
Name:	CWO4 Bolman Scott
Email Address:	scott.bolman@usmc.mil
Telephone Number:	910-451-7464

Facility PREA Compliance Manager	
Name:	Gene Rued
Email Address:	gene.rued@usmc.mil
Telephone Number:	O: (910) 451-7457

Facility Health Service Administrator On-site	
Name:	David Bennett
Email Address:	david.bennet.mil@mail.mil
Telephone Number:	910-451-1834

Facility Characteristics	
Designed facility capacity:	75
Current population of facility:	71
Average daily population for the past 12 months:	70
Has the facility been over capacity at any point in the past 12 months?	Yes
Which population(s) does the facility hold?	Males
Age range of population:	18-47
Facility security levels/inmate custody levels:	medium and maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	105
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	27
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	18

AGENCY INFORMATION	
Name of agency:	United States Marine Corps
Governing authority or parent agency (if applicable):	
Physical Address:	3000 Marine Corps Pentagon, Room 2C253, Washington, Dist. Columbia - 20350
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	Chief Warrant Officer 3 Christopher Nichols
Email Address:	Christopher.r.nicho1@usmc.mil
Telephone Number:	703-692-4269

Agency-Wide PREA Coordinator Information			
Name:	Mikael Marcy	Email Address:	mikael.marcy@usmc.mil

AUDIT FINDINGS

Narrative:

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

Pre-Audit Phase

The Prison Rape Elimination Act (PREA) Audit of the United States Marine Corps, Camp Lejeune, MCI East Regional Brig, was conducted from August 19 to November 12, 2021. The MCI East Brig requested a PREA audit be conducted by the PREA Auditors of America LLC. This certified PREA auditor, Ron Kidwell was contracted by the PREA Auditors of America on July 19, 2021, to conduct this scheduled PREA audit. The facility had been previously audited on December 12, 2017. On August 5, 2021, an introductory meeting was arranged to discuss several important topics. Those topics included the process needed to utilize the Online Audit System (OAS), posting the Audit Notice at least six weeks in advance, and an initial timeline for the audit. The meeting took place via phone call with a follow up email addressing the topics discussed. Present on the phone call was PREA Compliance Manager Gene Rued and Ron Kidwell (PREA Auditor) for PREA Auditors of America. During this conversation I requested contact information for the facility's PREA Coordinator and his immediate supervisor to begin the process of gaining access to the OAS. This request was also reiterated and documented in the e-mail that followed that phone conversation on the above listed date.

On August 5, 2021, copies of the PREA AUDIT Notice in English were sent to the PREA Compliance Manager via e-mail. The PREA AUDIT Notice was not sent in any other languages because there no was need for it. The direction the auditor received was that all Marines must be fluent in English in order to become an active member in the Marine Corps. Therefore, every prisoner in the Brig speaks and comprehends the English Language. The PREA notice communicates to staff and prisoners that the facility will be undergoing an audit for compliance with DOJ standards to prevent, detect, and respond to prison rape. The notice identifies the onsite dates of the audit and provides a confidential way to communicate with the auditor through the auditor's personal contact information. The notice also spells out how the confidential information is to be handled and when the confidential information must be reported. In addition, the email provided specific instructions to post the notices at least six weeks in advance of the scheduled onsite phase. That the audit notices needed to be posted throughout the facility in places where it would be visible to all prisoners and staff (e.g., visiting areas, housing units, and recreational spaces.) That the correspondences between the prisoners and auditor needed to be treated as legal mail and to confirm that the notices were posted in the appropriate time frame by date stamped photographs of the posters throughout the facility. On August 9, 2021, the PREA Compliance Manager sent me date stamped photographs of posted PREA Audit Notices from the facility. The PREA audit on-site dates for this audit were set for September 27-28, 2021.

On August 6, 2021, this auditor initiated the Camp Lejeune MCI East Brig audit through the PREA Resource Center Audit Initiation form. On August 15, 2021, the auditor contacted the PREA Resource Center (PRC) inquiring about the status of granting access to the authorized Brig staff to the OAS. I was informed that the PRC was still waiting on several responses to the requested confirmation emails. On August 19, 2021, the auditor received an email response by the PREA Resource Center acknowledging that the audit request was successfully initiated. On August 19, 2021, this auditor sent an email to the PREA Compliance Manager asking if he and the PREA Coordinator had gained access to the OAS. The PREA Compliance Manager replied that they did have access to the OAS at that time and that he had begun working on the PREA Audit Questionnaire. On September 9, 2021, the PREA auditor received a notification from the PREA Resource Center indicating that the Pre-Audit Questionnaire had been submitted by the Camp Lejeune MCI East Brig and ready for review.

On August 31, 2021, the auditor sent the PREA Compliance Manager an email requesting information and documentation that was needed. The information requested was to provide contact information on local advocacy groups, to agree on a date the Pre-Audit Questionnaire would be completed, request office space with internet access, permissible personal tech items (i.e. laptop, cellphone), and the names of all the prisoners that alleged sexual abuse or sexual harassment in the last twelve months. The Facility reported 7 sexual abuse or harassment allegations. The auditor received all the requested information prior to the on-site phase of the audit.

On October 27, 2021, the auditor contacted the Naval Criminal Investigative Service (NCIS) to ascertain if they did in fact conduct alleged sexual assault criminal investigations at the Camp Lejeune Brig. The auditor scheduled a phone call with the Special Agent assigned to and responsible to investigate that particular region of Marine Corps bases. He informed me that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed is to send a NCIS investigator is an official request from the Brig Duty Officer, PREA Compliance Manager or other law enforcement agency.

On September 9, 2021, the PREA auditor contacted Just Detention asking if their organization had any information about sexual safety at the Camp Lejeune Marine Corps MCI East Brig. Especially any information related to reported cases of sexual abuse or sexual harassment. Just Detention advised the auditor that they had not received any information related to sexual safety from any individual associated with the Camp Lejeune Brig.

The PREA auditor completed the review of all the documentation that was provided by the Camp Lejeune Brig PREA Compliance Manager

in the Pre-audit Questionnaire. The documentation is supposed to help support how a facility is establishing a baseline for its actual practice for zero tolerance for sexual abuse and sexual harassment. The auditor identified possible gaps or issues that needed to be followed up on and in some cases requested additional information. The request was captured on an easy to review document called an Issue Log. The Log is used to outline requests for response to questions that need to be clarified during the audit process. The auditor submitted his Issue Log to the PREA Compliance Manager on September 17, 2021, containing eight requests for additional information. A phone call was scheduled with the PREA Compliance Manager to discuss the listed issues and clarification.

On September 16, 2021, multiple emails were sent to the PREA Compliance Manager requesting lists for the interview selection and lists for document sampling. The lists consisted of individuals with specific responsibilities as it relates to PREA and individuals who have the authority to change policy. The list included individuals such as the Agency Head, Superintendent, PREA Coordinator, PREA Investigators, Medical staff and more. Also included, was a request for a complete staff roster, lists of contractors and volunteers that have contact with prisoners, prisoners that have reported sexual victimization during risk screening, LGBTQ prisoners, prisoners with disabilities, prisoners who are limited English proficient, prisoners who reported sexual abuse and more. Finally, the auditor requested all investigations related to sexual abuse or sexual harassment over the last twelve months. When sampling documentation the auditor is reviewing files in three separate categories. There are Employee files, Prisoner files, and Investigative files.

On October 27, 2021, the PREA auditor conducted a Sexual Assault Nurse Examiner (SANE) interview by phone with a SANE Nurse. The Nurse supervises the Forensic Nursing Unit at the Naval Medical Center Camp Lejeune, located in Jacksonville North Carolina. A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The Nurse explained that her unit is responsible for all forensic sexual medical exams that occur on the Camp Lejeune Base. When asked if the Naval Medical Center Forensics Unit is responsible for conducting all forensic medical exams for the MCI East Brig, the SANE Nurse stated, "yes they are." When asked if SANE staff are unavailable to conduct forensic medical examinations, then who assumes the responsibility? The Nurse replied that her staff is available 24 hours a day, 7 days a week, 365 days a year. Therefore, the possibility for no one to be available is highly unlikely.

The PREA auditor also contacted the victim advocacy group that the MCI East Brig utilizes to provide sexual abuse support. The Sexual Assault Prevention and Response Program (SARC) located on the Camp Lejeune Base. The SARC serves the entire Camp Lejeune Base and all commands inside the base. SARC provides a twenty-four-hour crisis hotline, emergency room advocacy, trauma-informed therapy, and onsite supportive counseling. During a phone interview the representative acknowledged the services offered to the MCI East Brig. She informed me that SARC provides a toll free twenty-four hour seven days a week hotline service, victim advocacy, and counseling to those who request it. She also stated that the SARC would seek to make contact with the on call SANE nurse when an incident is reported, and a forensic examination is requested. SARC will report any allegations of sexual abuse made by prisoners to the commanders at the Brig, but the prisoner can ask to remain anonymous. The representative stated that her agency has received several allegations of sexual abuse or sexual harassment from prisoners in the past from the MCI East Brig. The auditor also reviewed the Marine Corps Camp Lejeune MCI East Regional Brig website, reviewed the mandatory reporting laws, and performed an internet research on the MCI East Brig. However, nothing of relevance related to the safety or prevention of sexual abuse was found.

On September 20, 2021, the PREA auditor arranged a call with the PREA Compliance Manager. The call was to codify the logistics of scheduling interviews with specialized staff, prisoners, and random staff on different work rotations. We also discussed the file review and what specifically the auditor was looking for as proof of documentation or policy. All requested lists and documentation have been provided to the PREA auditor prior to the beginning of the onsite phase of this PREA audit.

At this time, the PREA auditor has not received any confidential communication (mail) from the incarcerated prisoners housed at the MCI East Brig. The confidential mail would be the product of the PREA Audit Notice postings throughout the correctional facility.

On-Site Audit

On 09/27/2021, at approximately 0830 hours a PREA audit kickoff meeting was conducted. The meeting was scaled down due to Coronavirus concerns. Present at the meeting was Brig staff leadership and the PREA Compliance Manager, four staff members in all. The meeting was designed to create a positive working relationship, place names with faces, and prepare for the next two days. Soon after the conclusion of the meeting the auditor began the facility observation tour. Accompanied by the PREA Compliance Manager and Brig Duty Officer the tour covered the entire facility over the next 2 hours. The auditor observed the outside trustees preparing for departure and received an overview of the classification / PREA screening process. The auditor observed the control centers, cafeteria, visiting area, infirmary, every housing unit, and private offices. During this tour, the auditor looked at camera placement for possible blind spots and prisoner to officer ratio. The auditor looked at privacy issues, how the toilet and shower areas were configured and did the prisoners have adequate privacy. Also, did staff of the opposite gender announce their presents when entering a housing unit of the opposite sex? The auditor documented if PREA posters and PREA audit notices were displayed in the housing units and public areas as well. The auditor noted the number of phones in each unit and if the advocacy hotline number along with the outside reporting entity contact information was readily available in the housing units. The auditor also conducted a test call to the outside entity to prove the effectiveness of the facility's practice. Finally, the auditor spoke to multiple prisoners about if they knew how to report an allegation of sexual abuse.

On 09/27/2021, at approximately 1050 hours the PREA auditor began the interviewing process. For the rest of the evening the auditor completed nineteen staff interviews. This process continued over into the next day on 09/28/2021. Over that 2-day period, the auditor

conducted 38 interviews with staff and prisoners. This included the agency leadership, which consisted of the Brig Superintendent, Brig Assistant Superintendent, Brig Duty Officer, PREA Compliance Manager, Health Services Administrator, and the Case Manager Counselor. In addition, the auditor interviewed 22 specialized staff. Listed below is the sample of specialized staff that was interviewed:

- Ø Agency Head / Director
- Ø Warden / Brig Superintendent
- Ø PREA Coordinator
- Ø Case Manager Counselor
- Ø Non -Medical staff conducting strip searches
- Ø Intermediate – Higher level staff
- Ø Medical Staff
- Ø Staff performing risk screening
- Ø Human Resources Staff
- Ø Agency Contract Administrator
- Ø Contractors
- Ø First Responder
- Ø Investigative Staff
- Ø Staff member monitoring retaliation
- Ø Incident Review Team member
- Ø Rape Crisis Center Advocate
- Ø Staff supervising prisoners in segregated housing
- Ø SANE Nurse

The selection of specialized staff also included several individuals who held multiple roles and responsibilities covered by the protocols. For example, the Human Resources Officer is responsible for both the incident review and staff monitoring retaliation.

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

The MCI East Brig provided the auditor a list of both volunteers and contractors that have contact with prisoners. However, during the on-site audit phase the auditor interviewed two contractors. No volunteers were available during the time of the on-site audit review.

During this audit 14 random prisoners were chosen to be interviewed. At the time of this audit there were approximately 68 prisoners housed at this facility. The auditor chose the names at random by going down the prisoner roster by housing location. Age, institutional experience, and housing assignments were taken into consideration when making these selections.

Lastly, MCI East Brig provided the auditor with approximately 2 possible targeted prisoners currently being housed in the facility. Of those prisoners currently housed at the MCI East Brig: 0 reported sexual victimization during the risk screening process, 2 reported sexual abuse, 0 LGB, 0 transgender, 0 physically disabled, 0 prisoners that were limited English proficient, and 0 with a cognitive disability. The MCI East Brig does not house youthful offenders, and reported no prisoners housed in segregation for high risk, and one prisoner that was hearing disabled. During the pre-audit and on-site audit phases, the auditor had not discovered any evidence to the contrary that would suggest these statements by the MCI East Brig about their targeted prisoner population are inaccurate. When an individual enlists into the United States armed services there is a presumption that those individuals must be English proficient. In addition, one must be able to perform the duties and responsibilities of a United States Marine and cannot suffer from a physical or cognitive disability. Therefore, the auditor had to adjust accordingly and selected additional random prisoners from the general population. During the two-day audit, 2 targeted prisoners were interviewed covering 1 protocol. The targeted interviews are categorized by the following:

- Ø 0 Physically disabled
- Ø 0 Limited English Proficient

Ø 0 Cognitively disabled

Ø 0 LGB

Ø 2 Reported sexual abuse

Ø 0 Transgender

Ø 0 Reported sexual victimization during risk screening

On the final day of the audit, the auditor requested that the PREA Compliance Manager provide me with a predetermined list of investigations, prisoner files, and staff personnel files selected by the auditor. The PREA Compliance Manager arranged the requested files for review for the Auditor.

The PREA auditor reviewed a total of 35 files. Those files consisted of 16 prisoner files, 12 staff personnel files, and 7 investigative files. The prisoner files consisted of those prisoners that the auditor had chosen, and the staff personnel files were selected by random.

AUDIT FINDINGS

Facility Characteristics:

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

Facility Characteristics

Marine Corps Camp Lejeune is located near the city of Jacksonville in the County of Onslow, North Carolina. Jacksonville is a city in North Carolina with an approximate population of 72,896 and is the youngest city in the United States, with the average age of 22.

Camp Lejeune is a 156,000-acre Marine Corps base that is 246 square miles. The base began construction in 1941 and is named after the thirteenth Commandant of the Marine Corps, Lieutenant General John Archer Lejeune. The facility is considered a training base with 14 miles of beaches which makes the base ideal for amphibious assault training. It is also located between two deep-water ports allowing for fast deployments.

The MCI East Brig was built in 2012 and can house a maximum of 75 prisoners. The facility only houses male prisoners, and any female prisoners are farmed out to a local Sheriff's Office (New Hanover Sheriff's Department) that is PREA compliant. The facility has two housing units. The first unit is considered the "General Housing Unit" and can hold up to 60 prisoners. The second housing unit is the "Restricted Housing Unit" capable of holding 15 prisoners. The Brig is run by a Chief Warrant Officer 3

The Brig's population capacity is 75 prisoners with 105 staff and 45 volunteers /contractors. The daily population on the first day of this audit was 68 prisoners. The MCI East Brig currently houses level 1 minimum security male prisoners.

Main Building:

The main building consists of the Main Control, food service kitchen, medical exam room, outdoor recreation yard, multi-purpose room, laundry area, intake area, a two-story dormitory style general housing unit, and a linear single cell restricted housing unit.

Main Control:

This control center is operated by two officers that manages the ingress and egress of authorized personnel to and from the compound into the Main Building housing unit. The control center also monitors both housing units, the outside recreation yard, multi-purpose room, kitchen area, and all outside perimeter cameras. The Main Control Center monitors 62 cameras throughout the facility with video recording capabilities and blackout features for privacy reasons. The control center has a portable radio system with the control booth operator performing the dispatching responsibilities. The correctional staff are also able to use the radio system for emergency requests and response situations. During the on-site tour, the auditor observed the camera coverage in the main control center. Camera coverage maintains good visibility throughout the facility.

Food Service / Kitchen:

The MCI East Brig kitchen has an open bay concept with no walk-in cooler or walk-in freezer. At the back of the kitchen, you can enter a dry goods storage closet. This closet is secured when the kitchen is not operational. All meals are prepared off site and brought to the facility. The process is a cafeteria style concept where the prisoners stand in a line to be served by contracted staff. Once the prisoner is served, the prisoner returns to their housing unit to eat. There is always an officer present monitoring the line. In addition, the staff dining room is located in the open dining area. There is camera coverage throughout the kitchen. The PREA information was posted as was the Audit Notice.

General Housing Unit:

The general housing unit is a two-story dormitory style setting. Each floor can house 30 prisoners in single cell rooms. Each individual room consists of a raised bunk, writing desk, shelf, and institutional toilet. This block is assigned to house male prisoners. The PREA information was posted as was the Audit Notice. There are multiple cameras mounted inside the housing unit. There is a bank of 2 phones mounted on the perimeter wall. The block can house up to 60 prisoners with two officers roaming the housing unit. The shower area is located adjacent to the officer's duty station. The group shower is made up of four separate shower areas surrounded by a half cinder brick wall to provide for privacy. Announcements were made prior to entering the block that female staff were present. During the on-site tour, the PREA auditor had a general discussion with a prisoner housed in this area about how he would report a sexual abuse allegation. The prisoner stated that he would either report verbally to any staff member or write the allegation on a DD510 (request form). The auditor reviewed the logbook located inside the officer's security station, noting random checks were made by supervisors.

Restricted Housing Unit (RHU):

The RHU is a linear design with fifteen individual cells. The shower area is located next to the officer's station and is closed off on three sides with a half shower door as an access point. This shower stall can be secured by staff if necessary. The PREA information was posted

as was the Audit Notice. Announcements were made prior to entering the block that female staff were present. There are cameras mounted inside the RHU unit that can be monitored by both the main control booth and the officer's station. Blackout features are utilized to provide a level of privacy. There is a rolling phone stationed in the restricted housing area. Each cell can house one prisoner. An institutional toilet is located within the cell. The auditor reviewed the logbook located inside the restricted housing area, noting random checks were made by supervisors. During the on-site facility tour the auditor utilized the roll phone located in the RHU to contact the PREA hotline that is used to report a sexual assault. The auditor called the DOD Safe Hotline, and the call was answered by RAINN. The auditor explained there was an ongoing PREA Audit and requested they contact the facility to verify proof that the system is functioning according to the contractual agreement. Initially the call became cumbersome because whenever the auditor tried to explain who and why I was making the call, the call taker continued to interrupt stating that I did not give my name and that the call was completely confidential. However, once the auditor was able to explain the nature of the call, the call taker did state that if the correctional facility was operated by Department of Defense (DOD) then they would turn take the alleged sexual abuse information and immediately forward that information to the facility.

Intake area:

The intake area consists of an officer's workstation, one holding cell, shower stall, prisoner waiting bench, and a vestibule area outside the intake area. When a prisoner is booked in they are processed and immediately housed in either the general housing unit or the restricted housing unit. The holding cell is not used for any permanent housing of prisoners. Both the holding cell and shower stall can be utilized to conduct strip searches. There are no cameras located in either location. The vestibule is used to remove restraints from prisoners prior to entering the facility. The PREA information was posted as was the Audit Notice in the common area behind the prisoner waiting bench. There are no phones located in the intake area.

Multi-purpose room:

The Multi-purpose room is a large assembly style room that is used for educational classes, visitation, and any other large gathering. The room has folding tables and chairs that can be used for large gatherings and visitation. The PREA information was posted on the wall as was the Audit Notice. There is camera coverage inside the room that captures the entire area.

Recreation Yard:

Consists of a half -size basketball court and universal weight system. The yard has two officers posted outside with a maximum of seventy-five prisoners. One officer is stationed on the outside perimeter and the other officer roams throughout the recreation yard. There are also multiple cameras mounted outside and inside the perimeter monitoring activity and prisoner movement. During the on-site tour, the PREA auditor had a general discussion with a prisoner using the outside recreation yard about how he would report a sexual abuse allegation. The prisoner stated that he is aware of posters with direction on how someone would report an allegation of sexual abuse.

Health Services:

The Dispensary is in the main secure hallway with access to the housing units. It consists of an examination area and nurses' station. If a prisoner needs specialized medical treatment, they must be transported to a medical facility on base that can provide those services. If there is need for immediate medical assistance, the security staff will contact the local emergency services. The PREA information was posted as was the Audit Notice. All prisoners must be escorted by an officer to sick call, stay with that prisoner until the visit is completed, and return the prisoner to their housing unit. There is camera footage inside the dispensary, but a curtain can be pulled around the entire examination area for privacy if needed.

Laundry Area:

The Laundry room is in the secure hallway. It is operated by two trustees and supervised by one officer. The area is mostly closed off with one entrance and exit. All prisoner uniforms are stored within the laundry room. There is camera coverage inside the laundry room along with officer supervision. The laundry room consists of two commercial grade washers and two commercial grade dryers. There are no hidden areas the auditor observed during the tour of the laundry room.

AUDIT FINDINGS

Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy). Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

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

After reviewing all information provided during the pre-audit and onsite audit, including staff and inmate interviews, the auditor has determined the following for the Camp Lejeune MCI East Brig:

Number of standards exceeded: 0

Number of standards met: 45

Number of standards not met: 0

Number of standards not applicable: 0

115.11 Meets Standard

115.12 Meets Standard

115.13 Meets Standard

115.14 Meets Standard

115.15 Meets Standard

115.16 Meets Standard

115.17 Meets Standard

115.18 Meets Standard

115.21 Meets Standard

115.22 Meets Standard

115.31 Meets Standard

115.32 Meets Standard

115.33 Meets Standard

115.34 Meets Standard

115.35 Meets Standard

115.41 Meets Standard

115.42 Meets Standard

115.43 Meets Standard

115.51 Meets Standard

115.52 Meets Standard

115.53 Meets Standard

115.54 Meets Standard
115.61 Meets Standard
115.62 Meets Standard
115.63 Meets Standard
115.64 Meets Standard
115.65 Meets Standard
115.66 Meets Standard
115.67 Meets Standard
115.68 Meets Standard
115.71 Meets Standard
115.72 Meets Standard
115.73 Meets Standard
115.76 Meets Standard
115.77 Meets Standard
115.78 Meets Standard
115.81 Meets Standard
115.82 Meets Standard
115.83 Meets Standard
115.86 Meets Standard
115.87 Meets Standard
115.88 Meets Standard
115.89 Meets Standard
115.401 Meets Standard
115.403 Meets Standard

Standards

Auditor Overall Determination Definitions

- Exceeds Standard
(Substantially exceeds requirement of standard)
- Meets Standard
(substantial compliance; complies in all material ways with the stand for the relevant review period)
- Does Not Meet Standard
(requires corrective actions)

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) MCI East Brig Pre-Audit Questionnaire b) U.S. Marine Corps PREA Brig Standard Operating Procedure c) U.S. Marine Corps PREA Coordinator Appointment Letter d) U.S. Marine Corps PREA Compliance Manager Appointment Letter e) Marine Corps MCI East Brig Military Confinement Facility PREA Organization Chart f) Marine Corps Military Confinement Facility PREA Organization Chart <p>Interview:</p> <ul style="list-style-type: none"> 1. Interview with Specialized Staff (PREA Coordinator) 2. Interview with Specialized Staff (PREA Compliance Manager) <p>Observations made during the On-Site Audit and Document Review</p> <p>115.11 Provision</p> <p>The agency has provided a written policy (PREA Brig SOP) which states in part that; in accordance with the references, the Brig will maintain a zero-tolerance policy approach in all cases of sexual abuse, sexual harassment, or sexual misconduct in accordance with the United States DOJ, Bureau of Justice Statistics, PREA Prisons, and Jail Standards. The Brig will ensure its policies, procedures, and practices protect prisoners from all acts of sexual misconduct or harm. Sexual harassment and sexual abuse demean, degrades, and violates all individuals. Whether an individual is a prisoner, staff member, volunteer or contractor. Sexual abuse, sexual harassment or sexual misconduct deny the individual respect and dignity and are contrary to the mission of the Brig. Sexual contact between prisoners and staff, including volunteers, contractors, or interns is never consensual on the part of the prisoner and will be considered coercive on the part of the staff member/volunteer/contractor. The Brig's policy governing PREA includes, at a minimum, the following areas: prevention planning, response planning, training, and education. Also screening for risk of sexual victimization, abusiveness, reporting, official response following a report, investigations, discipline, and medical and mental health care. Policies and procedures will be reviewed annually.</p> <p>The evidence collected for this provision shows that the agency has a written policy mandating zero tolerance towards all forms of sexual abuse. The policy also outlines the agency's approach to detecting, preventing, and responding to sexual abuse. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.</p> <p>115.11 Provision (b)</p> <p>The MCI East Brig provided an agency PREA organizational chart that I reviewed. I observed that the Agency PREA Coordinator is subordinate to the Head of Corrections. The Head of Corrections falls directly under the supervision and control of the Commanding Officer, who is located in Headquarters Battalion, Washington D.C. Thus, providing upper-level management positions to develop and implement oversight for the Brig's compliance with PREA standards.</p> <p>An interview was conducted with the Marine Corps PREA Coordinator and he was asked whether he felt like he had enough time to manage all his PREA related responsibilities. The PREA Coordinator stated that he did have sufficient time and that the agency was more than accommodating to his needs and time to coordinate PREA related standards. He further stated that he coordinates the effort to comply with PREA standards by ensuring the appropriate training takes place and monitors the standards for any changes or modifications. He also stated that he oversees five PREA Compliance Managers and communicates with them through email, phone calls, and annual onsite visits. The PREA Coordinator stated that if changes are needed, he contacts the Head of Corrections to consult and get approval for change.</p> <p>The evidence collected for this provision shows that the agency has demonstrated that they employ an upper level PREA Coordinator with enough time and authority to develop, implement, and oversee agency efforts to comply with PREA</p>

standards. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

115.11 Provision (c)

The Marine Corps is a United States Armed Force that operates five separate confinement facilities both in the United States and abroad. The agency has provided written (PREA Compliance Manager Appointment Letter) that outlines the responsibilities of the PREA Compliance Managers. The work profiles governing the PREA Compliance Managers in the PREA Brig SOP states in part that; a PREA Compliance Manager, provided with sufficient time and authority to coordinate the Brig's efforts to comply with the PREA standards, is appointed in writing (§115.11(c)). The PREA Compliance Manager is a primary duty assignment of at least an E-7/GS-09 and is responsible to the CO. Additionally, the incumbent is identified on the Brig's organizational chart and liaisons with the CMC PSL (Corrections) PREA Coordinator. These Compliance Managers have specific responsibilities such as maintaining necessary documentation of all PREA standard compliance efforts, act as primary facility contacts for the PREA Coordinator in coordinating compliance, ensure compliance with all PREA relative departmental policies and procedures, and will provide feedback to the Agency PREA Coordinator concerning policies, procedures, or practices that are not in compliance with PREA Standards.

An interview was conducted with a PREA Compliance Manager and was asked if he felt he had enough time to manage all the PREA related responsibilities? The PREA Compliance Manager stated that yes, he did have sufficient time to perform the duties required. Therefore, through written policy, personal observations, and interviews conducted the agency has demonstrated that it meets this provision.

Conclusion:

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

115.12	Contracting with other entities for the confinement of inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure Page 14 b) Memorandum of Understanding between the United States Marine Corps and the Sheriff, New Hanover County, North Carolina. <p>Interviews:</p> <ul style="list-style-type: none"> a) Agency's Contract Administrator <p>Observations made during the On-Site Audit and Document Review</p> <p>115.12 Provision (a)</p> <p>The PREA Brig SOP page 14, section b, states in part that; The Brig is not responsible or contracting as described in this standard. For the purposes of this standard, CMC PSL (Corrections) is responsible for contracting with agencies or other entities. The agency policy, reference (b), is used to show compliance with this standard during the conduct of PREA audits.</p> <p>The MCI East Brig contracts with the New Hanover Sheriff's Department located in North Carolina. The MCI East Brig has entered into a contract for the purpose of housing any female Marine that has been arrested and incarcerated. This includes any pre-trial detainees or convicted prisoners up to seven days after conviction. On page four of the contract, under Article J, C, the contract states that the Sheriff's Office must provide the Marine Corps with the most current Prison Elimination Act PREA auditor report. The auditor went online to confirm that the New Hanover Sheriff's Office is practicing the PREA Standards. The MOU was signed in April 2021.</p> <p>The evidence collected for this provision shows that the agency has entered into a contract for the confinement of female inmates and a written contract that requires the Sheriff's Office to adopt and comply with PREA standards. Therefore, through written policy, the facility has demonstrated that it meets this provision.</p> <p>115.12 Provision (b)</p> <p>The PREA Brig SOP page 14, section b, states in part that; The Brig is not responsible for contracting as described in this standard. For the purposes of this standard, CMC PSL (Corrections) is responsible for contracting with agencies or other entities. The agency policy, reference (b), is used to show compliance with this standard during the conduct of PREA audits.</p> <p>During the on-site audit phase, the auditor interviewed the agency's Contract Administrator. He stated that the current contract is in effect for one year. The administrator also stated that all contracts were currently in compliance with their obligations. Finally, the auditor conducted an online search to confirm that the New Hanover Sheriff's Office participates in the DOJ PREA standards.</p> <p>The evidence collected for this provision shows that the agency has a written policy that require the contract be monitored for compliance with PREA standards. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the Auditor has determined that the facility is fully compliant with this standard.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 297">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 360 358">Documents</p> <ol data-bbox="240 387 1198 701" style="list-style-type: none"> a) PREA Brig Standard Operating Procedure Page 14 b) MCI East Brig Guard Roster c) PREA National Standards; Facility Staffing Plan Annual Review for 2018, 2019, and 2020 d) MCI East Regional Brig Staffing Plan for 2018, 2019, and 2020 e) Manning Duty Brig Supervisor Reports f) General Housing Unit Logbooks <p data-bbox="240 730 352 757">Interviews:</p> <ol data-bbox="240 786 855 929" style="list-style-type: none"> 1. Interview with Warden or designee 2. Interview with PREA Coordinator 3. Interview with Intermediate or higher-level Facility Staff <p data-bbox="240 958 922 985">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="240 1014 448 1041">115.13 Provision (a)</p> <p data-bbox="240 1070 1485 1301">The PREA Brig Standard Operating Procedure states in part that; The Operations Chief will develop, document, and make their best efforts to comply on a regular basis with a security staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring, to protect prisoners against sexual abuse (§115.13(a)). The written staffing plan is developed sufficiently in advance for internal review and further submission to CMC PSL (Corrections) by 31 May of each year. The staffing plan will conform to direction and allocations as directed by the Brig Officer (BO). In calculating adequate staffing levels and determining the need for video monitoring, the Brig will use the PREA staffing analysis in accordance with reference (d) and will take into consideration:</p> <ol data-bbox="240 1391 1179 2049" style="list-style-type: none"> a. Generally accepted detention and correctional practices b. Any judicial findings of inadequacy c. Any findings of inadequacy from Federal investigative agencies d. Any findings of inadequacy from internal or external oversight bodies e. All components of the facility's physical plant (including "blind-spots" or areas where staff or offenders may be isolated) f. The composition of the offender population g. The number and placement of supervisory staff h. Institution programs occurring on a particular shift i. Any applicable State or local laws, regulations, or standards j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse k. Any other relevant factors <p data-bbox="240 2078 1474 2139">The MCI East Regional Brig Staffing Plan states that; in accordance with the Prison Rape Elimination Act standard 115.13, a staffing plan has been developed that provides an adequate level of staffing and, where applicable, video monitoring to</p>

protect prisoners against sexual misconduct, sexual harassment, or sexual abuse.

Since the last PREA audit, the average daily population of inmates at the MCI East Regional Brig was 55 and the current staffing plan was predicated on 75 inmates housed at the facility.

During the interview with the Warden / Designee he was asked if the facility had a staffing plan and if the staffing levels to protect inmates from sexual abuse was considered in the plan, if video monitoring is part of this plan, and if the staffing plan is documented. The Warden/Designee confirmed yes to all the above questions. The Warden/Designee also confirmed that when reviewing the staffing plan on an annual basis that they consider all the above matters. The auditor also interviewed the PREA Coordinator and asked if the above considerations are weighed when developing the staffing plan. The coordinator explained that they were considered. The staffing plan is developed on 9 security posts 9 escorts and 2 supervisors.

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

115.13 Provision (b)

PREA Brig Standard Operating Procedure page 15, paragraph 2 states that; In circumstances where the staffing plan is not complied with, the Duty Brig Supervisor (DBS) will document and justify all deviations from the plan in the daily morning report and notify the BO on weekends and Holidays. The annual staffing plan review will analyze the causes and effects of the six most common reasons for deviation from the staffing plan and shall propose corrective actions or alternatives necessary to optimize the effectiveness and productivity of existing staff. The analysis will also take into consideration the average daily number of prisoners and the current staffing plan. Each facility must make its best efforts to comply on a regular basis with the facility staff plan. In circumstances where the staffing plan is not complied with, the Facility Unit Head or designee must document and justify all deviations from the facility staffing plan.

During the interview with the Warden/Designee he was asked if the Facility documents all instances of non-compliance with the staffing plan. The Warden/Designee stated that yes, it is documented and the explanation for not meeting the plan must be justified. However, this scenario has never occurred.

The Facility PREA Compliance Manager listed the top five reasons for possible non-compliance in the staffing plan annual review as follows:

- Guard shortage
- Staff on leave
- Staff Sick leave
- COVID-19 related absences due to COVID-19 positive staff and staff quarantine
- Mandatory In-Service Training/rifle range

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

Provision C:

PREA Brig Standard Operating Procedure page 15, paragraph 3 states in part that; Whenever necessary, but not less than annually, the BO, in consultation with the CMC PSL (Corrections) PREA Coordinator will assess, determine, and document whether adjustments are needed for the following:

1. This review will assess, determine, and document whether adjustments are needed to:
 - a. The staffing plan established pursuant to paragraph (1) of this section.
 - b. The Brig's deployment of video monitoring systems and other monitoring technologies with regard to financial resources availability and architectural review boards.
 - c. The resources the Brig has available to commit to ensure adherence to the staffing plan.
2. Any requests for additional staff will be forwarded with justification to CMC PSL (Corrections).

The MCI East Regional Brig has provided the last three Staffing Plan annual reviews documenting any additional needs for

addition security officer positions and for additional video cameras for monitoring. The most recent memo was written by the Commanding Officer of the Brig dated 12/01/2020 and addressed to the Agency PREA Coordinator and Deputy Head of the Corrections Branch.

During the PREA Coordinator interview the coordinator was asked if he is consulted regarding any assessments or adjustments to the staffing plan. The coordinator stated that the staffing plan is reviewed yearly and that the PREA Coordinator must review and sign off on all staffing plan documentation.

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

115.13 Provision (d)

PREA Brig Standard Operating Procedure page 16, paragraph 5 (Supervisor Rounds) state in part that; The CO, BO, PREA Compliance Manager, Operations Chief, and Duty Brig Supervisor will conduct regular and random unannounced rounds to identify and deter staff and prisoner sexual abuse and sexual harassment. Such policy and practice shall be implemented for night shifts as well as day shifts. These rounds will be documented in the post logbooks daily and documented in the daily DBS report. Over time (weekly), the unannounced rounds will cover all shifts and all areas of the Brig. Staff members are prohibited from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the Brig.

The MCI East Regional Brig provided 21 samples of PREA Supervisor Unannounced notations in the housing logbooks spanning over the last three years. These logbooks cover both day and night shift. The unannounced log pages identify and document unannounced rounds by supervisors across all shifts during different times of the tour of duty. The auditor reviewed several duty post logs on security posts during the site review tour confirming that these unannounced rounds are being conducted.

During the interview process, the auditor interviewed an intermediate or higher-level supervisory staff about unannounced rounds. The supervisor was asked if he conducted unannounced rounds and if he documented those rounds. The supervisor stated that yes, he performs unannounced rounds and that they are documented on the "Housing Logbooks". When asked how the supervisor would prevent staff from alerting other staff members about unannounced rounds. The supervisor responded that he did them randomly, unannounced, doesn't do areas in order, and did not tell anyone.

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

Conclusion:

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

115.14	Youthful inmates
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="242 387 826 416">a) PREA Brig Standard Operating Procedure, Page 16 <li data-bbox="242 445 1161 474">b) Brig Commanding Officer Memo referencing PREA standard 115.14 dated 10/01/2020 <p data-bbox="242 504 916 533">Observations made during the On-site Audit and Document Review</p> <p data-bbox="242 562 448 591">115.14 Provision (a)</p> <p data-bbox="242 620 1485 813">PREA Brig Standard Operating Procedure, page 16, paragraph D, states in part that; In the rare instance a prisoner under the age of 18 is confined, the DBS will comply with PREA standards pertaining to youthful prisoners and notify the BO as soon as possible but no later than the end of the shift. Prisoners under the age of 18 will be housed separately. Assignment to restrictive housing does not meet this standard. As a part of the separate housing assignment, prisoners will not be placed in a housing unit in which the prisoner will have sight, sound, or physical contact with any adult prisoner through use of a shared dayroom or other common space, shower area, or sleeping quarters 115.14(a).</p> <p data-bbox="242 842 1469 938">The PREA Compliance Manager provided a memorandum authored by the Commanding Officer of the Brig notating that there are no prisoners under the age of 18 currently incarcerated at the MCI East Regional Brid nor has there ever been any juvenile housed at this facility.</p> <p data-bbox="242 967 448 996">115.14 Provision (b)</p> <p data-bbox="242 1025 1461 1084">PREA Brig Standard Operating Procedure, page 16, paragraph 3, states in part that; In areas outside of housing units, the facility will either:</p> <ol style="list-style-type: none"> <li data-bbox="242 1171 1190 1200">1. Maintain sight and sound separation between prisoners under 18 and adult prisoners, or <li data-bbox="242 1229 1461 1326">2. Provide direct staff supervision (escort) when juveniles and adult prisoners have sight, sound, or physical contact. Video monitoring is considered indirect supervision, and is therefore not sufficient to comply with the standard of direct supervision. The Brig will make its best effort to avoid placing prisoners under 18 in isolation. <p data-bbox="242 1355 448 1384">115.14 Provision (c)</p> <p data-bbox="242 1413 1490 1574">PREA Brig Standard Operating Procedure, page 16, paragraph 4, states in part that; The Brig will make its best effort to avoid placing prisoners under 18 in isolation to comply with these provisions. Absent exigent circumstances, juveniles are permitted to participate in large-muscle exercises, any legally required special education services, program, and work opportunities. For each instance where juveniles are denied the aforementioned requirements, the DBS shall document the exigent circumstances for the denial in each DBS Report.</p> <p data-bbox="242 1659 1485 1821">During the on-site tour of the physical plant, the Auditor did not witness any youthful inmates housed in the general or restricted housing units. After conducting 41 interviews with staff and inmates there was no evidence to suggest that the MCI East Regional Brig houses youthful inmates. Also, no interviews were conducted for this standard because there have been no incidences involving youthful inmates. Therefore, this standard is not applicable, however, the agency does have policies and procedures in place to manage youthful inmates if or when these situations may occur.</p> <p data-bbox="242 1850 365 1879">Conclusion:</p> <p data-bbox="242 1908 1401 1966">Based upon the review and analysis of all the available evidence, the Auditor has determined that the agency is fully compliant with this standard.</p>

115.15	Limits to cross-gender viewing and searches
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 823 416">a) PREA Brig Standard Operating Procedure, page 17 <li data-bbox="240 448 1449 506">b) Policy Letter 2-17 – Conduct of Searches for Transgender and Intersex prisoners within Marine Corps Confinement facilities. <li data-bbox="240 537 1302 564">c) MCI East Regional Brig Training Roster (Conduct frisk searches on Transgender-Intersex prisoners) <p data-bbox="240 654 352 680">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 712 632 739">1. 12 interviews with Random Staff <li data-bbox="240 770 679 797">2. 14 interviews with Random Prisoners <li data-bbox="240 828 906 855">3. Interview with Non-medical staff involved with strip searches <p data-bbox="240 945 919 972">Observations made during the On-Site Audit and Document Review</p> <p data-bbox="240 1061 448 1088">115.15 Provision (a)</p> <p data-bbox="240 1115 1485 1406">The MCI East Regional Brig is situated inside the Camp Lejeune Marine Base. The facility houses male inmates only. MCI East Regional Brig Standard Operating Procedure, page 17, paragraph 1, states in part that; Brig staff will not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal/genital opening) except in exigent circumstances (to ensure safety or to preserve evidence) or when performed by medical practitioner in accordance with references (e) and (f). Body cavity searches are only performed by qualified medical personnel when authorized by the CO or designee, and only when there is a reasonable belief that a person is concealing contraband in or on their person in accordance with reference (e). All cross-gender strip searches will be annotated in the Brig Strip Search Log, Brig Log and DBS Report. All cross-gender body cavity searches performed shall be documented in the Brig Log, DBS Report, and prisoner medical record. These events will be identified as significant events in the Brig Log.</p> <p data-bbox="240 1496 1485 1688">There are no examples of exigent circumstances in the last 12 months because it is against policy and there are no female prisoners housed at this facility. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day-to-day operations involving gender specific searches. When interviewing the non-medical staff responsible for conducting strip searches, the officer was asked under what circumstance would it require a cross-gender strip search. The officer replied that he could not think of any circumstance that would constitute the need to cross gender strip-search a prisoner of the opposite gender, unless in a life threatening situation.</p> <p data-bbox="240 1778 1469 1935">The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances when performed by medical practitioners. The interview with non-medical staff that conducts strip searches confirmed the practice during the interview. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1966 448 1993">115.15 Provision (b)</p> <p data-bbox="240 2024 1485 2150">The MCI East Regional Brig, page 17, paragraph 2 states in part that; Cross-gender frisk searches of prisoners are not permitted except in exigent circumstances in accordance with reference (e). Cross-gender frisk searches will be documented in the Brig Log and identified as a significant event (e.g., highlighted, color coded, searchable, etc.) and annotated in the DBS report. The Brig only processes female prisoners in the Receiving and Release area and then transfers them to an</p>

approved County Jail for pre-trial or post-trial confinement.

There are no examples of exigent circumstances over the last 12 months because it is against policy and no female prisoners are housed at the MCI East Regional Brig. When conducting the on-site review of the facility the auditor observed adequate female staff to accommodate any day-to-day operations involving gender specific pat searches if necessary.

During the on-site phase, the auditor interviewed 12 random staff members from both the day and night shifts. When asked if female staff is not available to conduct a pat-search of a female prisoner, then does the jail not allow that female prisoner access to programs or visiting? Six staff members stated that there are female staff always available and therefore not an issue. 3 staff members stated that the female prisoner would not be punished. Two staff members stated that they can only pat search females in exigent circumstances. Finally, 1 staff member stated that medical records reflect the prisoner's gender. As stated previously, there were no female prisoners available to interview.

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

115.15 Provision (c)

The PREA Brig Standard Operating Procedure page 16, states in part that; All cross-gender strip searches will be annotated in the Brig Strip Search Log, Brig Log and DBS Report. All cross-gender body cavity searches performed shall be documented in the Brig Log, DBS Report, and prisoner medical record. These events will be identified as significant events in the Brig Log.

The evidence collected for this provision shows that the agency has a written policy that prohibits staff from conducting cross-gender pat searches, except in exigent circumstances when performed by medical practitioners. Therefore, through written policy, the facility has demonstrated that it meets this provision.

115.15 Provision (d)

The PREA Brig Standard Operating Procedure, page 16 paragraph 3, states in part that; Security staff will allow prisoners 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 viewing is incidental to routine cell checks to include viewing via video cameras. Brig staff will announce their presence when entering a prisoner housing unit or area where prisoners of the opposite gender may be located by loudly stating: "MALE ON DECK" or "FEMALE ON DECK." Brig staff should be aware of the Plan of the Day and, to the maximum extent possible, limit the number of official visits to dorms during recreation, shower call, and times when prisoners are most susceptible to unauthorized viewing.

When conducting the site review the auditor observed half wall partitions separating toilets from view, shower curtains, or half doors for privacy when showering and monitoring screens situated away from these specific areas so staff could not view prisoners when using the restrooms or showers. The auditor also witnesses officers announce their presence when entering a housing block of prisoners of the opposite sex. Finally, the agency provided the auditor with Facility post logs with notations made by officers documenting their opposite gender announcements.

During the on-site phase, the auditor interviewed both random staff and prisoners. The 12-random staff were asked if they or other officers announce their presence when entering a housing unit of prisoners of the opposite sex. All 12 officers stated that they do. When asked if prisoners can dress, shower, and use the restroom without being viewed by officers of the opposite sex, all 12 officers stated yes, they could. The auditor also interviewed 14 random prisoners. When asked if female officers announce their presence when entering the housing block of the opposite sex, 12 prisoners stated yes, they do, 1 prisoner stated sometimes and 1 prisoner stated that they just started doing that. When asked if they or other prisoners are ever naked in full view of female officers, all 14 prisoners stated no they are not.

The evidence collected for this provision shows that the agency has a written policy that enables prisoners to shower, perform bodily functions, and change clothes without being viewed by staff of the opposite sex. They also have a policy that require all staff to announce their presence when entering a housing unit of prisoners of the opposite sex. The interviews

conducted with random staff and random prisoners confirmed that these policies are being practiced by staff. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.15 Provision (e)

The PREA Brig Standard Operating Procedure pages 16, paragraph 4, state in part that; Brig staff will not search or physically examine a transgender, intersex, or gender non-conforming prisoner for the sole purpose of determining the prisoner's genital status. Upon initial receipt and prior to search, if the prisoner's genital status is unknown, it may be determined during conversations with the prisoner by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical officer.

When interviewing random staff, they were asked if they were aware of the agency policy prohibiting staff from searching or physically examining a transgender person for the sole purpose of determining the prisoner's genital status. All 12 random officers stated that yes, they are aware and searching for the sole purpose of identifying gender is prohibited. At the time of this audit the MCI East Regional Brig informed the auditor that there were no transgender prisoners housed in their facility. Therefore, a transgender or intersex prisoners' perspective could not be obtained during the on-site interview phase of this audit.

115.15 Provision (f)

The MCI East Regional Brig does not conduct cross-gender pat searches unless exigent circumstance exists. The Brig provided training records and training curricula as proof of receiving training on cross-gender pat searches and searches of transgender and intersex prisoners in a professional manner. During the on-site review, the auditor interviewed 12 random staff and in those interviews the officers were asked if they had received training on how to conduct a cross-gender pat search and when did they receive the training. All 12 stated that they had received the training. From those interviews, 7 officers stated that they received the training during annual in-service training. Four officers stated that they received the training within the last several months and 1 officer stated that they had not received the training.

Conclusion:

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

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 18 b) Memorandum authored by the Commanding Officer regarding (Prisoners with Disabilities) <p>Interviews:</p> <ul style="list-style-type: none"> a) Agency Head / Designee b) Random Staff c) Inmates with Disabilities or limited English proficient <p>115.16 Provision a:</p> <p>The PREA Standard Operating Procedure, page 18, paragraph 1, states in part that; The CO or designee shall consult with a qualified Americans with Disabilities Act (ADA) Coordinator and take appropriate steps to ensure that prisoners with disabilities (e.g., prisoners who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have an equal opportunity to participate in or benefit from all aspects of the Brig's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps include, when necessary, to ensure effective communication with prisoners who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Written materials are provided, when necessary, in formats or through methods that ensure effective communication with prisoners with disabilities, including prisoners who have intellectual disabilities, limited reading skills, or who are blind or have low vision. The Brig is not required to take actions that 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 ADA, 28 CFR 35.164. Access to such services and materials are provided in the Prisoner Rules and Regulations, in printed materials or posted in the housing units.</p> <p>The Agency Head / Designee was interviewed and asked if his agency has established procedures to provide prisoners with disabilities and prisoners who are limited English can participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The Agency Head/Designee stated that; this situation is not applicable because every Marine must be able to function as an armed soldier that is free from any limitations that could conflict with their responsibilities.</p> <p>Finally, the Commanding Officer authored a memorandum stating in part that; all prisoners with limited English skills, deafness or hard of hearing, blind or low vision, or those who have psychiatric, or speech disabilities will be given full opportunity to participate in and benefit from all aspects of the Brig's efforts to prevent, detect, and respond to any sexual abuse, misconduct, or sexual harassment.</p> <p>Reasonable steps will be taken to contact an interpreter relating to any foreign language assistance, if needed. Linguistic services can be obtained from Military One Source, http://militaryonesource.mil or call 1-800-342- 9647. The MCI East G-2 Dept. is the best resource to request an interpreter or any assistance.</p> <p>There have been no past cases or issues with needing assistance since the last full PREA audit in Sep 2017.</p> <p>There were no prisoners identified as disabled and interviewed during the on-site review phase. Therefore, the auditor was not able to obtain that perspective from a prisoner with disabilities for this audit.</p> <p>The evidence collected for this provision shows that the agency has a written policy that addresses that the agency takes appropriate steps to ensure that prisoners with disabilities have an equal opportunity to participate in or benefit from all</p>

aspects of the agency's efforts to prevent, detect, and respond to sexual abuse or sexual harassment. Therefore, through written policy, and personal observations the facility has demonstrated that it meets this provision.

115.16 Provision (b)

The PREA BRIG Standard Operating Procedure page 18, paragraph 2, states in part that; reasonable steps shall be taken to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to prisoners who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively using any necessary specialized vocabulary.

Linguistic services may be accessed via Military One Source via <http://militaryonesource.mil> or call 1-(800)342-9647. At the installation level, the MCIEAST G2 Department would be the best resource for a requested interpreter.

Finally, there were no prisoners that identified as limited proficient in English and was interviewed during the on-site review phase. The auditor did ask numerous random prisoners if they were aware of any Spanish speaking prisoners housed at the facility that struggled with the English language. No prisoners that were interviewed identified any such prisoner.

The evidence collected for this provision shows that the agency has a written policy that addresses appropriate steps to ensure that prisoners who are "limited English proficient" have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse or sexual harassment. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.

115.16 Provision (c)

The PREA Brig Standard Operating Procedure, page 19, paragraph 3 states in part that; Prisoner interpreters, prisoner readers, or other types of prisoner assistants are prohibited except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise prisoner's safety, the performance of first-response duties, or the investigation of the prisoner's allegations.

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

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

Conclusion:

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

115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 19 b) Staff PREA Training Acknowledgement & Statement of Understanding c) Memorandums requesting National Crime Information Center Checks d) Staff Employee Files <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Human Resources Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.17 Provision (a)</p> <p>The PREA Brig Standard Operating Procedure, page 19, paragraph G, states in part that; The Brig will not employ, or promote anyone who may have contact with prisoners, and will not enlist the services of any contractor who may have contact with prisoners who:</p> <ul style="list-style-type: none"> a. 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). b. 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 c. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section. <p>Civilian personnel convicted of a felony are ineligible for employment in a confinement facility as per references (e) and (f).</p> <p>During the file review part of this audit 12 personnel files were sampled. This sample included civilian staff, volunteers, contractors, and security staff. The review resulted in 12 files indicating an initial criminal history being ran.</p> <p>The evidence collected for this provision shows that the agency has a policy prohibiting the hiring or promoting anyone who may have contact with prisoners if they had engaged in sexual abuse in jail. If convicted of engaging or attempting to engage in sexual abuse and had been civilly adjudicated due to engaging in these activities. Therefore, through written policy, personal observations, and file review the facility has demonstrated that it meets this provision.</p> <p>115.17 Provision (b)</p> <p>The PREA Brig Standard Operating Procedure page 19, paragraph G3, states in part that; The Brig will consider any incidents of sexual harassment in determining whether to hire, retain, promote anyone, or to enlist the services of any contractor who may have contact with prisoners.</p> <p>During the audit interview process the Human Resources staff member was asked if the agency considers prior incidents of sexual harassment when determining whether to hire or promote anyone and to enlist services of any contractors. The H.R. staff member stated that they do consider those prior incidents and this practice is mandated by the Secretary of the Navy standard operating procedure.</p> <p>The evidence collected for this provision shows that the agency has a policy requiring the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.17 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 20, paragraph G4, states in part that; Before hiring new employees, who</p>

may have contact with prisoners, the BO will:

- a. Conduct a National Crime Information Center (NCIC) criminal background records check (§115.17(c)(1)), as per reference (b); and
- b. Consistent with Federal, State, and local laws, make 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.

During the audit interview process, the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with prisoners. The H.R. staff member stated that; The agency performs a criminal record check on all new Marines, volunteers, contractors, and current employees every year through the NCIC system. He further stated that it is each facility's responsibility to ensure the annual check in completed and that all Marines working at the Brig holds a secret security clearance. The auditor reviewed 12 personnel files. The auditor determined that the 12 names of staff members that was selected had evidence in the personnel file of an initial NCIC Background Check completed.

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

115.17 Provision (d)

PREA Brig Standard Operating Procedure page 20, paragraph G5, states in part that; the BO will process criminal background records check (NCIC) as per reference (b), before the facility enlists the services of any contractor or volunteer who may have contact with prisoners.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for all newly hired sworn employees, considered for promotion, and any contractor that may have contact with prisoners. The H.R. staff member stated that; The agency performs a criminal record check on all new Marines, volunteers, contractors, and current employees every year through the NCIC system. He further stated that it is each facility's responsibility to ensure the annual check in completed and that all Marines working at the Brig holds a secret security clearance. The auditor reviewed 12 personnel files. The auditor determined that the 12 names of staff members that was selected had evidence in the personnel file of an initial NCIC Background Check completed.

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

115.17 Provision (e)

PREA Brig Standard Operating Procedure page 20, paragraph G6, states in part that; the BO will request for criminal background records checks at least annually on current staff, contractors, and volunteers who may have contact with prisoners or have in place a system for otherwise capturing such information for current staff. The Programs Chief will collect and save needed information from personnel for the annual NCIC background checks. PSL Corrections Branch will conduct an NCIC check on all submitted names from the BO.

During the audit interview process the H.R. staff member was asked if the facility performs criminal record background checks for Marines working at the Brig, and any contractor that may have contact with prisoners. The H.R. staff member stated that; The agency performs a criminal record check on all new Marines, volunteers, contractors. They will also conduct background checks on 10% of the Marine Corps on an annual basis. Finally, all employees are checked every five years through the NCIC system. The auditor reviewed 12 personnel files. The auditor determined that the 12 staff members appeared on memorandum requesting a background check. The dates listed on the memorandum indicated when the background checks were conducted, along with a determination. The facility also provided the auditor with similar memos regarding the dates the records check was conducted on contractors.

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

115.17 Provision (f)

PREA Brig Standard Operating Procedure page 20, paragraph G7, states in part that; The BO will ask direct questions of all applicants and staff who may have contact with prisoners regarding previous misconduct described in paragraph (a) of this

section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. New employees will be required to complete enclosure (9), for screening purposes. The CO will also impose upon staff a continuing affirmative duty to disclose any such misconduct. The BO will review all proposed staff assignments in advance for standards compliance. Military members deemed unqualified per the provisions of paragraph (a) above will not be recommended for promotion/advancement.

During the interview with the H.R. staff member, it was asked if the facility ask all applicants and employees about previous misconduct regarding prisoners and does the facility impose upon employees a continuing affirmative duty to disclose previous misconduct? The H.R. staff member stated that yes Mr. Rued goes thru those questions with all newly assigned Marines at the Brig. He also stated that yes, all employees must report any misconduct or interaction with law enforcement.

During the corrective phase, the auditor determined that questions about previous misconduct regarding engaging in sexual abuse in an institutional setting is being documented on the "Staff PREA Training Acknowledgment & Statement of Understanding form". The questions such as, have you ever engaged in sexual abuse in a correctional setting, have you ever 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 is listed on this document. The officer must answer each question in a yes or no fashion and initial each question. Finally, the PREA Compliance Manager has provided the Auditor with four examples of this form being utilized and acknowledged by the officer.

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

115.17 Provision (g)

PREA Brig Standard Operating Procedure paragraph G8, states in part that; Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. Appropriate administrative or disciplinary actions will be referred to the applicable civilian or military activity for action. There are no examples or circumstances over the last twelve months to provide documentation for this provision.

The evidence collected for this provision shows that the agency has a policy requiring that material omissions regarding such misconduct or the provision of materially false information are grounds for termination. Therefore, through written policy the facility has demonstrated that it meets this provision.

115.17 Provision (h)

PREA Brig Standard Operating Procedure page 20, paragraph G9, states in part that; Unless prohibited by law, the Brig will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

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

Conclusion:

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

115.18	Upgrades to facilities and technologies
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <p>a) PREA Brig Standard Operating Procedure page 21.</p> <p>Interviews</p> <p>a) Interview with Agency Head / Designee</p> <p>b) Interview with Warden / Designee</p> <p>Observations made during the On-Site Audit and Document Review</p> <p>115.18 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 21, paragraph H1, states in part that; When designing or acquiring any new features or planning any substantial expansion or modification of existing facilities, CMC PSL (Corrections) will consider the effect of the design, acquisition, expansion, or modification upon the Brig's ability to protect prisoners from sexual abuse.</p> <p>The facility has not acquired or made a substantial expansion or modifications to existing facility since the last PREA audit in 2017.</p> <p>During the audit interview phase the Agency Head was asked that when planning substantial modifications to the facility, "how does the agency consider such changes on its ability to protect prisoners from sexual abuse?" The Agency Head stated, "when designing facilities, we follow PREA guidelines and ADA standards, manning requirements, and CCTV capabilities to protect staff and prisoners." In addition, the Warden/Designee was also asked the same question. The Warden / Designee stated, "there had been no current renovations to the facility."</p> <p>The evidence collected for this provision shows that the agency shall consider the effect of such design to improve the ability to protect prisoners from sexual abuse. Therefore, through personal observations, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>Provision B:</p> <p>PREA Brig Standard Operating Procedure page 21, paragraph H2, states in part that: When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the BO will consider how such technology may enhance the Brig's ability to protect prisoners from sexual abuse.</p> <p>During the audit interview phase the Agency Head was asked how the agency uses monitoring technology. The Agency Head stated that; the department utilizes cameras extensively throughout their facilities to help with detection of illegal activities to include sexual abuse. They also use the technology to cover any blind spots within the facility. The Warden / Designee was also asked a similar question about how the facility had considered using technology to enhance prisoners' protection from sexual abuse. The Warden/Designee stated that; the facility tries to identify blind spots and review all technology on a regular basis to make sure all cameras are in working order to be as effective as possible.</p> <p>During the on-site review tour the auditor observed security cameras and monitors located throughout the facility.</p> <p>The evidence collected for this provision shows that the agency has considered how technology may enhance the facility's ability to protect prisoners from sexual abuse. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all the available evidence, the auditor has determined that the agency is fully compliant with this standard addressing upgrade to facilities and technology.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ol style="list-style-type: none"> a) MCI East Brig Pre-Audit Questionnaire responses b) Memorandum of Agreement between NCIS and MCI East Brig c) PREA Brig Standard Operating Procedure page d) Notification Of Investigation Status Form e) PREA Incident Response Procedures <p>Interviews</p> <ol style="list-style-type: none"> 1. Interview with SANE/SAFE staff 2. Interview with inmate who reported a sexual abuse 3. Interview with the PREA Coordinator 4. 12 interviews with random staff <p>Observations during on-site review of physical plant.</p> <p>115.21 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 21, paragraph i-1, states in part that: Investigations regarding sexual abuse, sexual harassment, or sexual misconduct will be referred to the Naval Criminal Investigative Service (NCIS) in accordance with reference (f) (§115.21(a)). NCIS will follow its protocols for collection of evidence. Brig staff will secure the scene until investigators arrive. The Brig will not conduct any criminal investigation. All assigned investigators will follow NCIS, and Navy Bureau of Medicine and Surgery (BUMED) protocols for evidence collection and medical examinations for administrative proceedings and criminal prosecutions in accordance with reference (i) (§115.21(a)).</p> <p>During the review phase of the Pre-Audit Questionnaire, the auditor reviewed standard 115.21 and noted that the Naval NCIS Special Investigations Unit is responsible for all criminal investigations that occur on the grounds owned and operated by the United States Marine Corps. On 10/27/2021, the auditor contacted the NCIS Special Investigation Unit to establish if they did in fact conduct alleged sexual assault criminal investigations at the MCI East Brig. Arrangements were made by the auditor to contact a Special Agent via phone call. On 10/27/2021, the auditor contacted a Detective with the Special Investigation Unit. He informed the auditor that they do in fact investigate all criminal sexual assault allegations and acknowledged that the only requirement needed to send an investigator is an official request from the Brig Commander or Duty Brig Supervisor. The NCIS is responsible for investigating allegations of sexual crimes that occur within the Brig and is familiar with PREA standard 115.21 pertaining to the investigation of sexual assaults, the collection of evidence, and forensic examinations.</p> <p>When the auditor interviewed 12 random staff it was determined that all 12 staff were aware of their responsibilities to preserve evidence during a sexual abuse allegation. They discussed securing the scene, notifying a supervisor immediately, contacting medical personnel, placing clothing in a brown paper bag, writing a detailed report, and not allowing the victim or accuser to bathe. Also, when asked who was responsible for investigating criminal and administrative cases, staff members identified the NCIS 3 times, they identified the Duty Brig Supervisor 2 times, and believed the PREA Compliance Manager was responsible 7 times. All random staff interviewed were therefore aware of the protocol for evidence collection.</p> <p>The evidence reviewed for this provision shows that the agency has demonstrated that they do follow a uniform evidence protocol for obtaining physical evidence for administrative and criminal proceedings. Therefore, through written policy, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p>115.21 Provision (b)</p> <p>The facility did not house a youthful offender in their facility over the last twelve months. The MCI East Brig provided PREA Brig Standard Operating Procedure page 21, paragraph i-3, which states in part that;</p> <p>For juveniles, NCIS follows appropriate uniform evidence protocols that maximizes the potential for obtaining usable</p>

physical evidence for administrative proceedings and criminal prosecutions.

The MCI East Brig utilizes the NCIS to conduct all criminal investigations within the facility. The MCI East Brig provided policy that states all Special Agents for the NCIS are certified law enforcement officers through the Department of Justice. In addition, the policy listed above would suggest that all necessary protocols would be adapted and followed on the most recent edition of the Department of Justice (DOJ's) Office on Violence Against Women publication in accordance with this standard.

The evidence reviewed for this provision shows that the agency has demonstrated that they do follow a protocol that is developmentally appropriate for youth. Therefore, through written policy, and interviews conducted, the facility has demonstrated that it meets this provision.

115.21 Provision (c)

The Facility offered PREA Brig Standard Operating Procedure page 21, paragraph i-4, states in part that;

The Brig Medical Officer (MO) will offer all victims of sexual abuse access to forensic medical examinations at the Camp Lejeune Naval Hospital, without financial cost, where evidentiary or medically appropriate. The Brig MO will refer all prisoners of sexual abuse to the Naval Hospital where qualified practitioners are available in accordance with reference (g). Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners and shall be documented by the MO. The health care professionals at those facilities will document patient history, injuries, and make a determination if a referral to a mental health facility other than the Brig is required. The MO will ensure such documentation is maintained in the prisoner medical record. Counseling for sexually transmitted infection (STI), treatment, and follow-up will be conducted as appropriate.

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

After the on-site audit at the MCI East Brig, an interview was conducted by the auditor with a Sexual Assault Nurse Examiner (SANE). The interview was conducted by phone with the Supervising SANE Nurse employed with the Camp Lejeune Naval Hospital, A SANE nurse is a highly skilled certified nurse trained in the art of evidence collection and chain of custody. The nurse is considered the subject matter expert in collecting evidence after an alleged sexual assault has occurred. The nurse is also required to provide testimony in court cases related to sexual abuse. The Nurse explained that she was aware of the agreement between the Brig and the Camp Lejeune Naval Hospital when it comes to conducting SANE exams. She explained that the Naval Hospital conducts SANE exams for the any incidents that occur on the Camp Lejeune Military Base. When asked if the Naval Base Hospital Forensics Unit is responsible for conducting all forensic medical exams for the MCI East Brig, the SANE Nurse stated, "Yes, they are the hospital that offers forensic services." When asked if SANE staff is unavailable to conduct forensic medical examinations, then who assumes the responsibility? The SANE Nurse replied, "That would never happen because there are nurses always on call 24 hours a day, 7 days a week, 365 days a year."

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

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

115.21 Provision (d)

The facility has provided PREA Standard Operating Procedure page 21, paragraph i5, which states in part that; Upon learning of a sexual assault, the first staff member to receive the report will inform the DBS or designee who will then attempt to make available to the victim, a Sexual Assault and Response Coordinator (SARC) or Uniform Victim Advocate (UVA), in accordance with references (f) and (h). All efforts to secure services from a SARC or UVA will be documented (e.g., email, DBS Report, etc.). The SARC will subsequently offer support to and accompany the victim through the forensic medical exam process and investigatory interviews. Victims may also request emotional support services, crisis intervention, information, and referrals anonymously via the DoD Safe Helpline (Operated by the Rape, Abuse & Incest National Network (RAINN)) at (877)995-5247, or those listed in Enclosure (5). The DoD Safe Helpline 24-hour hotline will be made available to prisoners and will not be recorded or monitored. The PREA Compliance Manager in cooperation with the BO may contact a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a non-governmental entity that provides similar victim services. The PREA Compliance Manager will maintain copies of agreements or documentation showing attempts to enter into such agreements.

If a rape crisis center is not available, the UVA or SARC will provide emotional support, crisis intervention, information and referrals and document all efforts to support the victim as per reference (f) (e.g., email, log, letter, etc.).

The auditor has reviewed and interviewed the Sexual Assault Response Coordinator SARC to determine that this advocacy group does meet all the criteria listed above to be considered a "rape crisis center."

The SARC stated that they maintain a trained pool of advocates to respond to sexual assault and maintain confidentiality as required by state standards for certified crisis counselors.

The PREA Compliance Manager was interviewed by the auditor and stated that staff would allow access to a victim advocate if the prisoner requested. The PREA Compliance Manager also stated that the facility provides access to the DoD Helpline and SARC through phone. Finally, there were two prisoners interviewed during the on-site interview process that reported sexual abuse. One prisoner stated that he did not make contact with any outside advocate and the other prisoner stated that he was allowed to contact an advocate.

During the on-site review, the auditor spoke to several prisoners who confirmed the availability to contact SARC or the DoD Helpline via phone. This demonstrates the facility's attempt to make available to victims of sexual abuse a victim advocate from a rape crisis center.

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

115.21 Provision (e)

The facility has provided PREA Brig Standard Operating Procedure page 22, paragraph i-7, which states in part that; As requested by the victim and if available the victim advocate, qualified community-based organization staff member, or a combination thereof, will accompany and support the victim through the forensic medical examination process and investigatory interviews and will provide emotional support, crisis intervention, information, and referrals.

When the auditor interviewed the SARC Coordinator she confirmed these practices and stated that they would provide those services if the prisoner requested them. The MCI Brig PREA Compliance Manager stated that the facility did not experience any sexual abuse allegation requiring a forensic examination by a SAFE/SANE nurse or physician during the last calendar year. In addition, when asked how the Brig ensures that the advocate meets the qualifications described above the Compliance Manager stated that the service is coming from an official rape crisis center that provides advocacy to all commands at the Camp Lejeune Military Base.

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

115.21 Provision (f)

PREA Brig Standard Operating Procedure page 23, paragraph i-8, states in part that; To the extent the Brig is not responsible for investigating allegations of sexual abuse, CMC PSL {Corrections} will request that the investigating agency follow the requirements of paragraphs (a) through (f) of this section.

The evidence collected for this provision shows that the agency/facility conducts their own administrative and criminal sexual abuse investigation and therefore, this provision is not applicable to this facility.

Conclusion

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

115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 818 416">a) PREA Brig Standard Operating Procedure page 23 <li data-bbox="240 445 919 472">b) MCI East Regional Brig PREA Incident Response Procedures <li data-bbox="240 501 1430 562">c) United States Marine Corps Memorandum for the Record dated 15 November 2021 by Commanding Officer S.F. Bolman <p data-bbox="240 593 352 620">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 651 587 678">a) Interview with Agency Head <li data-bbox="240 707 624 734">b) Interview with Investigative Staff <p data-bbox="240 766 823 792">Observations made during the On-site Phase of the Audit.</p> <p data-bbox="240 824 448 851">115.22 Provision (a)</p> <p data-bbox="240 882 1477 974">PREA Brig Standard Operating Procedure page 23, paragraph J1, states in part that; All allegations of sexual abuse, sexual harassment, or sexual misconduct, regardless of severity or merit will be immediately reported to the Naval Criminal Investigative Service (NCIS) for investigation, as per reference {f}.</p> <p data-bbox="240 1005 1493 1299">During the corrective phase, the MCI East Brig provided the auditor with a memo for the record authored by the Commanding Officer. The memorandum states in part that; there is a process in place to fully investigate all reported cases of sexual misconduct, sexual harassment, and sexual abuse, both administratively and criminally. All admin cases of reported sexual misconduct and sexual harassment are assigned within the Brig, to fully trained Marine investigators that have completed sexual assault training and the NIC PREA courses relating to sexual abuse in a confinement setting. Any administrative case will, take into full account the preponderance of the evidence, statements, pictures, video footage, and conclude the case with three possible different findings, Unfounded, Unsubstantiated, and Substantiated to close the case. All staff and contractors/volunteers are held to the same standard under PREA, as the confined prisoners are under the PREA policies and regulations.</p> <p data-bbox="240 1330 1398 1391">In the past twelve months the MCI East Regional Brig reported that they had 7 allegations of sexual abuse or sexual harassment.</p> <p data-bbox="240 1422 1493 1514">When interviewing the Agency Head, he stated that yes, the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and harassment. The Agency Head explained that sexual abuse allegations can be investigated by NCIS investigators, who can then refer the case to the Criminal Investigative Division if they choose too.</p> <p data-bbox="240 1545 1461 1675">When the MCI East Regional Brig receives an allegation of sexual misconduct or harassment the Brig completes a "PREA Incident Response Procedure". This is a form that documents dates of notification, prisoner information, and written statements by witnesses. This information along with officer reports or any video footage is forwarded to the NCIS for investigation. At the completion of the NCIS analysis they send an email identifying the findings.</p> <p data-bbox="240 1706 1493 1933">When the auditor was conducting the file review a request was made to obtain the administrative investigative reports from NCIS. The NCIS responded that they did not have any. The auditor then contacted a Special Agent with the NCIS and discussed the situation. During the conversation, it was discovered that the NCIS only looked at the criminal aspect of the incident and do not conduct any administrative investigation into possible staff violations or policy failures associated with the allegation of sexual abuse. Therefore, the MCI East Brig has trained PREA investigators usually in the rank of Staff Sergeant conduct the administrative investigations involving sexual misconduct in accordance with the Commanding Officer's memorandum.</p> <p data-bbox="240 1964 1493 2056">The evidence collected for this provision shows that the agency has procedures in place to ensure that a criminal and administrative investigations are completed on all allegations of sexual abuse and sexual harassment. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it does meet this provision.</p> <p data-bbox="240 2119 448 2145">115.22 Provision (b)</p>

PREA Brig Standard Operating Procedure page 23, paragraph J2, states in part that; the Brig's policy is to ensure that reported allegations of sexual abuse, sexual harassment, or sexual misconduct, are referred to NCIS in accordance with reference for investigation or an appropriate Military Criminal Investigation Organization. The PREA Compliance Manager will ensure the policy is published on the facility's website or make the policy available through other means.

During the on-site phase of this audit the auditor interviewed a Special Agent with NCIS that is assigned to conduct investigations at the MCI East Regional Brig. The investigative staff member was asked if agency policy requires that allegations of sexual abuse be referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potential criminal activity. The investigator stated, "Yes, the agency has policy that directs all criminal investigations be conducted by the NCIS."

The evidence collected for this provision shows that the agency has procedures 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. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.

Provision (c):

The MCI East Regional Brig is part of the United States Armed Forces, who perform their own criminal investigations into sexual abuse and sexual harassment allegations. Therefore, this provision in the standard is not applicable to this facility.

Conclusion:

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

115.31	Employee training
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 24 b) Staff PREA Training Acknowledgement & Statement of Understanding <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Random Staff <p>Observations made during the On-Site Audit and Document Review</p> <p>115.31 Provision (a)</p> <p>The PREA Brig Standard Operating Procedure page 24, paragraph K-1, states in part that; The Training Chief is responsible for the training of all staff members during pre-service and annually thereafter. The training delivery may be delegated. Any PREA trainer will be qualified to conduct such training by completing, at a minimum, the six National Institute of Corrections (NIC) PREA e-courses. Staff training will include individual completion of the NIC course "PREA: Your Role Responding to Sexual Abuse" at (http://nic.learn.com) and the supplemental facility-specific training conducted annually. Staff trained by NCTI-based instructors prior to signature of this policy will adhere to this policy during subsequent refresher training. Facility supplemental training will cover at a minimum the following topics:</p> <ul style="list-style-type: none"> · Its zero-tolerance policy for sexual abuse and sexual harassment. · How to fulfill responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. · Prisoners' right to be free from sexual abuse and sexual harassment. · The right of prisoners and staff to be free from retaliation for reporting sexual abuse and sexual harassment. · The dynamics of sexual abuse and sexual harassment in confinement. · The common reactions of sexual abuse and sexual harassment victims vii. How to detect and respond to signs of threatened and actual sexual abuse. · How to avoid inappropriate relationships with offenders . · How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming offenders. · How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. · Definitions of Sexual Misconduct · Prevention and warning signs <p>During the interview process 12 random staff and 2 contractors were asked if they had received PREA training and if so, when? All 12 officers indicated that they have received the training. 5 officers stated that they received training annually, 4 officers stated that they received the training several months ago, and 3 officers stated they got the training several weeks ago. Both contractors indicated that they received the PREA training. One contractor stated he received the training during the new-hire orientation and then receive refresher courses on an annual basis. The second contractor indicated that he receives the training annually, but has been working with the Brig for over fifty-years long before PREA was established.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to train all employees on all relevant topics outlined in this standard provision. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.31 Provision (b)</p>	

PREA Brig Standard Operating Procedure page 25, paragraph K3, states in part that; The Brig training curriculum is tailored to address male prisoners and provides information on female prisoner processing.

The evidence collected for this provision shows that the agency has trained all employees in all aspects of PREA regarding the specific gender facility. Therefore, through written policy the facility has demonstrated that it meets this provision.

115.31 Provision (c)

The PREA Brig Standard Operating Procedure page 25, paragraph K4, states in part that; All staff receive training outlined in paragraph (2) above during pre-service training. The facility provides each employee with refresher training every year to ensure that all employees know the Brig's current sexual abuse and sexual harassment policies and procedures.

The MCI East Regional Brig provides PREA training on a yearly basis. All new staff receive initial training when arriving at the Brig. All new contractors and volunteers receive their initial training during the orientation process as well and then annually. This practice was confirmed by sampling 12 staff training records. The files indicated that all 12 employees received initial PREA training, 12 staff members acknowledged receiving the training during interviews and 8 documented receiving refresher training. Finally, the MCI East Brig provided several PREA Training Acknowledgement forms documenting the completion of the agency's annual PREA training.

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

Provision (d)

The PREA Brig Standard Operating Procedure page 26, paragraph K5, states in part that; The Training Chief documents staff members' understanding of the training by utilizing the PREA Staff Training Acknowledgement form, Enclosure. An electronic copy of the NIC training certificate and Enclosure are forwarded to the PREA Compliance Manager for file, archive, and audit.

The MCI East Brig maintains training documentation that includes certificates of completion, training rosters, and PREA Training Acknowledge forms (Staff PREA Training Acknowledgement). These documents show staff signatures from contractors and military staff verifying that they understand the PREA training and materials they have received.

The evidence collected for this provision shows that the facility has provided documentation through employee signature, acknowledging that the employee understands the training received. Therefore, through written policy and file review observations, the facility has demonstrated that it meets this provision.

Conclusion:

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

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 297">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 387 817 414">a) PREA Brig Standard Operating Procedure page 26 <li data-bbox="240 443 919 470">b) Volunteer/Contractor/Intern PREA Training Acknowledgement <p data-bbox="240 504 341 530">Interview:</p> <ul style="list-style-type: none"> <li data-bbox="240 560 555 586">a) Interview with Contractor <p data-bbox="240 616 448 642">115.32 Provision (a)</p> <p data-bbox="240 674 1453 799">The PREA Brig Standard Operating Procedure page 26, paragraph L1, states in part that; All volunteers, contractors, and interns who have contact with prisoners will be trained on their responsibilities under the Brig's sexual abuse and sexual harassment prevention, detection, and response policies. This training will be provided by a qualified instructor per reference (b) and prior to any unescorted contact with prisoners.</p> <p data-bbox="240 889 1477 981">Volunteers and Contractors are trained during their initial orientation and are required to acknowledge that they have received the necessary PREA training by signing the Volunteer/Contractor/Intern PREA Acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.</p> <p data-bbox="240 1014 1485 1072">During the interviews with two contractors, the auditor asked if they had been trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response. Both individuals answered in the affirmative.</p> <p data-bbox="240 1106 1337 1164">While performing the document review the auditor observed several signed Volunteer/Contractor/Intern PREA Acknowledgement forms from both volunteers and contractors.</p> <p data-bbox="240 1198 1481 1323">The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors that have contact with prisoners are trained on the prevention, detection, and response policies regarding sexual abuse and sexual harassment. Therefore, through written policy, personal observations, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p data-bbox="240 1357 448 1384">115.32 Provision (b)</p> <p data-bbox="240 1415 1485 1541">PREA Brig Standard Operating Procedure page 26, paragraph L2, states in part that; The level and type of training provided to volunteers, contractors, and interns will be based on the services they provide and level of contact they have with prisoners, but all volunteers and contractors who have contact with prisoners shall be notified of the facility's zero tolerance policy regarding sexual abuse, sexual harassment or sexual misconduct and informed how to report such incidents.</p> <p data-bbox="240 1630 1477 1722">Volunteers and Contractors are trained during their initial orientation and are required to acknowledge that they have received the necessary PREA training by signing the Volunteer/Contractor/Intern PREA Acknowledgement form. The facility maintains all copies of signed volunteer and contractor acknowledgement forms.</p> <p data-bbox="240 1756 1485 1912">When interviewing the two contractors, they stated that training consists of what to do when approached about sexual abuse. How they would tell a supervisor and write a statement about what had occurred. They stated that they have been made aware of the agency's zero-tolerance policy. When one contractor was asked how he would report an allegation of sexual abuse, his response was that he would notify the staff member that was on deck with him or the first guard he seen. The second contractor reiterated the same training experience and stated that he would immediately notify a security officer.</p> <p data-bbox="240 1946 1442 2038">The evidence collected for this provision shows that the agency has procedures in place to ensure all volunteers or contractors are notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 2072 448 2098">115.32 Provision (c)</p> <p data-bbox="240 2130 1430 2157">The PREA Brig Standard Operating Procedure page 26, paragraph L3, states in part that; The Training Chief maintains</p>

documentation confirming that volunteers, contractors, and interns understand the training they have received and will maintain such files for audits, utilizing Enclosure (1). When volunteers, contractors, and interns attend employee training Enclosure (2) may be used for documentation purposes. An electronic or hard copy of the Volunteer/Contractor/Intern training acknowledgement form will be forwarded to the PREA Compliance Manager for file, archive, and audit.

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

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

Conclusion:

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

115.33	Inmate education
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 818 416">a) PREA Brig Standard Operating Procedure page 26 <li data-bbox="240 443 967 470">b) MCI East Regional Brig Prisoner Rules and Regulations handbook <li data-bbox="240 501 715 528">c) Zero-Tolerance PREA Posters in English <li data-bbox="240 555 898 582">d) Prisoner PREA Training/Education Acknowledgement Form <p data-bbox="240 613 341 640">Interview:</p> <ul style="list-style-type: none"> <li data-bbox="240 672 568 698">a) Interview with Intake Staff <li data-bbox="240 725 632 752">b) Interview with Random Prisoners <p data-bbox="240 784 448 810">115.33 Provision (a)</p> <p data-bbox="240 842 1481 1003">PREA Brig Standard Operating Procedure page 26, M-1, states in part that; During the intake process, prisoners will receive information orally and in writing addressing the Brig's zero tolerance policy regarding sexual abuse, sexual harassment, and sexual misconduct and how to report incidents or suspicions of sexual abuse, sexual harassment, or sexual misconduct. The DBS will also address prevention, intervention, self-protection, treatment, and counseling information per the PREA Intake Information Sheet.</p> <p data-bbox="240 1034 1493 1160">All Marine prisoners arriving to the MCI East Regional Brig are initially sent through the intake process. Here the prisoners are classified, medically evaluated, and provided all the necessary education and information needed during their stay. It is at this time that the prisoner initially receives the PREA information through verbal communication and given a prisoner handbook with the ways to report a sexual abuse allegation on page 12 of that handbook.</p> <p data-bbox="240 1191 1465 1285">The MCI East Regional Brig identified that there were 318 prisoners admitted into their facility in the last twelve months. All prisoners received the initial PREA information during the intake process along with the refresher PREA educational information from the facility counselor after being transferred to a housing unit.</p> <p data-bbox="240 1317 1490 1509">During the interview with the Intake Officer, he explained that part of his responsibility is to notate on the intake form that they are briefed on how to report a sexual abuse and zero-tolerance policy and then they acknowledge by signing off on that document. He also stated that there are posters mounted on the walls throughout the facility that explains these same instructions. When the auditor interviewed 14 random prisoners, they were asked if they had received information about the facility's rules against sexual abuse and harassment. From those prisoners interviewed, all 14 prisoners stated that they had received the information.</p> <p data-bbox="240 1541 1487 1666">The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners receive information explaining how to report sexual abuse and the agency's policy on zero-tolerance for sexual abuse or harassment at the time of intake. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1697 448 1724">115.33 Provision (b)</p> <p data-bbox="240 1756 1490 1984">PREA Brig Standard Operating Procedure page 26, paragraph M2, states in part that; Within 14 days of intake, the Programs section is responsible to provide comprehensive education to prisoners either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents regarding facility policies and procedures for responding to such incidents. The MCI East Regional Brig Compliance Manager and/or the Program Counselors meet with each prisoner within 7 days of entering the facility and go over the comprehensive educational PREA training. The prisoner then acknowledges the training by signing the Prisoner PREA Training Acknowledgement form.</p> <p data-bbox="240 2016 1474 2110">The MCI East Regional Brig identified 189 prisoners whose length of stay in the facility was over 30 days or more in the last twelve months. Of those 189 prisoners the facility reports that all have received the comprehensive PREA education regarding sexual abuse or harassment.</p>

The Auditor interviewed an Intake Officer who stated that PREA information is posted in all the housing units, which also provides the definitions of sexual abuse and sexual harassment. He also stated that the prisoners must receive additional PREA training from the Programs Counselors. When asked how long from the date of arrival are prisoners made aware of these rights, the officer stated approximately 24 hours of coming to the facility.

The auditor also interviewed 14 random prisoners. Those prisoners were asked if they were told about their right to not be sexually abused, how to report a sexual abuse, the right not to be punished for reporting a sexual abuse, and how long before they were made aware of these policies. Of these 14 prisoners, 12 stated that they were told the first day they arrived at the facility, 1 stated within 48 hours, and one prisoner stated about a week later. The prisoners identified several ways that they received this information.

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

115.33 Provision (c)

The PREA Standard Operating Procedure page 27, paragraph M3, states in part that; Current prisoners who have not received such education shall be educated within one year of the effective date of the CMC PSL (Corrections) Policy Letter 1-14 and shall receive education upon transfer from another facility to the extent that the policies and procedures differ from those of the previous facility.

When the Intake Officer was asked how they ensure that current prisoners, along with those transferred from another facility, have been educated on agency's zero-tolerance policy and sexual abuse; he explained that part of his responsibility as a programs counselor is to provide all arriving prisoners with the zero-tolerance policy and how to report sexual abuse. In addition, they have to watch a PREA slide show. He stated that all prisoners sign a Prisoner PREA Training Acknowledgement form acknowledging that the information was provided and that they understand what was presented to them.

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

115.33 Provision (d):

The PREA Brig Standard Operating Procedure page 27, paragraph M4 states in part that; The Brig provides prisoner education in formats accessible to all prisoners, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to prisoners who have limited reading skills.

The MCI East Regional Brig provided examples of prisoner PREA educational materials in English formats only. Educational materials that would be accessible to prisoners in accordance with Title VII of the Americans with Disabilities Act, 42 U.S.C. which include, but not limited to: Interpreters for the deaf, reading material to the visually impaired, and providing Interpreters services for non-English speaking prisoners are not necessary or applicable in this circumstance due to the fact that all Marines must be fluent in the English language and free from any disabilities to continue to serve in the Marine Corps.

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

115.33 Provision (e)

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

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

115.33 Provision (f)

PREA Brig Standard Operating Procedure page 27, paragraph M5, states in part that; In addition to providing such education, the Programs section and PREA Manager will ensure that key information is continuously and readily available or visible to prisoners in housing units and other communal areas such as the library through posters, prisoner handbooks, or

other written formats.

The facility has posters strategically posted throughout the unit, in every housing unit, and departments i.e. (kitchen, multi-purpose room) to ensure compliance with PREA standards. The auditor personally observed these items during the facility site review.

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

Conclusion:

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

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 329 365 356">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 385 817 414">a) PREA Brig Standard Operating Procedure page 27 <li data-bbox="240 443 1023 472">b) Email from NCIS Special Agent detailing Sexual Abuse training received <li data-bbox="240 501 1436 562">c) United States Marine Corps Memorandum for the Record dated 15 November 2021, by Commanding Officer S.F. Bolman <p data-bbox="240 591 341 618">Interview:</p> <ul style="list-style-type: none"> <li data-bbox="240 647 632 676">a) Interview with Investigative Staff <p data-bbox="240 705 448 734">115.34 Provision (a)</p> <p data-bbox="240 763 1490 925">PREA Standard Operating Procedure page 27, paragraph N-1, states in part that; In addition to the general training provided to all staff pursuant to (§115.31), investigators shall receive training in conducting sexual abuse investigations in a confinement setting. The National Institute of Corrections (NIC), Investigating Sexual Abuse in a Confinement Setting course, located at http://nic.learn.com, meets the minimum requirement for this standard. This may be coordinated through the PREA Compliance Manager.</p> <p data-bbox="240 954 1495 1249">During the corrective phase, the MCI East Brig provided the auditor with a memo for the record authored by the Commanding Officer. The memorandum states in part that; there is a process in place to fully investigate all reported cases of sexual misconduct, sexual harassment, and sexual abuse, both administratively and criminally. All admin cases of reported sexual misconduct and sexual harassment are assigned within the Brig, to fully trained Marine investigators that have completed sexual assault training and the NIC PREA courses relating to sexual abuse in a confinement setting. Any administrative case will, take into full account the preponderance of the evidence, statements, pictures, video footage, and conclude the case with three possible different findings, Unfounded, Unsubstantiated, and Substantiated to close the case. All staff and contractors/volunteers are held to the same standard under PREA, as the confined prisoners are under the PREA policies and regulations.</p> <p data-bbox="240 1279 1450 1373">In addition, the PREA Compliance Manager has provided the auditor with proof of compliance regarding specific sexual abuse investigative training in a confinement setting. This proof is in the form of certificates of completion by Brig Officers through the National Institute of Corrections online training courses.</p> <p data-bbox="240 1402 1490 1563">When interviewing the NCIS investigative staff, the special agent stated that he had received a multitude of sexual assault training from yearly DoD and NCIS sexual assault policy, advanced family sexual violence training, and advanced adult sexual assault investigations. The special agent stated that the classes dealt with the proper use of Miranda in criminal cases and covered evidence collection and interviewing techniques amongst a lot of other informative techniques. However, he had not received training specific to sexual abuse in a confinement setting.</p> <p data-bbox="240 1592 1490 1686">The evidence collected for this provision shows that the agency has procedures in place to ensure that agency investigators receive specialized training in the art of investigating sexual abuse in a confinement setting. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it does meets this provision.</p> <p data-bbox="240 1715 448 1744">115.34 Provision (b)</p> <p data-bbox="240 1774 1463 1901">PREA Brig Standard Operating Procedure page 27, paragraph N-2, states in part that; Specialized training 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.</p> <p data-bbox="240 1930 1490 2092">When interviewing the NCIS investigative staff, the special agent stated that he had received an array of sexual assault training from yearly DoD and NCIS sexual assault policy, advanced family sexual violence training, and advanced adult sexual assault investigations. The special agent stated that the classes dealt with the proper use of Miranda in criminal cases and covered evidence collection and interviewing techniques amongst a lot of other informative techniques. However, he had not received training specific to sexual abuse in a confinement setting.</p> <p data-bbox="240 2121 1452 2150">During the corrective phase, the PREA Compliance Manager has provided the auditor with proof of compliance regarding</p>

specific sexual abuse investigative training in a confinement setting. This proof is in the form of certificates of completion by Brig Officers through the National Institute of Corrections online training courses.

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

115.34 Provision (c)

PREA Brig Standard Operating Procedure page 28, paragraph N-3, states in part that; Completion certificates will be forwarded electronically to the Training Chief and PREA Compliance Manager for file, archive, and audit.

During the corrective phase, the PREA Compliance Manager has provided the auditor with proof of compliance regarding specific sexual abuse investigative training in a confinement setting. This proof is in the form of certificates of completion by Brig Officers through the National Institute of Corrections online training courses.

The evidence collected for this provision shows that the agency has procedures in place to ensure that all staff responsible for investigating sexual abuse has received additional specialized training and maintains the documentation necessary to prove that training. Therefore, through written policy and personal observation, the facility has demonstrated that it does meet this provision.

Conclusion:

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

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 28 b) NIC training Certificates of Completion for (Medical Care for Sexual Assault Victims in a Confinement Setting). c) NIC training Certificates of Completion for (Your Role in Responding to Sexual Abuse). d) NIC training Certificates of Completion (Behavior Health Care for Sexual Abuse Assault Victims in a Confinement Setting) <p>Interview:</p> <ul style="list-style-type: none"> a) Interview with Medical & Mental Health Staff <p>Observations made during the on-site audit and document review.</p> <p>115.35 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 28, paragraph O1, states in part that; All medical and mental health care practitioners who work regularly in the Brig, will receive the training mandated for staff under (§115.31) and complete the "Medical Health Care for Sexual Assault Victims in a Confinement Setting" and "Behavior Health Care for Sexual Assault Victims" located at (http://nic.learn.com), which includes at a minimum:</p> <ul style="list-style-type: none"> a. How to detect and assess signs of sexual abuse and sexual harassment b. How to preserve physical evidence of sexual abuse c. How to respond effectively and professionally to victims of sexual abuse and sexual harassment d. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment <p>The facility reported there are 6 Navy Medical Corpsmen and 1 Medical Officer assigned to the MCI East Regional Brig who work regularly and have received the specialized training as required by the agency's policy. There are no mental health staff stationed at the MCI East Brig. If mental health services are needed the staff will respond from a location elsewhere at the Camp Lejeune Base. However, this auditor did conduct an interview with the mental health staff member that is responsible for responding to the MCI East Brig when needed. This interview was conducted via phone. During the pre-audit phase, the auditor was provided copies of certificates of completion showing that medical staff and mental health staff had completed the online specialized courses.</p> <p>When interviewing the Medical and Mental Health Staff, he informed the auditor that they had previously received initial training when they first started work and receive annual training. They also received additional training on the above listed topics by going online and taking PREA online classes through the National Institute of Corrections.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that medical and mental health personnel receive additional training as outlined in this standard. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.35 Provision (b)</p> <p>PREA Brig Standard Operating Procedure page 28, paragraph O2, states in apart that; Brig medical staff will not conduct sexual assault forensic examinations.</p> <p>The evidence collected for this provision shows that the agency does not perform forensic medical examinations. Therefore, this provision is not applicable to the MCI East Regional Brig.</p> <p>115.35 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 28, paragraph O3, states in part that; Brig medical and mental health personnel will ensure documentation of completed training in reference to this standard is scanned and forwarded to the Training Chief and PREA Compliance Manager for file.</p>

The MCI East Brig relies on the PREA Compliance Manager to maintain the documentation on their personnel that confirms Medical and Mental Health Practitioners have received the training referenced in this standard.

The MCI East Brig has provided copies of specialized training records for medical and mental health staff. This documentation is in the form of NIC training certificates of completion.

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

115.35 Provision (d)

PREA Brig Standard Operating Procedure page 28, paragraph O4, states in part that; All other part-time medical and mental health care practitioners will complete the Volunteer, Contractor, Intern training and NIC courses identified above as per (§115.32), (§115.35(d)).

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

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

Conclusion:

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

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 29 b) Screening for Risk of Victimization & Abusiveness <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff performing Risk Screening. b) Interview with Random Prisoners c) Interview with PREA Coordinator <p>Observations made during the on-site audit and document review.</p> <p>115.41 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 29, paragraph P1, states in part that; All prisoners will be assessed by the DBS within 24 hours of arrival at the Brig, utilizing the objective screening instrument (Screening for Risk of Victimization and Abusiveness Form).</p> <p>During the on-site tour of the facility the auditor sat down with the facility counselor and went through the risk screening process. The auditor asked if the counselor screened prisoners for risk of sexual victimization upon arrival or transfer from another facility. The counselor stated that "Yes, he does." Also, during the interviews with 14 random prisoners, all 14 prisoners recalled being asked PREA related questions, upon arriving to the facility.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure all prisoners receive a risk screening evaluation for the risk of being sexually abused while incarcerated. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.41 Provision (b)</p> <p>PREA Brig Standard Operating Procedure page 29, paragraph P1, states in part that; All prisoners will be assessed by the DBS within 24 hours of arrival at the Brig, utilizing the objective screening instrument (Screening for Risk of Victimization and Abusiveness Form).</p> <p>The facility reported that they received 189 prisoners into their facility in the last twelve months that had a length of stay more than 72 hours. The facility reports that all of those prisoners 100% received a risk screening assessment for possible risk of being sexually abused during incarceration.</p> <p>The facility provided samples of completed risk screening forms during the pre-audit phase and downloaded those documents into the Pre-audit Questionnaire. In addition, during the document review the auditor observed completed PREA Risk Screening Checklist Instrument forms in the prisoner record files.</p> <p>When conducting the interview with staff responsible for performing risk-screening assessments, the programs counselor stated that he usually conducts the risk screening process the day the prisoner is brought into the facility. As stated in the previous provision, when interviews with 14 random prisoners were done, all 14 prisoners recalled being asked PREA related questions, upon arriving to the facility.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that all prisoners are screened for the risk of sexual abuse within 72 hours of arrival at the facility. Therefore, through written policy, personal observations, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.41 Provision (c)</p> <p>The risk screening assessment consists of 21 overall yes or no questions with 16 specifically addressing sexual victimization or aggression. In addition, the risk screening form provides the assessment instructions that describes if certain questions are answered yes to, then that person could be either classified as a potential victim or aggressor. There is no subjectivity to this assessment. Therefore, the facility has demonstrated that it meets this provision.</p>

115.41 Provision (d)

PREA Brig Standard Operating Procedure page 29, paragraph P2, states in part that; The intake screening, at a minimum, considers the following criteria to assess prisoners for risk of sexual victimization:

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

The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The counselor stated the assessment asks questions such as has the prisoner been sexually abused in the past, prior convicts of sexual assault, and the age and stature of the prisoner. The counselor also stated that the initial screening is completed usually within 24 hours of the prisoner coming to the facility right after their initial intake orientation.

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

115.41 Provision (e)

PREA Brig Standard Operating procedure page 29, paragraph P3, states in part that; The intake screening considers the following criteria to assess prisoners for risk of being sexually abusive :

- a. Prior acts of sexual abuse.
- b. Prior convictions for violent offenses; and History of prior institutional violence or sexual abuse, as known to the facility.
- c. History of prior institutional violence or sexual abuse, as known to the facility.

The staff member responsible for performing risk-screening assessments was asked what the risk screening considered and what is the process for conducting these assessments. The counselor stated the assessment asks questions such as has the prisoner ever been convicted of sexually assault and have you ever sexually abused someone while incarcerated.

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

115.41 Provision (f)

PREA Brig Standard Operating Procedure page 30, paragraph P4, states in part that; Within 14 days of arrival at the Brig, a Programs Counselor will reassess the prisoner's risk of victimization or abusiveness based upon any additional, relevant

information received since the intake screening. Medical personnel will provide any new information to the Programs Chief and assigned counselor as needed.

During the pre-audit, the facility reported 173 prisoners that entered the facility over the last twelve months that stayed more than 30 days. Out of those prisoners, the agency reported all 173 prisoners were reassessed 14 days after their arrival at the facility for risk of sexual victimization based upon any additional relevant information received since intake over the last twelve months.

The staff member responsible for performing risk-screening assessments was asked how long after arrival are prisoners risk levels reassessed. The counselor stated between 14 and 30 days. When interviewing 14 random prisoners, they were asked if staff had ever asked PREA related questions again during their incarceration. Seven prisoners stated that they had, 5 prisoners stated that they had not, and 2 prisoners could not recall.

The evidence collected for this provision shows that the agency has procedures in place to conduct 14-day risk screening reassessments based upon additional or relevant information received by the facility. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.

115.41 Provision (g)

PREA Standard Operating Procedure page 30, paragraph P5, states in part that; A prisoner's risk level will be reassessed by medical and mental health personnel when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information, or conviction that bears on the prisoner's risk of sexual victimization or abusiveness (§115.41(g)). In these occurrences, the Programs Chief will be notified, and the reassessment will be documented on a Standard Form (SF) 600 and in the counselor's weekly entry.

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

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

115.41 Provision (h)

PREA Brig Standard Operating Procedure page 30, paragraph P6, states in part that; Prisoners may not be 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 the standard.

When interviewing the staff responsible for conducting risk screening the counselor stated that the agency does not punish prisoners if they chose not to answer the questions associated with the risk screening assessment.

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

115.41 (i)

PREA Brig Standard Operating Procedure page 30, paragraph P7, states in part that; The Risk of Victimization and Abusiveness Form will be maintained in the prisoner record and in the prisoner's medical record. Dissemination of the information contained on the form shall be on a need to know basis (e.g., CO, BO, Programs Chief, medical personnel, PREA Compliance Manager, etc.) to ensure that sensitive information is not exploited to the prisoner's detriment by staff or other prisoners.

When interviewing the PREA Coordinator he was asked who has access to the prisoners' risk screening information. The coordinator explained that the information is stored in the prisoner record, which has restricted access and only authorized on a need to know basis. The PREA Compliance Manager echoed those same remarks and reiterated that permissions are limited to those who people who have a need to know. The staff member responsible for conducting risk screening explained that he believes that only specific people have access depending on their job description, such as medical and PREA Compliance Manager.

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

Conclusion:

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

115.42	Use of screening information
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 818 416">a) PREA Brig Standard Operating Procedure page 30 <li data-bbox="240 443 1291 470">b) MCI East Regional Brig Memo authored regarding no housing of Transgender or Intersex Prisoners <p data-bbox="240 501 352 528">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 560 772 586">a) Interview with Staff performing Risk Screening. <li data-bbox="240 613 727 640">b) Interview with PREA Compliance Manager <p data-bbox="240 672 900 698">Observations made during the on-site audit and document review.</p> <p data-bbox="240 730 448 757">115.42 Provision (a)</p> <p data-bbox="240 788 1465 913">PREA Brig Standard Operating Procedure page 30, paragraph Q1, states in part that; The Programs Section and Classification & Assignment (C&A) Board uses information from the risk screening required by (§115.41), to determine housing, cell assignment, work, education, and program assignments, with the goal of keeping separate those prisoners at high risk of being sexually victimized from those at high risk of being sexually abusive</p> <p data-bbox="240 1003 1481 1196">The PREA Compliance Manager stated during the interview that risk screening is done by the DBS and any form of concern would be given to him. They would then have an ICC the next day to discuss the appropriate housing assignment. ICC is made up of the classification assignment board. Part of the classification assignment process is that they try to identify possible victims and predators to make sure that they are not housed together. The staff member responsible for conducting risk screening stated during his interview that the assessment is used to make sure you identify those prisoners that may be vulnerable and those that may be abusive and try to keep them as separate as possible during their incarceration.</p> <p data-bbox="240 1227 1489 1352">The evidence collected for this provision shows that the agency uses the information gathered during the risk screening process to influence the decision on where an prisoner may be housed, attend programs, and works with the goal of keeping separate those prisoners at high risk of being sexually victimized. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1384 448 1411">115.42 Provision (b)</p> <p data-bbox="240 1442 1489 1536">PREA Brig Standard Operating Procedure page 31, paragraph Q2, states in part that; The BO will make recommendations to the CO on ensuring the safety of each prisoner by relying on the C&A board process, the Programs section, and recommendations from medical and mental health personnel.</p> <p data-bbox="240 1568 1445 1693">During the interview process, the auditor asked the staff member responsible for risk screening how the agency uses the information from the risk screening to keep prisoners safe. The counselor stated that the information gathered during the screening is to identify who may be a possible victim and who may be a possible aggressor and house those prisoners accordingly.</p> <p data-bbox="240 1724 1497 1818">The evidence collected for this provision shows that the agency makes individualized determinations about how to ensure the safety of each prisoner. Therefore, through document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1850 448 1877">115.42 Provision (c)</p> <p data-bbox="240 1908 1485 2033">PREA Brig Standard Operating Procedure page 31, paragraph Q3, states in part that; CMC PSL (Corrections) is responsible to designate the place of confinement for transgender or intersex prisoners. Upon assignment, the C&A Board considers, on a case-by-case basis, housing and programming assignments to ensure the transgender or intersex prisoner's health and safety, and whether the placement would present management or security problems.</p> <p data-bbox="240 2123 1393 2150">The PREA Compliance Manager was interviewed and asked how the agency determines housing and programs for</p>

transgender or intersex prisoners. The PREA Compliance Manager stated that he had not experienced any situation dealing with this particular topic but believes the facility would provide the same privileges as all the other prisoners. The prisoner's request would be taken into consideration. The PREA Compliance Manager also stated that the prisoner would have full access to all programs.

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

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

115.42 Provision (d)

PREA Brig Standard Operating Procedure page 31, paragraph Q4, states in part that; Placement and programming assignments for each transgender or intersex prisoner will be re-assessed, using the Risk of Victimization and Abusiveness Form, Enclosure (7) at least twice each year to review any threats to safety experienced by the prisoner. The results of these assessments will be briefed at the C&A Board.

The MCI East Brig reported not housing a transgender or intersex prisoner at their facility over the last twelve months. When interviewing the staff member responsible for conducting risk screening assessments, he explained that all prisoners that identify as transgender or intersex have a re-assessment twice a year to make sure there is not any threat to their safety. He also stated that he has not experienced a situation involving a transgender or intersex prisoner in the last twelve months. The PREA Compliance Manager also stated that he has not experienced a situation involving the need to re-assess a prisoner that identifies as transgender and was not sure as to how often the re-assessment is needed. Therefore, there are no examples or experience to relate to as evidence of compliance. However, the agency does have a policy to address this situation when it occurs.

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

115.42 Provision (e)

PREA Brig Standard Operating Procedure page 31, paragraph Q5, states in part that; A transgender or intersex prisoner's own views with respect to their own safety will be given serious consideration during the C&A board.

When the PREA Compliance Manager was asked that question, he stated that yes, they do consider the prisoners own views when deciding appropriate housing. When the staff member responsible for conducting the risk-assessment was asked the same question, he also responded by stating that they do consider the transgender prisoners own views when determining housing assignments.

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

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

115.42 Provision (f)

PREA Brig Standard Operating Procedure page 31, paragraph Q6, states in part that; Upon reception, transgender and intersex prisoners will be given the opportunity to elect if they want to shower separately from other prisoners. At any time, they may request to elect to change their shower call preference (i.e., separate, joined.) In order to maintain good order and discipline, the Brig CO or designee, will make the final decision on how shower call will be conducted. If a prisoner's request for shower call with the other prisoners is denied, the reason will be documented. This standard will be adhered to according to the physical plant capabilities of the Brig.

The PREA Compliance Manager and the staff member responsible for conducting risk assessments were interviewed and

asked if transgender and intersex prisoners are afforded the opportunity to shower separately from other prisoners, the counselor stated that yes, they are allowed to shower separately. The Compliance Manager stated that currently there are no transgender prisoners housed at the facility however, if requested the transgender can be provided a separate shower call.

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

115.42 Provision (g)

PREA Brig Standard Operating Procedure page 31, paragraph Q7, states in part that; Lesbian, gay, bisexual, transgender, or intersex prisoners are not housed in a dedicated housing units solely on the basis of such identification or status, unless otherwise directed by higher authority.

During the interview process the PREA Compliance Manager and Coordinator confirmed that the agency was not under any consent decree, legal settlement, or legal judgment requiring the facility to separate the LGBTQ community from everyone else. The PREA Coordinator stated during his interview that it is against policy and standards to segregate those prisoners identified as LGBTQ solely on their sexuality. Finally, the auditor was unable to interview any LGBTQ prisoners because the facility reported that they did not have any individuals that identified as a LGBTQ housed at their facility. Therefore, the auditor cannot provide the LGBTQ prisoner's perspective towards this provision.

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

Conclusion:

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

115.43	Protective Custody
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 31 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Warden or Designee b) Interview with Staff who supervise Prisoners in Segregation. c) Interview with Prisoners in Segregation <p>Observations made during the on-site audit and document review.</p> <p>115.43 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 31, paragraph R1, states in part that; Prisoners at high risk for sexual victimization will not be placed in involuntary restrictive housing unless an assessment of all available alternatives has been made by the C&A Board and a determination has been made that there is no available alternative means of separation from likely abusers. If an immediate assessment cannot be made, the prisoner may be held in restrictive housing for no more than 24 hours while the assessment is being conducted.</p> <p>The Warden / Designee stated during his interview that the prisoner would not be placed in segregated housing unless it upon his /her own request. He also stated that the facility has not experienced a situation where a prisoner at high risk of sexual victimization was housed in involuntary segregation over the last twelve months.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to address not using segregated housing for those prisoners at high risk of victimization, unless no alternative means of separation is available. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.43 Provision (b)</p> <p>PREA Brig Standard Operating Procedure page 32, paragraph R2, states in part that; Prisoners placed in restrictive housing for this purpose will continue to have access to programs, privileges, education, library, social services, counseling services, religious services, and guidance, recreational, and work opportunities to the greatest extent possible. If access to programs, privileges, education, or work opportunities are restricted, the Programs section will document such restrictions as listed below on the DD Form 509 and Special Handling Letter/Supplemental Form.</p> <ul style="list-style-type: none"> a. The opportunities that have been limited. b. The duration of the limitation; and c. The reasons for such limitations. <p>The facility reported not experiencing an incident where a prisoner was placed in segregation based on the high probability of sexual victimization. During the facility tour, the auditor visited the special housing unit and reviewed the housing assignments to verify that no prisoner was being housed involuntarily due to the risk of being sexually victimized.</p> <p>The staff member working in segregated housing stated during his interview that if an prisoner was placed in segregation based on possible sexual victimization, that prisoner would still have access to all the privileges and opportunities that all other prisoners would have. He stated that the housing assignment is not seen as a punishment and that their policy dictates that they document what opportunities are limited, for what time period, and the reasons for the limitations.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that if a prisoner is placed in segregation due to the high risk of being sexually victimized that the prisoner would retain all the privileges and opportunities that all other prisoners are afforded. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.43 Provision (c)</p>	

PREA Brig Standard Operating Procedure page 32, paragraph R3, states in part that; Prisoners will be assigned to involuntary 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.

The Warden/Designee was interviewed and stated that only if there were no alternatives would a prisoner be involuntarily segregated because of the possibility of being sexually victimized. The Warden/Designee explained that at the most a prisoner would stay in segregation for no more than 30 days. The Warden/Designee also stated that the housing assignment would be evaluated every 7 days. When the staff member assigned to the special segregated housing unit was asked the same questions, he stated that "yes" the prisoner would only stay in segregated housing until alternative means of separation can be arranged. He also stated that he has no specific example where a prisoner was placed in involuntary segregation based on the high risk of victimization and would have to ask a supervisor for the duration of separation.

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

115.43 Provision (d)

PREA Brig Standard Operating Procedure page 32, paragraph R4, states in part that; If an involuntary restrictive housing assignment is made pursuant to paragraph (2) of this section, the following will be documented in the prisoner record or electronic data base information system (e.g., Naval Justice Information System (NJIS), Corrections Management Information System (CORMIS) when available.

- a. The basis of concern for the prisoner's safety.
- b. The reason why no alternative means of separation can be arranged.

The MCI East Brig Commanding Officer provided a Memorandum stating that; The facility did not have an incident where a prisoner, at high risk of victimization, was placed in segregated housing until an alternative could be found and this will not ordinarily exceed 30 days.

The MCI East Brig Unit has reported not assigning any prisoner to involuntary segregated housing for the purpose of separating that prisoner due to the high risk for sexual victimization.

The evidence collected for this provision shows that the agency does have a written policy in place to address documenting the basis for the segregation and why no alternative means of separation could be arranged. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.43 Provision (e)

PREA Brig Standard Operating Procedure page 32, paragraph R5, states in part that; The C&A Board shall review the status of each prisoner assigned to Protective Custody every seven days in accordance with reference (i) to determine whether there is a continuing need for separation from the general population.

The evidence collected for this provision shows that the agency has procedures in place to reassess and review a prisoner's housing assignment every 7 days to see if there is a continued need for separation. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

Conclusion:

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

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1233 297">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 387 817 414">a) PREA Brig Standard Operating Procedure page 33 <li data-bbox="240 443 707 470">b) Prisoner Rules & Regulations Handbook <li data-bbox="240 499 564 526">c) DOD Safe PREA Helpline <li data-bbox="240 555 638 582">d) PREA Incident Summary Reports <li data-bbox="240 611 544 638">e) PREA Poster in English <li data-bbox="240 667 774 694">f) PREA Zero Tolerance Hotline Poster in English <p data-bbox="240 728 352 754">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 784 619 810">a) 12 interviews with random staff <li data-bbox="240 840 659 866">b) 16 interviews with various prisoners <li data-bbox="240 896 635 922">c) Interview with PREA Coordinator <p data-bbox="240 956 901 983">Observations made during the on-site audit and document review.</p> <p data-bbox="240 1016 446 1043">115.51 Provision (a)</p> <p data-bbox="240 1077 1490 1404">The facility has provided multiple ways to report a sexual abuse or sexual harassment allegation in a private setting. These reporting options are listed in written policy, confirmed through interviews, and observed through posters and handouts. PREA Brig Standard Operating Procedure page 33, specifically addresses four ways to report an allegation of sexual abuse or harassment. Those involved making a verbal or written report to any staff member, by submitting in writing a DD 510 Prisoner Request form, having a 3rd party make a report for the alleged victim, or calling the outside reporting authority either the DoD Safe Helpline or MCI East Inspector General's hotline made available by the phone system. The contact information and phone numbers are provided on the PREA posters. In addition, PREA posters are displayed throughout the facility in English listing the ways an individual can report an allegation of sexual abuse. The staff training curricula consists of classroom instruction and on-line training portal that provides staff ways to report. Those ways are verbally to any supervisor, PREA Coordinator / PREA Compliance Manager, submit a written report, or contact the outside reporting agency via hotline.</p> <p data-bbox="240 1438 1490 1630">During the on-site audit, the auditor performed 12 random staff interviews and 16 prisoner interviews. Of the 12 random staff that was interviewed: 0 staff members could identify all four ways to report, 10 staff members could identify three ways, and 2 staff members could at least identify two ways to report a sexual abuse allegation. Of the 16 prisoners that were interviewed: 0 prisoners could offer four ways to report sexual abuse, 4 prisoners could offer three ways, 9 prisoners identified two ways, and 3 prisoners provided at least one way to report. Every prisoner interviewed could name at least one way to report an allegation of sexual abuse.</p> <p data-bbox="240 1664 1453 1753">During the on-site review, the auditor observed and documented PREA posters posted in both housing units and in public areas throughout the facility. The auditor contacted Just Detention International and confirmed they had not received any sexual abuse allegations in the last two years.</p> <p data-bbox="240 1787 1474 1912">The evidence collected shows that the facility has provided multiple ways to report sexual abuse or sexual harassment. The evidence also shows that many staff and prisoners are aware of those reporting procedures, confirming the information is being provided. Therefore, through written policy, personal observations, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1946 446 1973">115.51 Provision (b)</p> <p data-bbox="240 2007 1485 2159">The agency has provided information regarding DoD Helpline to provide a phone number that a prisoner or staff can call, anonymously if they choose to report allegations of sexual abuse. The phone number is listed on the PREA posters and is automatically connected when the prisoner dials the phone number. This fact was confirmed through the on-site observation. During the facility site review, the auditor made a call to the outside agency as a test of the procedure. A member of RAINN took the call when the auditor followed the instructions. The auditor spoke to a representative for the hotline advocate who</p>

confirmed that they would take the information that was provided and immediately contact the Brig Duty Officer to report the alleged sexual misconduct.

PREA Brig Standard Operating Procedure page 33, paragraph S3 states in part that; The DoD Safe Helpline and the MCI EAST Inspector General's (IG) Hotline are external entities which afford prisoners the ability to anonymously report sexual abuse or sexual harassment incidents. In accordance with PREA and DoD policy, anonymous and third-party reports are forwarded to the Brig CO and investigated by NCIS. Prisoners also have access to those external entities listed on the PREA Resource Information Sheet (Enclosure 8) and other available resources (internal and external) to report sexual abuse or sexual harassment

Non-Applicable: The Marine Corps Corrections System does not confine prisoners solely for civil immigration purposes.

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

115.51 Provision (c)

PREA Brig Standard Operating Procedure page 33 paragraph S5, states in part that; Staff will accept reports made verbally, in writing, anonymously, or from third parties. Reports will be immediately documented and forwarded to the DBS or other appropriate supervisor (§115.51(c)). If a supervisor is the alleged perpetrator, the staff member will report to a different supervisor in their chain of command.

During staff interviews, the officers explained that their duties were to immediately write a report recording the verbal sexual allegation. When interviewing prisoners, several explained that they would notify a supervisor or security officer. The officers also stated that the report would be immediate. However, there was no clear answer to what the term "immediate" meant. Therefore, it was when the PREA Compliance Manager was interviewed and asked to define what "immediately" meant according to the protocol. The PREA Compliance Manager explained that immediately is defined as at least before the end of the officer's tour of duty for that day. In addition, all the PREA posters displayed throughout the facility states that an allegation of sexual abuse can be reported verbally.

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

115.51 Provision (d)

PREA Brig Standard Operating Procedure page 34, paragraph S6, states in part that; Staff may privately report sexual abuse and sexual harassment of prisoners via the DoD Safe Helpline, SARC, SAPR, or Inspector General. In addition, the staff are also encouraged to verbally report sexual abuse or harassment to the PREA Compliance Manager. It has also been confirmed through staff interviews that they are aware of how to go about privately notifying authorities regarding allegations of sexual abuse or harassment. Of the 12 random staff members interviewed, they identified the DoD PREA hotline 4 times, contact their Duty Brig supervisor 5 times, contact the PREA Compliance Manager 3 times, and 2 staff member identified completing the four-page report provided by the program's unit.

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

Conclusion

Based upon the review and analysis of all the available evidence, the auditor has determined that the facility is fully compliant with this standard requiring the agency provide multiple internal ways for prisoners to privately report sexual abuse or sexual harassment.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <p>a) PREA Brig Standard Operating Procedure page 34</p> <p>Interviews:</p> <p>a) Interview with PREA Compliance Manager</p> <p>b) Interview with Agency Head</p> <p>Observations made during the on-site audit and document review.</p> <p>The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency's procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if a PREA allegation through a grievance is received, it must immediately be directed to the Duty Brig Supervisor or PREA Compliance Manager. These individuals will further the investigation into the allegation. The grievance process is immediately stopped, and an administrative investigation is immediately initiated. The MCI East Brig reported no incidents of a prisoner utilizing the grievance procedure to report an alleged sexual abuse or harassment report during the last twelve months.</p> <p>115.52 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 34, paragraph T1, states in part that; (§115.52(a)) non-applicable. The Marine Corps Corrections System has an administrative process to address prisoner grievances regarding sexual abuse.</p> <p>115.52 Provision (b)</p> <p>PREA Brig Standard Operating Procedure page 34, paragraph T2, states in part that; There is no time limit on when a prisoner may submit a grievance regarding an allegation of sexual abuse, sexual harassment, sexual misconduct, or any other type of grievance. Prisoners are not required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse, sexual harassment, or sexual misconduct. Nothing in this section restricts the Brig's ability to defend against a prisoner lawsuit on the grounds that the applicable statute of limitations has expired.</p> <p>115.52 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 34, paragraph T3, states in part that; A prisoner who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint. Such grievance is not referred to a staff member who is the subject of the complaint.</p> <p>115.52 Provision (d)</p> <p>PREA Brig Standard Operating Procedure page 34, paragraph T4, states in part that; The Brig issues a final 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 prisoners in preparing any administrative appeal. The Brig may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. In these cases, the Brig CO will notify the prisoner in writing of any such extension and provide a date by which a decision will be made.</p> <p>The MCI East Brig has not received any grievance over the last twelve months alleging sexual abuse.</p> <p>115.52 Provision (e)</p> <p>PREA Brig Standard Operating Procedure page 36, paragraph T1-f, states in part that; Third parties, including other prisoners, staff members, family members, attorneys, and outside advocates, are permitted to assist prisoners in filing requests for administrative remedies relating to allegations of sexual abuse, and are also permitted to file such requests on behalf of prisoners. If a third-party files such a request on behalf of a prisoner, the Brig may require as a condition of processing the request, that the alleged victim agree to have the request filed on their behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process. If the prisoner declines to have the request processed on their behalf, the Brig will document the prisoner's decision.</p>

The MCI East Brig has not received any grievance over the last twelve months alleging sexual abuse.

115.52 Provision (f)

PREA Brig Standard Operating Procedure page 35, paragraph T3, states in part that; Follow the procedures outlined in paragraph 4f(24)(d) of reference (b).

115.52 Provision (g)

PREA Brig Standard Operating Procedure page 36, paragraph T4, states in part that; The facility may discipline a prisoner for filing a grievance related to alleged sexual misconduct only when it has been determined that the prisoner filed the grievance in bad faith.

Conclusion

The agency has a policy that places limitations on what allegations can be handled through the grievance process. The agency's procedure is that grievances received about sexual assault and sexual harassment will be accepted and reviewed regardless of when the incident took place. The agency protocol is if the Duty Brig Supervisor or PREA Compliance Manager receives a grievance alleging sexual abuse or sexual harassment by staff or sexual abuse by a prisoner, the grievance is immediately handled as a PREA complaint and investigated as such, to include assigning it to a PREA Investigator for further investigation. The grievance process is immediately stopped, and an administrative investigation is immediately initiated. Therefore, this standard is not applicable in the meaning and purpose for which it is intended. The grievance process is to serve as a vehicle to provide due process in certain situational incidents in a confinement setting and not the purpose of reporting or investigating a sexual abuse allegation in this facility. However, a prisoner can use the process as a means of reporting a sexual abuse allegation.

115.53	Inmate access to outside confidential support services
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 770 416">a) PREA Standard Operating Procedure page 36 <li data-bbox="240 448 1469 542">b) PREA Poster in English. The poster is labeled "United States Marine Corps Sexual Assault Prevention & Response Program" and provides all three-advocate contact information either by phone or mailing address to the DoD Safe Helpline, Sexual Assault Support Line, and the MCI East Inspector General Hotline. <p data-bbox="240 573 352 600">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 631 703 658">a) Prisoners who reported a Sexual Abuse <li data-bbox="240 689 671 716">b) 16 interviews with Random Prisoners <p data-bbox="240 748 898 775">Observations made during the on-site audit and document review.</p> <p data-bbox="240 806 448 833">115.53 Provision (a)</p> <p data-bbox="240 864 1469 1052">PREA Brig Standard Operating Procedure page 36, paragraph U1, states in part that; Prisoners will have access to outside victim advocates for emotional support services related to sexual abuse by calling the Sexual Assault Line. Mailing addresses and telephone numbers, including the toll-free DoD Safe Helpline, or other local, State, or national victim advocacy or rape crisis organizations will be available. Reasonable communication between prisoners and these organizations and agencies is permitted in accordance with privileged communications (e.g., legal phone booth, privilege correspondence, designated unrecorded phone numbers, etc.)</p> <p data-bbox="240 1084 1485 1276">The facility utilizes the services of the Sexual Assault Prevention & Response Program and their coordinators (SARC), to provide outside victim advocacy related to sexual abuse. Stated during the interview with the SARC Coordinator, they are responsible for all rape crisis incidents involving all commands at the Camp Lejeune Marine Corps Base. The auditor observed these posters during the facility tour. The hotline phone call is free of charge to the prisoner. Outgoing facility mail is not scanned, opened, or read. The crisis intervention services are confidential, however, SARC does have a duty to report an allegation of sexual abuse, but the victim can remain anonymous if they choose.</p> <p data-bbox="240 1308 1485 1572">During the on-site audit, the auditor performed 16 random prisoner interviews. Nine prisoners were aware that services are available outside the facility for dealing with sexual abuse, while in the facility. One prisoner stated that he was not sure and stated that they were not aware of such services. Those prisoners that were aware of the services also knew how to contact the crisis center. They were also cognizant that the communication with the crisis advocate is confidential. When asked if they could tell me about the kind of services there were, 3 prisoners identified outside resources while 11 prisoners stated they did not know of any. The auditor was able to interview two prisoners that reported a sexual abuse while housed in the facility. Both prisoners were aware and stated that the facility would provide them with phone numbers or contacts to outside services. One prisoner did identify the DoD Helpline.</p> <p data-bbox="240 1603 1469 1697">The evidence collected for this provision shows that the agency has procedures in place to provide crisis intervention services from an outside advocacy group free of charge that is confidential. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1729 448 1756">115.53 Provision (b)</p> <p data-bbox="240 1787 1485 1939">PREA Brig Standard Operating Procedure page 36, paragraph U2 states in part that; The Brig will inform prisoners, 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 as per reference (f) (§115.53(b)). Prisoners are informed via the Intake Information Sheet (Enclosure 5), prisoner rules and regulations, posters or other printed materials displayed in the housing units, library, and multi-purpose room.</p> <p data-bbox="240 1971 1469 2065">The MCI East Brig informs prisoners through their Brig Rules and Regulations Book about phone calls being recorded or monitored when contacting family and friends. The prisoner sexual abuse educational orientation also informs the prisoners that their calls are subject to monitoring and may be referred out for investigation.</p> <p data-bbox="240 2096 1469 2154">The auditor performed 16 random prisoner interviews. All 16 prisoners that were aware of these services assumed that the information was confidential. They also state that they would have access to contact these services anytime or during free</p>

time except at night when all prisoners are locked in their individual cells.

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

115.53 Provision (c)

PREA Brig Standard Operating Procedure page 36, paragraph U3, states in part that; The PREA Compliance Manager in coordination with the BO will maintain relationships or attempt to enter into Memorandums of Understanding or other agreements with community service providers that are able to provide prisoners with confidential emotional support services related to sexual abuse. The PREA Compliance Manager will maintain copies of agreements or documentation showing attempts to enter into such agreements

When interviewing the SARC Coordinator it was explained to the auditor that the Sexual Assault Prevention and Response Program is designated to assist every command within the Camp Lejeune Marine Corps Base, this would include the MCI East Brig. Therefore, there is no need to enter into a MOU because the programs existence is to provide all these services to both civilian and enlisted personnel regardless of a written agreement.

The evidence collected for this provision shows that the agency has an outside advocacy group to provide the prisoners emotional support as it relates to sexual abuse. Therefore, through the interview conducted with the SARC Coordinator and personal observation the facility has demonstrated that it meets this provision.

Conclusion

Based upon the review and analysis of all the available evidence, the auditor has determined that the facility is fully compliant with this standard requiring the facility provide inmate access to outside confidential support services.

115.54	Third-party reporting
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="242 387 785 416">a) PREA Brig Standard Operating Procedure page <li data-bbox="242 445 671 474">b) Marine Corps MCI East Brig Website <li data-bbox="242 504 711 533">c) Prisoner Rules & Regulations Handbook <li data-bbox="242 562 448 591">d) PREA Posters <p data-bbox="242 620 900 649">Observations made during the on-site audit and document review.</p> <p data-bbox="242 678 448 707">115.54 Provision (a)</p> <p data-bbox="242 736 1490 826">PREA Brig Standard Operating Procedure page 36, paragraph V, states in part that; Procedures for third-party reporting of sexual abuse and sexual harassment on behalf of prisoners will be posted in the housing units, visitation area, library and on the Brig website.</p> <p data-bbox="242 855 1469 920">The MCI East Brig has the following information published on their MCI EAST Brig facility website explaining how someone would report a sexual abuse on behalf of a prisoner housed in the Brig.</p> <p data-bbox="242 949 1453 1039">Rape or any form of sexual misconduct is not part of any sentence or confinement and the facility encourages any and all forms of reporting. To include prisoner family members and representatives, in confidence or anonymous, to the following agencies community-based or outside organizational resources:</p> <p data-bbox="242 1068 1485 1133">The page goes on to list contact information for the PREA Compliance Manager, SARC advocacy group, DoD Safe Helpline, NCIS, and others.</p> <p data-bbox="242 1162 1481 1252">The evidence collected for this provision shows that the agency has procedures in place to address third-party reports of sexual abuse or harassment both formally and publicly. Therefore, through document review and personal observations, the facility has demonstrated that it meets this provision.</p> <p data-bbox="242 1281 357 1310">Conclusion</p> <p data-bbox="242 1339 1458 1429">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring a method to receive third-party reports alleging sexual abuse and distribute that information publicly.</p>

115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <p>a) PREA Brig Standard Operating Procedure page 37</p> <p>Interviews:</p> <p>a) 12 Interviews with Random staff</p> <p>b) Interview with Warden or Designee</p> <p>c) Interview with Medical or Mental Health Staff</p> <p>d) Interview with PREA Coordinator</p> <p>Observations made during the on-site audit and document review.</p> <p>115.61 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 37, paragraph W1, states in part that; Staff will immediately report to the DBS for immediate action any knowledge, suspicion, or information regarding an incident of sexual abuse, sexual harassment, or sexual misconduct that occurs in any facility.</p> <ol style="list-style-type: none"> Any retaliation against prisoners or staff who report such an incident. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. <p>During the interview process this auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to address immediately reporting any knowledge, suspicion, or information regarding sexual abuse or sexual harassment. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.61 Provision (b)</p> <p>PREA Brig Standard Operating Procedure 038.3 page 37, paragraph W2, states in part that; Staff will not reveal any information related to a sexual abuse report to anyone other than on a need to know basis in order to make treatment, investigation, and other security and management decisions (e.g., designated supervisors or officials, medical, SAPR, CO, BO, etc.).</p> <p>During the interview process the auditor interviewed 12 random staff. All 12 staff members stated that they must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment to their supervisor and must only relay information on a 'need to know' basis.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to address not revealing information related to a sexual abuse report to anyone other than to the extent necessary. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.61 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 37, paragraph W3, states in part that; Unless precluded by Federal, State or local law, Brig medical and mental health practitioners are required to report sexual abuse pursuant to paragraph (1) of this section and to inform prisoners of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.</p> <p>The auditor interviewed the Health Services Administrator. The Administrator stated that they do notify the prisoner of the duty to report sexual abuse allegations and the limitations surrounding confidentiality. He also stated that they have a duty to report all suspicions, knowledge, or information regarding sexual abuse. In addition, the Administrator stated that he had just recently experienced a situation where an alleged sexual abuse allegation had been made and he was made aware because</p>

he is the Brig Chief medical officer.

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

115.61 Provision (d)

PREA Brig Standard Operating Procedure page 37, paragraph W4, states in part that; If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the Brig will report the allegation under applicable mandatory reporting laws.

When the Warden/Designee was interviewed, he stated that the MCI East Brig does not house any juveniles or currently house vulnerable adults. However, both the Warden/Designee and PREA Coordinator stated that when notified of such a situation, they would both contact the local social services departments in the jurisdiction of which the incident occurred.

The evidence collected for this provision shows that the agency has procedures in place to require staff to report sexual abuse involving individuals under the age of 18 and vulnerable adults to the designated state or local services in accordance with applicable mandatory reporting laws. Therefore, through written policy, and interviews conducted the facility has demonstrated that it meets this provision.

115.61 Provision (e)

PREA Brig Standard Operating Procedure page 37, paragraph W5, states in part that; Restricted Reporting as defined in the DoD and Marine Corps SAPR Program is not an available reporting option under PREA and the facility staff shall report all allegations of sexual abuse, sexual harassment and sexual misconduct, including third-party and anonymous reports to NCIS in accordance with references (f) and (h).

During the document review the auditor did evaluate investigative files. The facility reported seven incidents of alleged sexual abuse or sexual harassment. The Warden/Designee was also interviewed and explained that all allegations of sexual abuse are assigned to CIS for investigation.

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

Conclusion

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring staff and agency reporting duties.

115.62	Agency protection duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 37 <p>Interviews:</p> <ul style="list-style-type: none"> a) 12 Interviews with Random Staff b) Interview with Warden or Designee c) Interview with Agency Head <p>Observations made during the on-site audit and document review.</p> <p>115.62 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 37, paragraph X, states in part that; When it is discovered a prisoner is subject to a substantial risk of imminent sexual abuse, the DBS will be notified and take immediate action (e.g., separate victim from alleged abuser, place in protective custody, etc.) to protect the prisoner and notify the CO/BO. Such actions will be documented in the Brig Log and identified as a significant event (e.g., highlighted, color coded, searchable, etc.), annotated in the DBS report, documented on a DD Form 2713 Prisoner Observation Report, and filed in the prisoner record.</p> <p>Interviews were conducted with 12 random staff. Of those staff interviewed, all 12 staff members stated that they would immediately remove the prisoner from the situation, block, or housing unit. In addition, they stated that they would conduct an initial inquiry and notify a supervisor. Also interviewed was the Warden/Designee. In that interview it was stated that he would have the prisoner immediately removed from the situation and initiate an investigation to collect the facts. Also, that a housing change would immediately take place and if he was aware of the alleged abuser that would be the individual moved. The Agency Head stated that his facility has options when they learn that a prisoner is subject to the risk of imminent sexual abuse. He stated that they can place the prisoner in an easily observable unit. They can make sure the prisoner knows their rights and how to report. Finally, if the prisoner may have to be transferred to a different facility where the threat does not exist.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to address when prisoner is subject to a substantial risk of sexual abuse and immediate action is taken to protect that prisoner. Therefore, through written policy, document review, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring agency protection duties.</p>

115.63	Reporting to other confinement facilities
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 356">Documents:</p> <p data-bbox="242 385 847 414">a) PREA Brig Standard Operating Procedure page 038.3</p> <p data-bbox="242 443 352 470">Interviews:</p> <p data-bbox="242 499 657 528">a) Interview with Warden or Designee</p> <p data-bbox="242 557 580 586">b) Interview with Agency Head</p> <p data-bbox="242 616 900 645">Observations made during the on-site audit and document review.</p> <p data-bbox="242 674 568 703">115.63 Provision (a), (b), and (c)</p> <p data-bbox="242 732 1497 925">PREA Brig Standard Operating Procedure page 38, paragraph Y1, states in part that; Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the CO or acting CO will notify the head of the facility/agency where the alleged abuse occurred (e.g., phone call, email correspondence, SITREP, etc.). Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation. The PREA Compliance Manager will maintain documentation that the CO has provided such notification. Incident reports, brig logs, emails, etc., serve as sufficient documentation for the purposes of this standard.</p> <p data-bbox="242 954 1485 1016">The MCI East Brig reported that there were no incidents over the last twelve months where notification was made to another confinement facility about an allegation of sexual abuse.</p> <p data-bbox="242 1046 1489 1140">The evidence collected for these provisions shows that the agency has procedures in place to address when an allegation of sexual abuse is received from a prisoner, but the incident occurred at a different confinement facility. Therefore, through written policy and document review the facility has demonstrated that it meets these provisions.</p> <p data-bbox="242 1169 446 1198">115.63 Provision (d)</p> <p data-bbox="242 1227 1463 1290">PREA Brig Standard Operating Procedure page 38, paragraph Y4, states in part that; If the Brig receives such notification, allegations will be investigated in accordance with these standards.</p> <p data-bbox="242 1319 1493 1382">The MCI East Brig reported that they have not received any alleged sexual abuse allegation from another confinement facility within the last twelve months.</p> <p data-bbox="242 1411 1481 1572">When the Warden/Designee was interviewed, he stated that all contacts are funneled through the NCIS and they coordinate everything associated with the investigation. The Warden/Designee stated that the agency had not received any reported allegation from another facility within the last twelve months. The Agency Head/Designee stated that the point of contact for all sexual abuse allegations are directed through the Brig to the PREA Compliance Manager to the PREA Coordinator who would make contact with the NCIS Investigator to conduct a thorough investigation into the allegation.</p> <p data-bbox="242 1601 1489 1729">The evidence collected for this provision shows that the agency does have a policy in place to address when an allegation of sexual abuse is received from another agency. Also, they have policy in place to govern when and how to handle allegations received by their agency regarding sexual abuse allegations made that occurred at another outside confinement facility. Therefore, through written policy and interviews conducted the facility has demonstrated that it does meet this provision.</p> <p data-bbox="242 1758 357 1787">Conclusion</p> <p data-bbox="242 1816 1469 1910">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the agency is fully compliant with this standard requiring the reporting to other confinement facilities and investigating reports from other confinement facilities.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:

Documents:

- a) PREA Brig Standard Operating Procedure page 38
- b) Notification of Investigation Status

Interviews:

- a) Interview with Security Staff First Responders
- b) Interview with Prisoners that reported Sexual Abuse
- c) Interviews Non-Security Staff
- d) Interviews with 12 Random Staff

Observations made during the on-site audit and document review.

115.64 Provision (a)

PREA Brig Standard Operating Procedure page 38, paragraph Z1, states in part that; All Brig staff are designated as first responders. Upon learning of an allegation that a prisoner was sexually abused, the first security staff member to respond to the report will be required to:

1. Separate the alleged victim and abuser.
2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
3. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and alleged abuser not take any actions that could destroy physical evidence. This includes as appropriate: washing the body, brushing teeth, changing clothes, urinating, defecating, drinking, or eating.

As of the date of this report, the facility reported in the last twelve months that 2 prisoners reported they were sexually abused. An interview with a security staff first responder was conducted. The first responder was asked to describe the actions taken when first on the scene of an alleged prisoner sexual abuse allegation. The first responder stated that he would make sure the scene was safe, separate the victim and alleged abuser, report to a supervisor, preserve the evidence, get medical to see them, write a report, and protect the possible crime scene. When conducting the interviews with the two prisoners that had reported sexual abuse, one prisoner stated that staff responded within a couple hours of him making the report. The other prisoner stated that he was asked to write a statement the following day. They both stated that they believed staff got to the scene quickly given the allegations. And finally, one prisoner stated that staff asked if he was ok immediately upon arrival. The second prisoner stated that they requested he fill out a PREA report form that they provided to him.

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

115.64 Provision (b)

PREA Brig Standard Operating Procedure page 10, paragraph Z2, states in part that; If the first staff responder is not a security staff member, the responder will be required to request that the alleged victim not take any actions that could destroy physical evidence, follow the steps listed above, and then notify any security staff member.

The facility reported no incidents of sexual abuse where the first responder was not a security staff member and the staff member immediately notified security staff. When conducting interviews, 12 random staff were questioned about their responsibilities when confronted with an allegation of prisoner sexual abuse. The responses were broken down into the following ways. As a side note, the auditor has incorporated the staff's multiple responses into the listed general topics.

- 11 staff members stated they would separate the victim and abuser;
- 4 staff members would also contact a supervisor.

- 5 staff members mentioned contacting medical personnel,
- 1 staff members cited preserving evidence,
- 1 staff members said they would secure the scene
- 1 staff member stated they would write a report.

In addition, the Auditor interviewed 2 contractors during this audit and both non-security staff stated that they would immediately notify a security staff member.

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

Conclusion

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the agency is fully compliant with this standard requiring Staff first responder duties.

115.65	Coordinated response
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1235 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 847 416">a) PREA Brig Standard Operating Procedure page 038.3 <li data-bbox="240 445 608 472">b) PREA Incident Response Plan <p data-bbox="240 504 352 530">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 562 659 589">a) Interview with Warden or Designee <p data-bbox="240 620 900 647">Observations made during the on-site audit and document review.</p> <p data-bbox="240 678 448 705">115.65 Provision (a)</p> <p data-bbox="240 736 1490 857">The PREA Brig Standard Operating Procedure page 39, paragraph aa, states in part that; This SOP serves as the 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 Brig leadership. Refer to the PREA Incident Response Procedures form to facilitate a coordinated response.</p> <p data-bbox="240 889 1469 1081">The MCI East Brig has provided an outlined coordinated response plan in the form of a PREA Incident Response Plan document or check list to follow when dealing with a sexual abuse incident. The document outlines the procedures/steps to follow and includes the actions of the first responders, medical & mental health practitioners, Duty Brig Supervisor, Facility Leadership, the PREA Compliance Manager, Incident Review Team, and the Retaliation Officer. In an interview with the Warden/Designee it was stated that the Duty Brig Supervisor has a coordinated response plan that is followed. The auditor has received several copies of PREA Incident Response Plan as proof of a coordinated plan.</p> <p data-bbox="240 1113 1425 1211">The evidence collected for this provision shows that the facility does have a coordinated response plan to follow during incidents of alleged prisoner sexual abuse. Therefore, through written policy, and interviews conducted the facility has demonstrated that it does meet this provision.</p> <p data-bbox="240 1243 357 1270">Conclusion</p> <p data-bbox="240 1301 1458 1355">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring a coordinated response. Corrective action is not necessary.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) MCI East Brig Pre-Audit Questionnaire Responses b) PREA Brig Standard Operating Procedure page 39 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Agency Head or Designee <p>Observations made during the on-site audit and document review.</p> <p>115.66 Provision (a)</p> <p>PREA Brig Standard Operating Procedure page 39, paragraph bb, states in part that; The Brig will not enter into or renew any collective bargaining agreement or any other agreement that limits the facility's ability to remove alleged staff sexual abusers from contact with any prisoners pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. Nothing will restrict the Brig from entering into or renewal of agreements that govern the conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of (§115.72), (§115.76) (§115.66(b)(l)). Whether a no-contact assignment that is imposed pending the outcome of an investigation will be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.</p> <p>There is no collective bargaining agreement entered into since August 2012. The auditor confirmed this during the interview with the Agency Head.</p> <p>The evidence collected for this provision shows that the agency has in place policy that addresses collective bargaining associated with this standard. Therefore, through policy and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility meets this standard.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 297">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 387 817 414">a) PREA Brig Standard Operating Procedure page 39 <p data-bbox="240 445 352 472">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 501 700 528">a) Interview with Agency Head / Designee <li data-bbox="240 557 636 584">b) Interview with Warden / Designee <li data-bbox="240 613 943 640">c) Interview with Staff Member charged with Monitoring Retaliation <p data-bbox="240 672 900 698">Observations made during the on-site audit and document review.</p> <p data-bbox="240 730 446 757">115.67 Provision (a)</p> <p data-bbox="240 788 1490 913">PREA Brig Standard Operating Procedure page 39, paragraph cc1, states in part that; All prisoners and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations are protected from retaliation by other prisoners or staff. Retaliation monitoring is the responsibility of the PREA Compliance Manager. However, it is everyone's responsibility to remain vigilant for any signs of retaliation.</p> <p data-bbox="240 945 1437 1003">The designated staff member charged with monitoring possible retaliation at the MCI East Brig is the PREA Compliance Manager.</p> <p data-bbox="240 1034 1490 1128">The evidence collected for this provision shows that the facility has procedures in place and staff to monitor retaliation associated with reports of sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1160 446 1187">115.67 Provision (b)</p> <p data-bbox="240 1218 1485 1344">PREA Brig Standard Operating Procedure page 39, paragraph cc2, states in part that; The Brig will employ multiple protection measures, such as: housing changes or transfers for prisoner victims or abusers, removal of alleged staff or prisoner abusers from contact with victims, and emotional support services for prisoners or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.</p> <p data-bbox="240 1375 1474 1671">The facility has reported no incidents or reports of alleged sexual abuse or sexual harassment. When interviewed, the Warden/Designee explained that they could use multiple ways to protect prisoners or staff from retaliation. The Warden/Designee spoke of pulling the staff member from that post until an investigation could be completed, transfers, providing mental health treatment, and discipline. The Agency Head spoke of the written policy prohibiting retaliation and how his agency would investigate all reports of retaliation. The staff member charged with monitoring retaliation stated that he monitors the situation by checking for DBS reports, program attendance, and staff post assignments. He also stated that he would meet with the individuals involved on a weekly basis. The facility reported two prisoners who reported sexual abuse that were still incarcerated at the time of the on-site audit. Both prisoners stated that they do feel safe from retaliation at the facility.</p> <p data-bbox="240 1702 1490 1796">The evidence collected for this provision shows that the facility employs multiple protection measures for those prisoners and staff who fear retaliation. Therefore, through document review, and interviews conducted the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1827 446 1854">115.67 Provision (c)</p> <p data-bbox="240 1886 1481 2110">PREA Brig Standard Operating Procedure page 40, paragraph cc3, states in part that; Monitoring for retaliation will continue for at least 90 days following a report of sexual abuse for prisoners or staff who reported the sexual abuse and of prisoners who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by prisoners or staff. The PREA Compliance Manager will notify the CO of such retaliation for prompt resolution. Items the PREA Compliance Manager should monitor are prisoner disciplinary reports, housing or program changes, negative performance reviews, or reassignments of staff. The PREA Compliance Manager will continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need to do possible retaliation.</p>

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

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

115.67 Provision (d)

PREA Brig Standard Operating Procedure page 40, paragraph cc4, states in part that; The PREA Compliance Manager will monitor prisoners to include performing periodic status checks and a review of paperwork (e.g., housing assignments, work, education, and program assignments, excessive disciplinary reports, etc.) to ensure retaliation does not occur.

When conducting the interview with the staff member responsible for monitoring retaliation, he stated that he monitors the situation by checking for disciplinary reports, program attendance, and staff post assignments. He also stated that he meets with the individuals involved on a regular basis.

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

115.67 Provision (e)

PREA Brig Standard Operating Procedure page 40, paragraph cc5, states in part that; If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate actions will be taken to protect that individual against retaliation. These measures will be documented and maintained by the PREA Compliance Manager.

When conducting the interview with the Agency Head/ Designee, he stated that they have policies posted to protect those individuals. Names of those involved are not released and if it is a prisoner and they wish to be transferred then that would be an option. The Warden/Designee stated that the Retaliation Officer monitors those situations and that a prisoner engaging in retaliation may be moved to a different housing assignment or to an entirely different facility. The Warden/Designee also stated that if staff were engaged in retaliation, the staff member may be dealt with using the Marine Corps Standards of Conduct.

115.67 Provision (f)

PREA Brig Standard operating Procedure page 40, paragraph cc6, states in part that; Monitoring will terminate if the investigating entity determines that the allegation is unfounded.

There were no cases of retaliation reported by the MCI East Brig for the last twelve months.

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

Conclusion

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring agency protection from retaliation.

115.68	Post-allegation protective custody
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 358">Documents:</p> <p data-bbox="242 385 817 414">a) PREA Brig Standard Operating Procedure page 40</p> <p data-bbox="242 443 352 472">Interviews:</p> <p data-bbox="242 499 657 528">a) Interview with Warden or Designee</p> <p data-bbox="242 555 896 584">b) Interview with Staff who supervise prisoners in Segregation.</p> <p data-bbox="242 613 900 642">Observations made during the on-site audit and document review.</p> <p data-bbox="242 672 446 701">115.68 Provision (a)</p> <p data-bbox="242 728 1458 824">PREA Brig Standard Operating Procedure page 40, paragraph dd, states in part that; Any use of restrictive housing to protect a prisoner who is alleged to have suffered sexual abuse will be subject to the requirements of (§115.43). All post-allegation protective measures will be recorded within the prisoner record and the Naval Justice Information System.</p> <p data-bbox="242 853 1458 983">Over the last 12 months, the facility reported that they had not assigned any prisoner who alleged to have suffered sexual abuse to involuntary segregated housing, for the purpose of separating that prisoner due to no other housing alternatives. During the facility tour, the auditor visited the restricted housing unit and reviewed the cell assignments to verify that no prisoner was being housed involuntarily due to alleging sexual abuse.</p> <p data-bbox="242 1012 1473 1140">The Warden / Designee stated during his interview that the facility does have a policy prohibiting placing prisoners who alleged to have suffered sexual abuse in involuntary segregated housing, in lieu of other housing areas. He also stated that only if it was upon request by the prisoner would the prisoner voluntarily segregated because of alleging sexual abuse. He further stated if that were the case the facility would evaluate the prisoner's situation every 7 days.</p> <p data-bbox="242 1169 1473 1332">The staff member working in segregated housing stated during his interview that if a prisoner were placed in segregation based on being an alleged victim of a sexual abuse, that prisoner would still have access to all the privileges and opportunities that all other prisoners would have. He stated that the housing assignment is not seen as a punishment. The staff member also stated that he has no specific example where a prisoner was placed in involuntary segregation based on alleging a sexual abuse.</p> <p data-bbox="242 1361 1487 1489">The evidence collected for this provision shows that the agency has procedures in place to ensure that if a prisoner is placed in segregation due to alleging sexual abuse that prisoner would retain all the privileges and opportunities that all other prisoners are afforded. Therefore, through written policy, personal observations, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="242 1518 363 1547">Conclusion:</p> <p data-bbox="242 1576 1458 1637">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring limitation on protective custody.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 297">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 365 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 387 817 414">a) PREA Brig Standard Operating Procedure page 40 <li data-bbox="240 443 770 470">b) MOA PREA with NCIS dated January 27, 2015 <li data-bbox="240 499 1436 562">c) United States Marine Corps Memorandum for the Record dated 15 November 2021, by Commanding Officer S.F. Bolman <p data-bbox="240 591 352 618">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 647 657 674">a) Interview with Warden or Designee <li data-bbox="240 703 624 730">b) Interview with Investigative Staff <li data-bbox="240 759 635 786">c) Interview with PREA Coordinator <li data-bbox="240 815 675 842">d) Prisoners who reported sexual abuse <p data-bbox="240 875 903 902">Observations made during the on-site audit and document review.</p> <p data-bbox="240 936 448 963">115.71 Provision (a)</p> <p data-bbox="240 992 1481 1153">PREA Brig Standard Operating Procedure page 40, paragraph ee, states in part that; The Brig will not conduct any criminal investigation relating to sexual misconduct, sexual harassment, or sexual abuse. As soon as reasonable suspicion of sexual abuse, sexual harassment, or sexual misconduct has occurred the allegations will be referred to the NCIS office for investigation. Investigations will be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.</p> <p data-bbox="240 1182 1481 1344">The auditor did review seven investigative files during the document review. The facility has reported that seven allegations of sexual misconduct have been made over the last twelve months. During the interview with the investigative staff, the investigator stated that a criminal investigation is immediately initiated once notification is made. The investigator suggested that an investigation would begin within the first twenty-four hours of the allegation being made. The investigator stated that anonymous and third-party reports are handled exactly in the same manner as all other sexual abuse allegations.</p> <p data-bbox="240 1373 1481 1471">The evidence collected for this provision shows that the agency has procedures in place to ensure that it investigates sexual abuse allegations promptly, thoroughly, and objectively. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1500 448 1527">115.71 Provision (b)</p> <p data-bbox="240 1556 1481 1619">PREA Brig Standard Operating Procedure page 41, paragraph ee-2, states in part that; Where sexual abuse is alleged, the NCIS office will use investigators who have received special training in sexual abuse investigations pursuant to §115.34.</p> <p data-bbox="240 1648 1492 1841">The MCI East Brig reported that the facility utilizes the trained investigators with NCIS. During the pre-audit phase, this auditor requested training records for a Special Agent assigned to investigate sex crimes that may occur at the Brig. In addition, during the interview with the Special Agent he stated that he has received advanced sexual assault training in 2018 and family sexual assault violence training, which was a two-week course, and took the online course through the NIC. The facility provided that information and the auditor verified that those investigators had received special sexual abuse training to include in a confinement setting.</p> <p data-bbox="240 1870 1485 1968">The evidence collected for this provision shows that the agency has procedures in place to ensure that only specially trained sexual abuse investigators conduct investigations into sexual abuse allegations. Therefore, through written policy, document review, and interviews conducted, the agency has demonstrated that it meets this provision.</p> <p data-bbox="240 1998 448 2024">115.71 Provision (c)</p> <p data-bbox="240 2054 1469 2152">PREA Brig Standard Operating Procedure page 41, section ee-3, states in part that; Investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence, and any available electronic monitoring data; will interview alleged victims, suspected perpetrators, and witnesses; and will review prior complaints and</p>

reports of sexual abuse involving the suspected perpetrator according to their protocols. Should NCIS decline investigative jurisdiction, the CID office will be offered the case and complete the investigation. If CID determines that no criminal action occurred, they may decline to investigate further and delegate the investigation responsibilities to an MPI.

The auditor did review seven investigation files. The facility reported seven incidents of prisoner or staff alleged sexual abuse or sexual harassment. In each of these files the Brig provided written statements of witnesses, any video footage that was made available, officer incident reports, email chains, a copy of the PREA Incident Response Procedure, and a Notification of Investigation Status form with final results by the NCIS.

When conducting the interview with the NCIS investigator, he stated that usually the Duty Brig Supervisor collects the initial information and notifies their command. The Commander then sends all the collected information over to the NCIS for review. If the allegation looks as if it were criminal in nature, an investigator would respond and being determining who, what, when, where, and how. He would also collect evidence both physical and circumstantial. The NCIS investigator stated that he would collect forensic evidence, crime scene sketch, photographs, Perk Kit, Buccal swab, and interview all witnesses.

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

115.71 Provision (d)

PREA Brig Standard Operating Procedure page 41, paragraph ee-4, states in part that; When the quality of evidence appears to support criminal prosecution, the investigative agency will conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

There are no examples of investigative reports supporting compelled statements. When asked about compelling staff to answer questions, the NCIS Investigator explained that he would not conduct compelled interviews on military personnel, but would on civilian personnel.

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

115.71 Provision (e)

PREA Brig Standard Operating Procedure page 41, paragraph ee-5, states in part that; The investigator will assess the credibility of an alleged victim, suspect, or witness on an individual basis and not by the person's status as a prisoner or staff. Prisoners who allege sexual abuse will not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation.

The NCIS Investigator was interviewed and stated that he treats every allegation the same and handles them in a serious manner. The Investigator also stated that polygraphs are not used to determine truthfulness in allegations of sexual abuse. The auditor conducted two interviews with prisoners that reported sexual abuse. Both stated that they were not offered or asked about performing a polygraph as a condition of investigating their allegations.

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

115.71 Provision (f)

PREA Brig Standard Operating Procedure page 41, paragraph ee-6, states in part that;

administrative investigations will include an effort to determine whether staff actions or failures to act contributed to the abuse; and will 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.

Investigative files were examined during the document review phase and a request was made by the auditor to review the administrative investigative report. The PREA Compliance Manager contacted the NCIS and requested that information. However, no reports were made available because the NCIS does not look at the actions of staff or if procedures were followed during their investigation. The auditor was put in contact with the supervising Special Agent who confirmed that the NCIS does not conduct administrative investigations for the Brig regarding PREA and never has.

When interviewing the NCIS Investigator, he stated that they the NCIS only looks at the criminal aspect and if a crime has been committed beyond a reasonable doubt. The NCIS does not conduct administrative investigations.

During the corrective phase, the MCI East Brig provided the auditor with a memo for the record authored by the Commanding Officer. The memorandum states in part that; there is a process in place to fully investigate all reported cases of sexual misconduct, sexual harassment, and sexual abuse, both administratively and criminally. All admin cases of reported sexual misconduct and sexual harassment are assigned within the Brig, to fully trained Marine investigators that have completed sexual assault training and the NIC PREA courses relating to sexual abuse in a confinement setting. Any administrative case will, take into full account the preponderance of the evidence, statements, pictures, video footage, and conclude the case with three possible different findings, Unfounded, Unsubstantiated, and Substantiated to close the case. All staff and contractors/volunteers are held to the same standard under PREA, as the confined prisoners are under the PREA policies and regulations.

In addition, the PREA Compliance Manager has provided the auditor with proof of compliance regarding specific sexual abuse investigative training in a confinement setting. This proof is in the form of certificates of completion by Brig Officers through the National Institute of Corrections online training courses.

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

115.71 Provision (g)

PREA Standard Operating Procedure page 41, paragraph ee-7, states in part that; Investigations will be documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence, and attaches copies of all documentary evidence where feasible.

The NCIS Investigator confirmed that all criminal investigations shall be documented and that the evidence located in the file would be the same as what is placed in every criminal file such as witness statements and evidence that was collected.

The evidence collected for this provision shows that the agency conducts all criminal investigations. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.71 Provision (h)

PREA Brig Standard Operating Procedure page 42, paragraph ee-8, states in part that; Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

The facility did not report that there was any case in the last twelve months that was referred to the U.S. Attorney's Office. The NCIS Investigator stated that he would refer the case for prosecution at the conclusion of the investigation.

The evidence collected for this provision shows that the agency does conduct criminal investigations and will refer substantiated cases for criminal prosecution. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.71 Provision (i)

PREA Brig Standard Operating Procedure page 42, paragraph ee-9, states in part that; The PREA Compliance Manager will retain all written reports referenced in paragraphs (6) and (7) of this section for as long as the alleged abuser is confined or employed by the Brig, plus five years. All staff and section heads are required to provide the PREA Compliance Manager all documentation for file, archive, and audit. Release of any information contained in the case records will be processed per reference (k).

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

115.71 Provision (j)

PREA Brig Standard Operating Procedure page 42, paragraph ee-14, states in part that; The departure of the alleged abuser or victim from employment or control of the Brig will not provide a basis for terminating an investigation.

The NCIS Investigator was asked how he would proceed when a staff member who is alleged to have committed sexual abuse terminates employment prior to a completed investigation. The investigator explained that this would have no bearing on their investigation and would continue forward in the same fashion.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the investigation continues regardless of if the abuser or victim is no longer employed or under the agency's control. Therefore, through

written policy and interviews conducted the facility has demonstrated that it meets this provision.

115.71 Provision (k)

PREA Brig Standard Operating Procedure page 42, paragraph ee-11, states in part that; The Marine Corps Corrections System does not use outside State or DOJ components for investigating allegations of sexual abuse and sexual harassment.

115.71 Provision (i)

PREA Brig Standard Operating Procedure page 42, paragraph ee-12, states in part that; When outside agencies (e.g., NCIS, CID, IG, etc.) investigate sexual abuse, the Brig will cooperate with outside investigators and will endeavor to remain informed about the progress of the investigation.

Interviews were conducted with the Warden/Designee, PREA Coordinator, PREA Compliance Manager, and Investigative staff about this provision. The PREA Coordinator, PREA Compliance Manager, and Warden/Designee were asked who investigates criminal allegations of sexual abuse and how the agency remains informed of the progress of a criminal sexual abuse case. The PREA Coordinator and Warden/Designee responded by stating that the NAVAL NCIS Special Investigations Unit conducts all criminal investigations. The PREA Compliance Manager stated that the NCIS can kick it down to CID. And finally, the NCIS Investigator was asked what role he plays in a criminal investigation from an outside agency. The investigator explained that this is not applicable to this agency and only if it occurred at the local Sheriff's Office that hold female prisoners. If that occurs the Sheriff's Office could have the NCIS conduct the criminal investigation.

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

Conclusion:

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

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1235 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="242 387 817 416">a) PREA Brig Standard Operating Procedure page 42 <li data-bbox="242 445 1430 506">b) United States Marine Corps Memorandum for the Record dated 15 November 2021, by Commanding Officer S.F. Bolman <p data-bbox="242 535 352 564">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="242 593 632 622">a) Interview with Investigative Staff <p data-bbox="242 651 900 680">Observations made during the on-site audit and document review.</p> <p data-bbox="242 710 446 739">115.72 Provision (a)</p> <p data-bbox="242 768 1489 860">PREA Brig Standard Operating Procedure page 42, paragraph ff, states in part that; The Brig will not impose an evidentiary standard higher than a preponderance of evidence in determining whether allegations of sexual abuse, sexual harassment, or sexual misconduct are substantiated.</p> <p data-bbox="242 889 1489 1016">The NCIS Investigator was asked what standard of evidence he requires to substantiate allegations of sexual abuse or sexual harassment. The Investigator replied, "Criminal beyond a reasonable doubt." However, the investigator informed the auditor that he does conduct administrative investigations, and therefore, the preponderance of the evidence does not play in a criminal investigation.</p> <p data-bbox="242 1046 1493 1344">During the corrective phase, the MCI East Brig provided the auditor with a memo for the record authored by the Commanding Officer. The memorandum states in part that; there is a process in place to fully investigate all reported cases of sexual misconduct, sexual harassment, and sexual abuse, both administratively and criminally. All admin cases of reported sexual misconduct and sexual harassment are assigned within the Brig, to fully trained Marine investigators that have completed sexual assault training and the NIC PREA courses relating to sexual abuse in a confinement setting. Any administrative case will, take into full account the preponderance of the evidence, statements, pictures, video footage, and conclude the case with three possible different findings, Unfounded, Unsubstantiated, and Substantiated to close the case. All staff and contractors/volunteers are held to the same standard under PREA, as the confined prisoners are under the PREA policies and regulations.</p> <p data-bbox="242 1373 1481 1464">The evidence collected for this provision shows that the agency has procedures in place to not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual assault is substantiated. Therefore, through written policy, and interviews conducted, the facility has demonstrated that it does meet this provision.</p> <p data-bbox="242 1494 363 1523">Conclusion:</p> <p data-bbox="242 1552 1455 1612">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring evidentiary administrative investigations.</p>

115.73	Reporting to inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 815 416">a) PREA Brig Standard Operating Procedure page 42 <li data-bbox="240 445 639 472">b) Notification of Investigative Status <p data-bbox="240 504 352 530">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 562 655 589">a) Interview with Warden or Designee <li data-bbox="240 618 624 645">b) Interview with Investigative Staff <li data-bbox="240 674 815 701">c) Interview with Prisoners that reported sexual abuse <p data-bbox="240 732 898 759">Observations made during the on-site audit and document review.</p> <p data-bbox="240 790 448 817">115.73 Provision (a)</p> <p data-bbox="240 848 1445 974">PREA Brig Standard Operating Procedure page 42, paragraph gg-1, states in part that; Following an investigation into a prisoner's allegation that they suffered sexual abuse in the Brig, the prisoner will be informed in writing as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This document will be drafted by the PREA Compliance Manager and forwarded to the CO for signature per Enclosure.</p> <p data-bbox="240 1005 1473 1099">The facility reported 7 investigations of alleged sexual abuse or harassment during the last twelve months that were completed by the agency. The auditor observed that all 7 cases had a Notification of Investigative Status form inside the file with a finding.</p> <p data-bbox="240 1131 1481 1288">During the interview with the investigative staff, the NCIS investigator stated that his agency procedures require him to notify the victim and Commander verbally or through an advocate. The Warden/Designee stated that yes; notification is made to the prisoner by way of the PREA Compliance Manager as to the findings of the allegation. Lastly, both prisoners that reported sexual abuse were interviewed. They both stated that they were notified by the PREA Compliance Manager as to the findings of their allegations.</p> <p data-bbox="240 1319 1477 1413">The evidence collected for this provision shows that the agency has procedures in place to inform the prisoners who allege sexual abuse of the findings of the investigation. Therefore, through written policy, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1444 448 1471">115.73 Provision (b)</p> <p data-bbox="240 1503 1485 1597">PREA Brig Standard Operating Procedure page 42, paragraph gg-2, states in part that; If the Brig did not conduct the investigation, the PREA Compliance Manager will request the relevant information from the investigative agency (e.g., NCIS, CID, IG, etc.) in order to inform the prisoner of the determination.</p> <p data-bbox="240 1628 1449 1722">The MCI East Brig is a correctional facility within the Camp Lejeune Marine Corps Base. The agency has the Naval NCIS conduct their criminal investigations. Because the Marine Corps is associated with the U.S Navy this provision of this particular standard is not applicable to this facility.</p> <p data-bbox="240 1753 1469 1812">The evidence collected for this provision shows that the agency conducts their own investigations. Therefore, this provision of the standard is not applicable to this facility.</p> <p data-bbox="240 1843 448 1870">115.73 Provision (c)</p> <p data-bbox="240 1901 1481 2094">PREA Brig Standard Operating Procedure page 43, paragraph gg-3, states in part that; Following a prisoner's allegation that a staff member has committed sexual abuse against a prisoner, the prisoner will subsequently be informed in writing, unless the facility has determined that the allegation is unfounded, whenever the staff member is no longer posted within the prisoner's housing unit or any area where the alleged staff member and prisoner would be co-located. Subsequent staff posting or prisoner housing/work/program assignments will not result in co-location, depending on the nature of the allegation.</p> <ul style="list-style-type: none"> <li data-bbox="240 2125 823 2152">1. The staff member is no longer employed at the Brig.

2. The staff member has been formally charged; or
3. The staff member has been convicted on a charge related to sexual abuse within the Brig.

The agency has reported that there have been no sexual abuse allegations involving staff or prisoners that have been referred to criminal prosecution. The only substantiated case was involving a sexual harassment allegation by another prisoner.

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

115.73 Provision (d)

PREA Brig Standard Operating Procedure page 43, paragraph gg-4, states in part that; Following a prisoner's allegation that they have been sexually abused by another prisoner, the alleged victim will be notified in writing whenever:

1. The alleged abuser has been charged; or
2. The alleged abuser has been convicted on a charge related to sexual abuse within the Brig.

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

115.73 Provision (e)

PREA Brig Standard Operating Procedure page 43, paragraph gg-5, states in part that; All such notifications or attempted notifications will be documented on the Notification of Investigative Status Form and a DD Form 2704 Victim/Witness Notification for all cases resulting in a sentence to confinement in accordance with reference (1) (§115.73(e)).

The Brig's obligation to report under this standard terminates if the prisoner is released from custody.

The facility has reported that there have been no sexual abuse allegations involving staff or prisoners that have been referred to criminal prosecution. The 7 investigative files all contained a Notification of Investigative Status letter notifying the prisoner of the findings of their case.

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

Conclusion:

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

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1235 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 329 365 356">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 385 817 414">a) PREA Brig Standard Operating Procedure page 43 <li data-bbox="240 443 724 472">b) Responses to the Pre-Audit Questionnaire <p data-bbox="240 501 352 528">Interviews:</p> <p data-bbox="240 557 903 586">Observations made during the on-site audit and document review.</p> <p data-bbox="240 616 448 645">115.76 Provision (a)</p> <p data-bbox="240 674 1493 869">PREA Brig Standard Operating Procedure page 43, paragraph hh-1, states in part that; All Staff will be subject to disciplinary action up to and including termination for violating sexual abuse or sexual harassment policies. The term "termination" for civilians means removal from further employment at the Brig after due process. For military members, termination means possible separation from military service after due process. For contractors and volunteers, termination means an abrupt cessation of any further relationship with the facility. In any case where an allegation of sexual abuse or sexual harassment is substantiated, all staff are subject to disciplinary sanctions up to and including termination.</p> <p data-bbox="240 898 1485 994">The evidence collected for this provision shows that the agency has procedures in place to ensure staff will be subject to disciplinary actions for violating the agency's sexual abuse and sexual harassment policies. Therefore, through written policy the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1023 448 1052">115.76 Provision (b)</p> <p data-bbox="240 1081 1474 1140">PREA Brig Standard Operating Procedure page 44, paragraph hh-2, states in part that; Termination will be the presumptive disciplinary action for staff who have engaged in sexual abuse.</p> <p data-bbox="240 1169 1490 1265">The MCI East Brig has reported that they have not had any staff terminated due to violating the agency's PREA policy over the last twelve months. There have been no substantiated cases involving staff violating the agency's sexual abuse or sexual harassment policies and no staff has been terminated based on PREA violations in the past twelve months.</p> <p data-bbox="240 1294 1490 1391">The evidence collected for this provision shows that the agency has procedures in place to ensure that termination should be the presumptive disciplinary action for staff who have engaged in sexual abuse. Therefore, through written policy the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1420 448 1449">115.76 Provision (c)</p> <p data-bbox="240 1478 1481 1606">PREA Brig Standard Operating Procedure page 44, paragraph hh-3, states in part that; Disciplinary sanctions for violations policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) will be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.</p> <p data-bbox="240 1635 1490 1693">The agency reported that there have been no staff disciplined for any PREA related allegations associated with sexual abuse or sexual harassment in the last twelve months.</p> <p data-bbox="240 1722 1490 1818">The evidence collected for this provision shows that the agency has procedures in place to discipline staff who violate sexual abuse or sexual harassment policies, but do not engage in sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1848 448 1877">115.76 Provision (d)</p> <p data-bbox="240 1906 1485 2069">PREA Standard Operating Procedure page 44, paragraph hh-4, states in part that; All terminations for violations of the Brig's sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, will be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing or endorsement bodies (e.g., education board and institutions, credentialing organization, or religious endorsing agencies, etc.) The Brig CO or designee will make these notifications.</p> <p data-bbox="240 2098 1426 2157">The MCI East Brig reported that no staff member has been terminated for PREA policy violations and therefore, no law enforcement agency or licensing bodies contacted in the last twelve months.</p>

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

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring disciplinary sanctions for staff.

115.77	Corrective action for contractors and volunteers
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="242 329 365 358">Documents:</p> <p data-bbox="242 387 817 416">a) PREA Brig Standard Operating Procedure page 44</p> <p data-bbox="242 445 352 474">Interviews:</p> <p data-bbox="242 504 670 533">a) Interview with the Warden/Designee</p> <p data-bbox="242 562 901 591">Observations made during the on-site audit and document review.</p> <p data-bbox="242 620 446 649">115.77 Provision (a)</p> <p data-bbox="242 678 1453 801">PREA Standard Operating Procedure page 44, paragraph ii-1, states in part that; Any volunteer, contractor, or intern who engages in sexual abuse will be prohibited from contact with prisoners and will be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing or endorsement bodies (e.g., education board or institutions, credentialing organization, or religious endorsing agencies, etc.)</p> <p data-bbox="242 831 1490 927">The facility reported there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with prisoners based on PREA violations in the past twelve months.</p> <p data-bbox="242 956 1473 1052">The evidence collected for this provision shows that the agency has procedures in place to ensure volunteers or contractors who engage in sexual abuse do not have contact with prisoners. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p data-bbox="242 1081 446 1111">115.77 Provision (b)</p> <p data-bbox="242 1140 1490 1301">PREA Brig Standard Operating procedure page 44, paragraph ii-2, states in part that; For cases involving violations of sexual abuse or sexual harassment policies by a volunteer, contractor or intern, appropriate remedial measures will be taken including prohibition of further contact with prisoners and reporting the violation as appropriate to the volunteer's or intern's host organization. The PREA Compliance Manager will maintain copies of all remedial measures, documentation for file, archive and audit purposes.</p> <p data-bbox="242 1330 1477 1426">The facility has reported that there have been no substantiated cases involving contractors or volunteers violating the agency's sexual abuse or sexual harassment policies. Also, no volunteer or contractor has been restricted from contact with prisoners based on PREA violations in the past twelve months.</p> <p data-bbox="242 1456 1485 1579">The Auditor interviewed the Warden/Designee and he stated that if a contractor or volunteer were accused of violating the agency's sexual abuse or sexual harassment policy, then that individual would be banned from coming to the facility until the investigation was complete. If it were determined that the allegation was substantiated, the contractor or volunteer would no longer have access to the facility and the NCIS could seek criminal prosecution.</p> <p data-bbox="242 1608 1490 1704">The evidence collected for this provision shows that the agency has procedures in place to address actions to be taken when a contractor or volunteer who violates agency's PREA policies but does not engage in sexual abuse of a prisoner. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="242 1733 363 1762">Conclusion:</p> <p data-bbox="242 1792 1457 1854">Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring corrective action for contractors and volunteers.</p>

115.78	Disciplinary sanctions for inmates
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 815 416">a) PREA Brig Standard Operating Procedure page 45 <li data-bbox="240 445 576 472">b) Brig Rules and Regulations <li data-bbox="240 501 727 528">c) Responses to the Pre-Audit Questionnaire <p data-bbox="240 560 352 586">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 618 668 645">a) Interview with the Warden/Designee <li data-bbox="240 674 600 701">b) Medical & Mental Health Staff <li data-bbox="240 730 576 757">c) Mental Health Professional <p data-bbox="240 788 900 815">Observations made during the on-site audit and document review.</p> <p data-bbox="240 846 448 873">115.78 Provision (a)</p> <p data-bbox="240 904 1465 999">PREA Standard Operating Procedure page 45, paragraph jj-1, states in part that; Prisoners will be subject to disciplinary actions pursuant to formal disciplinary process following an administrative finding that the prisoner engaged in prisoner-on-prisoner sexual abuse or following a criminal finding of guilt for prisoner-on-prisoner sexual abuse.</p> <p data-bbox="240 1030 1449 1088">In the past twelve months the facility has reported that there has been no prisoner-on-prisoner sexual abuse at the facility that was substantiated.</p> <p data-bbox="240 1120 1481 1214">The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners are subject to disciplinary sanctions following a finding that the prisoner engaged in prisoner-on-prisoner sexual abuse. Therefore, through written policy and document review the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1245 501 1272">115.78 Provision (b) & (c)</p> <p data-bbox="240 1303 1493 1397">PREA Standard Operating Procedure page 45, paragraph jj-2-3, states in part that; Actions will be commensurate with the nature and circumstances of the abuse committed, the prisoner's disciplinary history, and the actions imposed for comparable offenses by other prisoners with similar histories.</p> <p data-bbox="240 1429 1469 1523">Should a prisoner have mental disabilities or a mental illness which may have contributed to his or her behavior as documented by medical or mental health practitioners, the disciplinary board will take these factors into consideration when determining what type of action, if any, should be imposed.</p> <p data-bbox="240 1554 1485 1747">When conducting the interview with the Warden/Designee, he was asked what disciplinary sanctions prisoners are subject to following an investigation that found the prisoner had engaged in prisoner-on-prisoner sexual abuse. In addition, is mental illness considered when determining sanctions? The Warden/Designee stated that the charges would be forwarded, and a disciplinary hearing would be scheduled. The prisoner could be court marshaled once again. The punishment would be determined on the severity of the violation. He also stated that the mental illness part would be considered on the front end deciding if the prisoner should be charged in the first place due to his disability.</p> <p data-bbox="240 1778 1485 1872">The evidence collected for these provisions shows that the agency has procedures in place to discipline those prisoners who have been found responsible for engaging in prisoner-on-prisoner sexual abuse. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets these provisions.</p> <p data-bbox="240 1904 448 1930">115.78 Provision (d)</p> <p data-bbox="240 1962 1469 2154">PREA Brig Standard Operating Procedure page 45, paragraph jj-4, states in part that; Counseling, therapy, or other interventions designed to address and correct underlying reasons or motivations for the abuse (e.g., sex offender education or treatment, violent offender education and treatment, individual counseling, etc.), will be offered, if available. The Brig will consider whether to require the offending prisoner to participate in therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse as a condition of access to programming or other benefits.</p>

The MCI East Brig has reported in the Pre-Audit Questionnaire that the facility did not have any situation where a prisoner was provided any treatment involving sex offender education or counseling. The Brig does provide therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse.

When conducting the interviews with the Medical & Mental Health practitioners, they were asked if the facility offers therapy, counseling, or other intervention services designed to address and correct the underlying reasons for sexual abuse. The medical health administrator stated that it is available and a prisoner's participation is not a condition of accessing programming and other benefits. The mental health professional stated that he was not sure and did not consider being a sexual predator a diagnosable mental health condition. Both health professionals stated that these services do require an prisoner's participation as a condition of assessing programming and other benefits.

The evidence collected for this provision shows that the agency has procedures in place to provide therapy or counseling designed to address and correct reasons or motivations for sexual abuse. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.78 Provision (e)

PREA Standard Operating Procedure page 45, paragraph jj-5, states in part that; All sexual activity is prohibited in Marine Corps confinement facilities. A prisoner may only receive disciplinary action for the violation of the Cat IV offense "Sexual Misconduct" when the violation or contact was found to be non-consensual by the staff member. The facility reported no incidents of this nature over the past twelve months.

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

115.78 Provision (f)

PREA Brig Standard Operating Procedure page 45, paragraph jj-6, states in part that; For the purpose of disciplinary action, a report of sexual abuse, sexual harassment or sexual misconduct made in good faith, based upon a reasonable belief that the alleged conduct occurred, will not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

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

115.78 Provision (g)

PREA Brig Standard Operating Procedure page 45, paragraph jj-7, states in part that; All sexual activity between prisoners is prohibited and prisoners will face disciplinary action for such misconduct. Such activity does not constitute sexual abuse if determined that the activity is not coerced.

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

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the agency is fully compliant with this standard requiring disciplinary sanction for prisoners.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <p>a) PREA Standard Operating Procedure page 46</p> <p>Interviews:</p> <p>a) Interview with Staff Responsible for Risk Screening</p> <p>b) Interviews with Medical & Mental Health Staff</p> <p>c) Interviews with Prisoners who disclose Sexual Victimization during Risk Screening</p> <p>Observations made during the on-site audit and document review.</p> <p>115.81 Provision (a) &(c)</p> <p>PREA Brig Standard Operating Procedure page 46, paragraph kk-1, states in part that; If the screening pursuant to (§115.41) indicates that a prisoner has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, medical and mental health staff will ensure that the prisoner is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p>The facility reported that no prisoner currently incarcerated at the facility had disclosed prior sexual abuse during the screening process. Therefore, no follow-up meeting with medical or mental health staff was needed.</p> <p>When conducting the interview with the staff member who is responsible for risk screening, he stated that if a prisoner discloses prior sexual victimization during the risk screening process, a 14-day follow-up meeting would occur.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners that report prior sexual victimization are offered a follow-up meeting with medical or mental health professionals within 14 days of intake. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it does meet this provision.</p> <p>115.81 Provision (b) &(c)</p> <p>PREA Standard Operating Procedure page 46, paragraph kk-2, states in part that; If the screening pursuant to (§115.41) indicates that a prisoner has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff will ensure that the prisoner is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.</p> <p>When conducting the interview with the staff member who is responsible for risk screening, he stated that if a prisoner has perpetrated prior sexual abuse during the risk screening process, a 14-day follow-up meeting with mental health would occur. The facility reported that no prisoner currently incarcerated at the facility had disclosed perpetrating prior sexual abuse during the screening process. Therefore, no follow-up meeting with medical or mental health staff was needed.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners that have perpetrated sexual abuse are offered a follow-up meeting with mental health professionals within 14 days of intake. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it does meet this provision.</p> <p>115.81 Provision (d)</p> <p>PREA Brig Standard Operating Procedure page 46, paragraph kk-3, states in part that; Any information related to sexual victimization or abusiveness that occurred in an institutional setting will be strictly limited to medical and mental health practitioners and other staff, as necessary (e.g., CO, BO,OBS, Programs Chief, PREA Compliance Manager), to make security and management decisions to include: housing, cell assignment, work, education, and program assignments, or as otherwise required by Federal, State, or local law.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that reported sexual victimization that occurred in a confinement setting is strictly limited to selected professionals. Therefore, through written policy and document review, the facility has demonstrated that it meets this provision.</p>

115.81 Provision (e)

PREA Brig Standard Operating Procedure page 46, paragraph kk-4, states in part that; Medical and Mental Health practitioners shall obtain informed consent from prisoners before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the prisoner is under the age of 18.

The Medical and Mental Health professionals were asked if they obtain informed consent from prisoners before reporting about prior sexual victimization. In addition, both were asked how they would handle prisoners under the age 18 years old. The Medical Health Administrator stated that he has never had to deal with that, and the Mental Health Professional stated that he would ask for consent. They also stated that they have not encounter any juveniles and therefore have never experienced that situation. However, both health care professionals are aware of mandatory reporting laws involving juveniles.

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

Conclusion:

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

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 46 <p>Interviews:</p> <ul style="list-style-type: none"> a) Interview with Staff Responsible for Risk Screening b) Interviews with Medical & Mental Health Staff c) Interview with Staff First Responder <p>Observations made during the on-site audit and document review.</p> <p>115.82 Provision (a)</p> <p>PREA Standard Operating Procedure page 46, paragraph II-1, states in part that; Prisoner victims of sexual abuse will receive timely, unimpeded access to emergency medical treatment and crisis intervention services the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.</p> <p>The Medical and Mental Health professionals were interviewed and asked if prisoner victims of sexual abuse receive immediate and unimpeded emergency medical care and both professionals answered that they do. In addition, the medical staff member stated that the nature and scope of the treatment is at their professional discretion.</p> <p>The facility provided documentation of secondary materials (i.e. medical protocol of documenting medical data on prisoners.) The facility has provided examples of these documents as proof of compliance.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners that report prior sexual victimization receive timely unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p>115.82 Provision (b)</p> <p>PREA Standard Operating Procedure page 46, paragraph II-2 states in part that; 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 will take preliminary steps to protect the victim pursuant to (§115 .62) and will immediately notify the DBS. The DBS will immediately notify Emergency Medical Services for evaluation and transport and will make notifications per the Incident Response Procedures form.</p> <p>Interviews were conducted with 12 random staff and of those staff interviewed, all 12 staff members stated that they would immediately remove the prisoner from the situation, block, or housing unit. When interviewing a first responder he explained that he would make the scene safe, report to a supervisor, preserve evidence, contact medical personnel, write a report, and protect the crime scene. If medical personnel for some reason was not available, then the facility would contact the local rescue emergency services for assistance.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners that report sexual abuse is offered immediate medical and mental health services when no qualified medical and mental health personnel is available. Therefore, through policy and interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.82 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 47, paragraph II-3, states in part that; Prisoner victims of sexual abuse will be offered timely information about and access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>The MCI East Brig utilizes the services provided by the Camp Lejeune Naval Hospital Forensics Unit to provide these services. The interview with the SANE Nurse specifically outlined that the Naval Hospital Forensics Unit will offer information, timely access to emergency contraception and sexually transmitted infections prophylaxis.</p>

When conducting interviews with medical and mental health staff it was disclosed that "Yes, the SANE Nurse at the Camp Lejeune Naval Hospital offers it."

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

115.82 Provision (d)

PREA Brig Standard Operating Procedure page 47, paragraph II-4, states in part that; Treatment services will be provided to the victim without financial cost to them and regardless of whether the victim names the abuser(s) or cooperates with any investigation arising out of the incident.

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

Conclusion:

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

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <p>a) PREA Brig Standard Operating Procedure page 47</p> <p>Interviews:</p> <p>a) Interviews with Medical & Mental Health Staff</p> <p>b) Interview with Prisoner who Reported a Sexual Abuse</p> <p>Observations made during the on-site audit and document review.</p> <p>115.83 Provision (a) & (b)</p> <p>PREA Brig Standard Operating Procedure page 47, paragraph mm-1, states in part that; The Brig will offer medical and mental health evaluations, and as appropriate, treatment to all prisoners who have been victimized by sexual abuse.</p> <p>The evaluation and treatment of such victims will include, as appropriate: follow-up services, treatment plans, and when necessary, referrals for continued care following their transfer to or placement in other facilities, or their release from custody.</p> <p>The interviews conducted revealed that medical staff would not take the lead on treatment and would consult with the SANE Nurse. The Medical staff member stated that the treatment should be individualized based on the type of injury and that the nurse and attending doctor would determine that. The mental health professional stated that he would recommend contact with the VA for additional appointments or request they make contact with their individual medical insurance. The mental health professional would determine therapy and medication.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure the facility offer medical and mental health evaluation and treatment to all prisoners who have been sexually victimized. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets these provisions.</p> <p>115.83 Provision (c)</p> <p>PREA Brig Standard Operating Procedure page 47, paragraph mm-3, states in part that; Victims will be provided medical and mental health services consistent with the community level of care.</p> <p>The MCI East Brig medical and mental health professionals are licensed and registered to practice medicine to all military personnel. These licenses must be maintained to continue service in the Navy. Both the medical and mental health services provided by the MCI East Brig are consistent with the community level of care.</p> <p>An interview was conducted with both the Medical & Mental Health staff. Both interviews revealed that they believe the medical service is consistent, if not better, than those of the community because the availability is much easier and convenient.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that prisoners receive medical and mental health services consistent with the community level of care. Therefore, through interviews conducted the facility has demonstrated that it meets this provision.</p> <p>115.83 Provision (d) & (e)</p> <p>PREA Brig Standard Operating Procedure page 47, paragraphs G-4,5, states in part that; Prisoner victims who may have experienced sexually abusive vaginal penetration during the intake process will be offered pregnancy tests.</p> <p>If pregnancy results from the conduct described in paragraph (4) above, such victims will receive timely and comprehensive information and access to all lawful pregnancy related medical services.</p> <p>When conducting an interview with the Medical and Mental Health staff, the medical staff professional replied that the MCI East Brig is an all-male facility. In addition, the medical staff professional stated that, "Yes, medical services would provide the alleged victim with all the pregnancy-related issues." The mental health professional stated that he was unsure about when the prisoner would receive that information.</p>

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

115.83 Provisions (f)&(g)

PREA Brig Standard Operating Procedure page 47, paragraph mm-6, states in part that; Prisoner victims of sexual abuse while incarcerated will be offered tests for sexually transmitted infections as medically appropriate.

Ongoing treatment services will be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

During the on-site interview process two prisoners were interviewed that alleged sexual abuse. Both prisoners acknowledged that they were offered tests for sexually transmitted infections.

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

115.83 Provision (g)

PREA Brig Standard Operating Procedure page 47, paragraph mm-8, states in part that; The Medical or Mental Health Officer will attempt to conduct a mental health evaluation of all known prisoner-on-prisoner abusers as soon as possible, but not to exceed 60 days, within learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

The Medical Health Administrator stated that yes, "an interview with all prisoner-on-prisoner abusers would occur and treatment would be offered". The mental health professional also confirmed that the interviews would take place once a week when he reports to the brig during clinic hours.

The evidence collected for this provision shows that the agency has procedures in place to attempt to conduct a mental health evaluation of all known prisoner-on-prisoner abusers within 60 days of learning such abuse history. Therefore, through written policy the facility has demonstrated that it meets this provision.

Conclusion:

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

115.86	Sexual abuse incident reviews
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1233 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 331 363 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 389 730 416">a) Responses to the Pre-Audit Questionnaire <li data-bbox="240 443 810 470">b) PREA Brig Standard Operating Procedure page 48 <li data-bbox="240 501 799 528">c) Brig PREA Incident Review Board meeting notes <p data-bbox="240 560 352 586">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 618 668 645">a) Interview with the Warden/Designee <li data-bbox="240 676 668 703">b) Interview with the PREA Coordinator <li data-bbox="240 734 799 761">c) Interview with the Incident Review Team Member <p data-bbox="240 792 900 819">Observations made during the on-site audit and document review.</p> <p data-bbox="240 851 501 878">115.86 Provision (a) & (b)</p> <p data-bbox="240 909 1489 999">PREA Brig Standard Operating Procedure page 48, paragraph nn-1-2, states in part that; A PREA Incident Review Board will ordinarily convene within 30 days of the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.</p> <p data-bbox="240 1030 1473 1120">The PREA Incident Review Board will consist of the BO, Programs Chief, Operations Chief, and the PREA Compliance Manager with input from relevant personnel, line supervisors, investigators, and medical or mental health practitioners. The board will consist of a minimum of three members.</p> <p data-bbox="240 1151 1477 1240">The MCI East Brig have reported two incidents of prisoner sexual abuse or sexual harassment that resulted in a substantiated or unsubstantiated finding. The facility has provided documentation of both of those meetings through the Brig PREA incident review meeting notes.</p> <p data-bbox="240 1272 1489 1406">The evidence collected for these provisions shows that the agency has procedures in place to ensure that an incident review is conducted after every sexual abuse investigation exuding those that are unfounded. In addition, the incident review shall occur within 30 days of the conclusion of the investigation. Therefore, through written policy and document review, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1438 443 1464">115.86 Provision (c)</p> <p data-bbox="240 1496 1489 1630">PREA Brig Standard Operating Procedure page 48, paragraph nn-2, states in part that; The PREA Incident Review Board will consist of the BO, Programs Chief, Operations Chief, and the PREA Compliance Manager with input from relevant personnel, line supervisors, investigators, and medical or mental health practitioners. The board will consist of a minimum of three members.</p> <p data-bbox="240 1662 1473 1715">The MCI East Brig provided meeting notes from two incident review panels, listing those individuals in attendance as proof of compliance with this element of the standard.</p> <p data-bbox="240 1747 1473 1868">In the interview with the Warden/Designee, he stated that the facility does utilize an incident review team and the input from these individuals are considered, and many times are a part of the team review depending on the situation. The Warden/Designee identified the Brig O, Compliance Manager, Master Gunny Sergeant, and himself as members of the Incident Review Team.</p> <p data-bbox="240 1899 1477 1998">The evidence collected for this provision shows that the agency has procedures in place to ensure that the review team is made up of upper-level management, supervisors, investigators, and medical/mental health staff. Therefore, through written policy, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 2029 501 2056">115.86 Provision (d) & (e)</p> <p data-bbox="240 2087 1477 2141">PREA Brig Standard Operating Procedure page 48, paragraph nn-3-4, states in part that; The PREA Incident Review Board will consider the following:</p>

1. Whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
2. Whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, intersex or gender nonconforming identification status, or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
6. PREA Incident Review Board chair will prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (a) and (e) of this section, and any recommendations for improvement. This report will be submitted to the Brig CO, the PREA Compliance Manager, and the CMC PSL (Corrections) PREA Coordinator. The PREA Compliance Manager will maintain this documentation for file, archive, and audit.

The facility will implement the recommendations for improvement, or will document its reasons for not doing so in the PREA Annual Report. All staff will provide any and all documents to the PREA Compliance Manager for file, archive, and audit.

The MCI East Brig provided meeting notes from two incident review meetings listing those elements that were discussed during the meeting from the list of considerations above.

Interviews with the Warden/Designee, Incident Review Team Member, and PREA Compliance Manager all revealed that these topics are considered and discussed during the review. The facility forwards all incident review documentation to the PREA Compliance Manager to file and archive for future audit purposes. The PREA Compliance Manager stated that the reports are forwarded to him for safe keeping.

The evidence collected for this provision shows that the agency has procedures in place to ensure that the incident review team considers all the above listed criteria when convening their meetings. Therefore, through written policy, and interviews conducted, the facility has demonstrated that it meets this provision.

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

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p>Documents:</p> <ul style="list-style-type: none"> a) PREA Brig Standard Operating Procedure page 49 b) Marine Corps PREA Annual Reports 2015-2018 and 2017-2019 c) Bureau of Justice Statistics Survey for 2019 <p>Interviews:</p> <p>Observations made during the on-site audit and document review.</p> <p>115.87 Provision (a) & (c)</p> <p>PREA Brig Standard Operating Procedure page 49, paragraph nn-1, states in part that; The Brig will collect accurate, uniform data for every allegation of sexual abuse, sexual harassment and sexual misconduct using a standardized instrument and set of definitions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the DOJ.</p> <p>The incident-based data collected will include, at a minimum, the data necessary to answer all questions from the most recent version of the SSV.</p> <p>The facility has provided four years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to collect accurate uniform data for every allegation of sexual abuse. The data collected is used to complete the federal mandated Survey of Sexual Violence questionnaire. Therefore, through written policy and document review, the facility has demonstrated that it meets these provisions.</p> <p>115.87 Provision (b)</p> <p>PREA Brig Standard Operating Procedure page 49, paragraph nn-2, states in part that; The BO and PREA Compliance Manager will aggregate the incident-based sexual abuse data and forward the results to the CMC PSL (Corrections) PREA Coordinator annually.</p> <p>The facility has provided four years' worth of PREA aggregated data in their 2019 PREA annual report containing comparisons of the current years data and corrective actions from the previous years' assessment of the agency's progress.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to ensure that the facility will aggregate the incident based sexual abuse data annually. Therefore, through written policy and document review, the facility has demonstrated that it meets this provision.</p> <p>115.87 Provision (d)</p> <p>PREA Brig Standard Operating Procedure page 49, paragraph nn-4, states in part that; The PREA Compliance Manager will maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to maintain, review, and collect data needed from all incident-based documents. Therefore, through written policy and document review, the facility has demonstrated that it meets this provision.</p> <p>115.87 Provision (e)</p> <p>PREA Brig Standard Operating Procedure page 49, paragraph nn-5, states in part that; Marine Corps correctional facilities are not authorized to contract with agencies or other entities.</p> <p>The evidence collected for this provision shows that the agency has procedures in place to not contract with other agencies or entities. Therefore, this element of the standard is not applicable to the MCI East Brig.</p> <p>115.87 Provision (f)</p>

PREA Brig Standard Operating Procedure page 49, paragraph nn-6, states in part that; The PREA Compliance Manager will submit all applicable data from the previous calendar year to the CMC PSL (Corrections) PREA Coordinator by 31 May each year, who will forward the data to the DOJ as required.

The MCI East Brig has provided copies of their facility's 2019 BJS Survey of Sexual Victimization forms provided to the Department of Justice.

The evidence collected for this provision shows that the agency has procedures in place to submit their annual SSV report to the Department of Justice. Therefore, through written policy and document review, the facility has demonstrated that it meets this provision.

Conclusion:

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

115.88	Data review for corrective action
	<p data-bbox="240 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 239">Auditor Discussion</p> <p data-bbox="240 271 1235 300">The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:</p> <p data-bbox="240 329 365 358">Documents:</p> <ul style="list-style-type: none"> <li data-bbox="240 387 817 416">a) PREA Brig Standard Operating Procedure page 49 <li data-bbox="240 445 935 474">b) Copy of the Marine Corp 2017-2019 PREA Annual Reports and <li data-bbox="240 504 655 533">c) The MCI East Brig Official Website <li data-bbox="240 562 844 591">d) The Official website of the United States Marine Corps <p data-bbox="240 620 352 649">Interviews:</p> <ul style="list-style-type: none"> <li data-bbox="240 678 587 707">a) Interview with Agency Head <li data-bbox="240 736 632 766">b) Interview with PREA Coordinator <li data-bbox="240 795 732 824">c) Interview with PREA Compliance Manager <p data-bbox="240 853 903 882">Observations made during the on-site audit and document review.</p> <p data-bbox="240 911 448 940">115.88 Provision (a)</p> <p data-bbox="240 969 1485 1059">PREA Brig Standard Operating Procedure page 49, paragraph oo-1, states in part that; The PREA Compliance Manager will review data collected and aggregated pursuant to standard (§115.87) in order to assess and improve the effectiveness of the Brig's sexual abuse prevention, detection, and response policies, practices, and training, including:</p> <ul style="list-style-type: none"> <li data-bbox="240 1088 564 1117">1. Identifying problem areas. <li data-bbox="240 1146 804 1176">2. Taking corrective action on an ongoing basis; and <li data-bbox="240 1205 1422 1263">3. Preparing an Annual PREA Report of the findings and corrective actions and forwarding the report to CMC PSL (Corrections). <p data-bbox="240 1292 1489 1382">The facility has provided four years of their PREA Annual Reports as evidence to support compliance with this provision. The reports include all the above elements outlined in this provision, specifically, under the corrective action and summary & comparison portions of the annual reports.</p> <p data-bbox="240 1411 1477 1500">Interviews conducted with the Agency Head and PREA Coordinator confirmed that an annual report is generated to assess and improve the effectiveness of the agency's prevention, detection, and response to sexual abuse. The PREA Compliance Manager stated that the report was used to justify additional monitoring and training.</p> <p data-bbox="240 1529 1477 1619">The evidence collected for this provision shows that the agency has procedures in place to review data collected to better assess and improve the effectiveness of its sexual abuse policies. Therefore, through written reports, document review, and interviews conducted, the facility has demonstrated that it meets this provision.</p> <p data-bbox="240 1648 448 1677">115.88 Provision (b)</p> <p data-bbox="240 1706 1485 1796">PREA Brig Standard Operating Procedure page 50, paragraph oo-2, states in part that; This report will include a comparison of the current year's data and corrective actions with those from prior years as well as an assessment of the Brig's progress in addressing sexual abuse.</p> <p data-bbox="240 1825 1485 1951">The Marine Corps PREA Annual reports include a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse. The 2019 PREA Annual Report makes comparisons for prisoner-on-prisoner allegations of sexual abuse from 2017 to 2019 and prisoner-on prisoner sexual harassment from 2017 to 2019.</p> <p data-bbox="240 1980 1485 2040">The facility has provided the last four years' worth of PREA annual reports containing comparisons of the current years data and corrective actions from the previous year's assessment of the agency's progress.</p> <p data-bbox="240 2069 1485 2130">The evidence collected for this provision shows that the agency has procedures in place to ensure that the facilities provide prior year comparisons in its yearly PREA annual report. Therefore, through written policy and document review, the facility</p>

has demonstrated that it meets this provision.

115.88 Provision (c)

PREA Brig Standard Operating Procedure page 50, paragraph oo-3, states in part that; The PREA Annual Report will be forwarded to CMC PSL (Corrections) PREA Coordinator for consolidation in order to make it readily available to the public through its website or through other means.

The facility has posted the 2015 through 2018 sexual safety statistics in their PREA Annual Reports located on their website. This is a public website that provides access to those reports. When interviewing the Agency Head/Designee, he stated that "yes" he the Director approves all PREA Annual Reports before being published on the agency website.

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

115.88 Provision (d)

PREA Brig Standard Operating Procedure page 50, paragraph oo-4, states in part that; The Brig will defer to CMC PSL (Corrections) regarding redaction of specific material from the reports when publication would present a clear and specific threat to the safety and security of the Brig, but must indicate the nature of the material redacted.

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

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

Conclusion:

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

Auditor Overall Determination: Meets Standard

Auditor Discussion

The PREA Auditor gathered, analyzed, and retained the following evidence related to this standard:

Documents:

- a) PREA Brig Standard Operating Procedure page 50
- b) Marine Corps 2019 PREA Annual Report
- c) The MCI East Brig Website
- d) The Official website of the United States Marine Corps

Interviews:

- a) Interview with PREA Coordinator

Observations made during the on-site audit and document review.

115.89 Provision (a)

PREA Brig Standard Operating Procedure page 50, paragraph pp-1, states in part that; The PREA Compliance Manager will ensure that data collected pursuant to §115.87 is securely retained.

The PREA Coordinator was interviewed and asked how the agency ensures that the data collected is securely retained. The PREA Coordinator stated that all PREA related information is stored in a secure database. Access to this information is on a need-to-know basis. He also stated that the permissions are limited to your job description.

The evidence collected for this provision shows that the agency has a procedure in place to secure collected data regarding sexual abuse allegations. Therefore, through written policy and interviews conducted, the facility has demonstrated that it meets this provision.

115.89 Provision (b) &(c)

PREA standard Operating Procedure page 50, paragraph pp-2, states in part that; All aggregated sexual abuse data will be forwarded to CMC PSL (Corrections) for consolidation in order to make it readily available to the public annually through its website or through other means.

Before submitting aggregated sexual abuse data to PSL (Corrections), the PREA Compliance Manager will remove all personal identifiers.

The agency (United States Marine Corps) has posted the 2015 thru 2018 PREA Annual Reports on their website. The auditor is in possession of the 2017-2019 Annual Reports. This is a public website that provides access to this report. This report can be viewed by going to the agency's website.

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

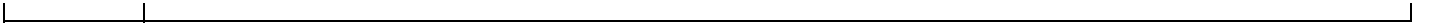
115.89 Provision (d)

PREA Brig Standard Operating Procedure page 51, paragraph pp-4, states in part that; CMC PSL {Corrections) shall maintain sexual abuse data {to include: incident reports, investigative reports, offender information, case disposition, and evaluation findings) collected pursuant to §115.87 for at least 10 years after the date of the initial collection unless legally required otherwise.

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

Conclusion:

Based upon the review and analysis of all the available evidence, the PREA auditor has determined that the facility is fully compliant with this standard requiring data storage, publication, and destruction.



115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 815 297">PREA Standard 115.401 Frequency and Scope of Audits</p> <p data-bbox="244 331 1477 423">This is the MCI East Regional Brig's second PREA Audit. The initial audit was conducted in December of 2017. In 2017, the facility met 38 PREA standards, exceeded in 0 standards, and 0 standards were not applicable. There was corrective action necessary on seven standards during the 2017 audit.</p> <p data-bbox="244 456 1485 582">The Auditor was provided full access to and observed all areas of the facility without obstruction. The Auditor received all requested documents or copies of relevant materials. The Auditor was also permitted to conduct all interviews in a private setting with both prisoners and staff. Finally, the prisoners were permitted to send the Auditor confidential correspondence in the same manner that legal mail would be handled. This topic was discussed and documented prior to the audit.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>PREA Standard 115.403 Audit Contents and Findings</p> <p>The MCI East Regional Brig, which is a correctional facility, operated by the United States Marine Corps has posted the facility's 2017 PREA Auditor's Summary report on their website. Therefore, evidence would suggest that this would happen once again after receiving the 2021 PREA audit final report.</p>

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

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

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

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

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

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

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	no
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

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

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

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

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

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

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

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	no
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

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

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

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

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

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

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

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

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	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.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

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

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