

PREA AUDIT REPORT Interim Final

**ADULT PRISONS &
JAILS**

Date of report: 07/5/2017

Auditor Information			
Auditor name: Patrick J. Zirpoli			
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Telephone number: 570-729-4131			
Date of facility visit: 06/06/17 & 06/07/17			
Facility Information			
Facility name: Pike County Correctional Facility			
Facility physical address: 175 Pike County Blvd. Lords Valley, PA 18428			
Facility mailing address: <i>(if different from above)</i>			
Facility telephone number: 570-775-5500			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Warden Craig Lowe			
Number of staff assigned to the facility in the last 12 months: 126			
Designed facility capacity: 375			
Current population of facility: 311			
Facility security levels/inmate custody levels: security levels are minimum through maximum			
Age range of the population: 18 yrs and older, juveniles charged as adults			
PREA Compliance Manager: Todd Schweyer		Title: Lieutenant	
Email address tschweyer@pikepa.org		Telephone number: 570-775-5500	
Agency Information			
Name of agency:			
Governing authority or parent agency: <i>(if applicable)</i>			
Physical address:			
Mailing address: <i>(if different from above)</i>			
Telephone number:			
Agency Chief Executive Officer			
Name:		Title:	
Email address:		Telephone	
Agency-Wide PREA Coordinator			
Name:		Title:	
Email address:		Telephone	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act (PREA) audit of the Pike County Correctional Facility took place on June 6th and 7th 2017. The purpose of the audit was to determine compliance with the Prison Rape Elimination Act standards which became effective August 20, 2012. The facility was posted on April 21, 2017, allowing time for staff and inmates to respond to me in writing. I mailed a flash drive to the facility, this was returned to me prior to the audit, allowing ample time to review all policies and procedures prior to the onsite audit. All documentation requested by me was provided in a timely and efficient manner, any follow up requests were acted upon immediately.

I wish to extend my appreciation to Warden Lowe and his staff for the professionalism they demonstrated throughout the audit and their willingness to comply with all requests and recommendations made. I would also like to thank the Pike County Commissioners and the Pike County Prison Board for their commitment to the operations of the Pike County Correctional Facility, and their dedication to the safety of the staff, as well as their dedication to the care, custody and control of the inmates/detainees incarcerated at the facility.

I would also like to recognize PREA Coordinator/Compliance Manager Lt. Todd Schweyer and Accounts Clerk Kathleen Cronin for their hard work and dedication to ensure the facility is compliant with all PREA standards.

An entrance meeting was held on the morning of June 6, 2017, at this time the audit process was discussed.

After the entrance meeting I was given a tour of all areas of the facility. During this tour informal interviews were conducted with both staff and inmates/detainees in several different areas.

A total of 21 inmate/detainee interviews were conducted. The inmates/detainees were randomly selected from all housing units and represented the overall inmate/detainee population. These interviews included inmates/detainees who were limited English speaking, identified as gay or lesbian, who disclosed prior victimization upon screening, who disclosed prior sexual offenses, and those incarcerated solely for civil immigration purposes.

A total of 17 staff interviews were conducted. The staff was randomly selected from all three shifts, and represented administration, line supervisors, correctional officers, medical staff, counselors, and volunteers.

The facility was prepared for the onsite audit and performed extremely well. Looking at the overall performance of the facility I was impressed with not only the facilities operations but the overall agencies operations and response to incidents of sexual abuse or sexual harassment. The seriousness of incidents of this nature are not overlooked by both staff and inmates alike. The interactions with the staff were positive and all were extremely helpful in making the audit

process run as seamless as possible.

I utilized an overall methodology to make my determination of compliance with the standards. This included a complete review of all policies and documentation provided to me prior to the onsite audit. The documentation was then corroborated through visual inspection of the facility, as well as interviews with staff and inmates. I was able to determine that the facility has the policies in place to address all standards, and has put these policies into daily practice. In the standard-by-standard discussion I have specifically identified the policies and documentation utilized during this process, these policies and documentation are listed verbatim in italic type. I have also listed any visual evidence, as well as interviews that aided in making my decision.

DESCRIPTION OF FACILITY CHARACTERISTICS

The Pike County Correctional Facility was built in 1995. It is an 87,800 square foot facility situated on 268 acres in Blooming Grove Township, Pike County Pennsylvania. Pike County is located in Northeast Pennsylvania and is bordered by both New York and New Jersey. The correctional facility houses inmates for Pike County, the United States Marshalls Service, United States Immigration and Customs Enforcement, Pennsylvania Department of Corrections, Park Service, and Wayne County Correctional Facility. The facility houses both female and male inmates/detainees all under direct supervision. They are equipped to house youthful offenders, although none have been incarcerated within the last 12 months, although one was held in the intake area for a short period of time.

The facility is committed to educational, religious, and rehabilitative programs that assist offenders in reintegrating into society. The following are a sample of the programs offered during their incarceration. Female offenders have the opportunity to participate in the H.O.P.E. Program (Helping Offenders Promote Excellence). The A.R.R.O.W. Program (Actively Reducing Recidivism Opens Windows) offers qualified male Pike County offenders the opportunity to change their lives through intensive rehabilitative programming. Upon successful completion, eligible offenders may graduate to the C.O.R.E. Program (Correctional Offenders Reintegrating Effectively) where they will continue their rehabilitative efforts by learning new skills through community service. The M.O.R.E. Program (Motivating Offenders to Reintegrate Effectively) is available to all male offenders interested in making positive changes in their life. The Pike County Correctional Facility is working together to ensure that our community is safer for everyone.

The facility is within a single building, entrance to the facility is controlled by main control and under direct video surveillance at all times.

The facility has two single cell housing units, and 11 multi-occupancy cell housing units.

The facility has a contract to house detainees for the United States Immigration and Customs Enforcement. Several agents for ICE are stationed at the facility and are in the facility interacting with detainees on a daily basis.

During the last 12 months 1398 inmates have been admitted to the facility, with 1179 staying for 72 hours or more and 833 staying for 30 days or more.

SUMMARY OF AUDIT FINDINGS

The facility is in compliance with the Prison Rape Elimination Act standards which became effective August 20, 2012. The facility has exceeded in 12 of the standards, have met 30 of the standards and do not apply to 1 standard.

Number of standards exceeded: 12

Number of standards met: 30

Number of standards not met: 0

Number of standards not applicable: 1

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

Evidence of Compliance:

Pike County Correctional Facility Standard Operating Procedures 1517 identifies the facilities zero tolerance policy. In part the policy reads as follows: The Pike County Correctional Facility has a “zero tolerance” policy pertaining to sexual assault/abuse and sexual harassment of inmates/detainees. Consensual sexual activity is prohibited, and does not constitute sexual abuse. All allegations of sexual assault/abuse of inmates/detainees, visitors, contractors, volunteers or employees (verbally, in writing, anonymously, and from third parties) will be immediately investigated by the facilities designated investigators. This procedure will be implemented as soon as a staff member is notified of a sexual assault. Staff is prohibited from revealing information about sexual abuse to anyone other than to the extent necessary.

The definitions of sexual abuse and sexual harassment are also outlined in SOP 1517.

The aforementioned policy dictates the agency’s mandated zero tolerance toward all forms of sexual abuse and sexual harassment and outlines the agency’s approach to preventing, detecting, and responding to such conduct. This policy furthermore defines all sexual abuse and sexual harassment.

I reviewed the policy in its entirety, as well as questioned staff members on its content and applicable sections to their specific duties within the facility. The staff understood the policy and its practical application to the daily operation of the facility.

The agency has designated Lt. Todd Schweyer as the PREA Coordinator/PREA Compliance Manager. During the interview he related that he has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. It should be noted that this position is in the top one third of the rank structure.

It should be noted that that SOP 1517 was created in 2003. Assistant Warden Romance attended training on PREA, he returned and created the policy which was implemented at the facility. This is a testament to the facilities prevention of sexual abuse and sexual harassment as well as their commitment to the Prison Rape Elimination Act.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

Not Applicable

Standard 115.13 Supervision and monitoring

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

Evidence of Compliance:

SOP 313 Review of Staffing Requirements outlines the facilities staffing plan and the staffing plan audit process.

This policy reads as follows, staffing levels are based on generally accepted detention and correctional practices, findings from inspections, all components of the physical plant, composition of the inmate/detainee population, number and placement of supervisory staff, programs, applicable laws, regulations, standards, prevalence of substantiated and unsubstantiated incidents of sexual abuse and any other relevant factors.

The Assistant Warden shall prepare an annual comprehensive staffing analysis to determine staffing requirements. This analysis and any recommendations will be reviewed with the PREA Coordinator and shall be submitted to the Warden. The Warden will review the staffing

analysis and shall determine if any corrective measures need to be implemented. The Warden shall review the results of the staffing analysis with the Prison Board.

SOP 1002 Housing Unit Operations states that staff of the opposite gender will announce their presence when entering a housing unit.

SOP 1002.1 Classification Housing Unit states that Shift Commander/Supervisor will, tour the housing unit to ensure officers are performing their duties in accordance with policy. Shift Commanders/Shift Supervisors are required to tour this housing unit at least one time per shift. It further states in SOP 1001.2 Central Control that central control operators are prohibited from alerting other staff members that a supervisor is conducting rounds.

The agency has developed, and documented a staffing plan for the facility. This staffing plan provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse.

The staffing plan has not been deviated from within the last 12 months.

The staffing of the facility is constantly reviewed, this review includes input from the PREA Coordinator. This was confirmed during the staff interviews. They related that any incident of misconduct is taken into consideration with staffing, these include the facility layout, composition of the inmate population, any incidents of sexual abuse or sexual harassment, and any other relevant factors were utilized.

The administration constantly monitors the issues in the facility and will make immediate decisions on staffing issues.

The agency has 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. This policy is implemented during all shifts. The policy further prohibits staff from alerting other staff members that these supervisory rounds are occurring.

During the onsite audit I reviewed the documentation of the unannounced rounds.

During the staff and inmate interviews I further confirmed that the rounds are taking place.

The Assistant Warden conducts a weekly inspection of the entire facility, which allows inmates and detainees to interact with him if an issue is occurring.

Standard 115.14 Youthful inmates

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

Evidence of Compliance:

Pike County Correctional Facility SOP 2502 Juveniles Charged and Confined as Adults addresses all of the issues relative to juveniles confined in the facility.

During the interview with the PREA Coordinator juveniles confined in the facility was discussed. Beyond the written policy he understood the requirements set forth in the PREA Standards relating to housing juveniles. It should be noted that no juveniles have been incarcerated in the facility over the last 12 months. The facility did intake a juvenile, this juvenile was held in the intake area under direct supervision until he met bail. The interaction with the juvenile was videotaped, and documented in written form.

Standard 115.15 Limits to cross-gender viewing and searches

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

Evidence of Compliance:

SOP 1012.6 outlines the procedures for unclothed searches of inmates/detainees, the policy defines an unclothed search as a search during which an inmate/detainee is required to remove or rearrange some or all of his/her clothing to permit the visual inspection of any or all skin surfaces, including genital areas, breasts, and buttocks or anus for the purpose of discovering the existence of any weapons, evidence of a crime, controlled substances or other contraband. Such a search includes the visual inspection of the inmate's/detainee's body cavities.

SOP 1012.6 further states that The "Criteria for Unclothed Search Form on New Commitments" and "Consent to Unclothed Search Form" will be completed to determine if an unclothed search is applicable. However, all inmates convicted/sentenced for a crime for which they are currently incarcerated are subject to routine unclothed searches.

Unclothed searches will only be authorized in accordance with strict guidelines which will enable staff to articulate if there is individualized reasonable suspicion and documentation for the necessity of such search. If the genital status of an inmate/detainee is unknown, staff will attempt to determine the genital status through conversation with the inmate/detainee and a review of medical records (if available) by the medical department. If these attempts fail, a broader medical examination will be conducted in private by a medical practitioner.

SOP 1002.1 Classification Housing Unit details the orderly running of the housing units at the facility. The female housing units are staffed with female correctional officers. The showers have a pull down curtain that completely conceals the body from view. SOP 1002.1 also states that the Housing Unit Officer will ensure inmate/detainees that are going to and from the shower area are wearing at minimum a t-shirt and gym shorts with sandals, and that the shower is left in an orderly fashion.

SOP 1002 Housing Unit Operations states that staff of the opposite gender will announce their presence when entering a housing unit.

During the audit I was provided copies of the “Criteria for Unclothed Search Form on New Commitments” and “Consent to Unclothed Search Form”, one is completed for any unclothed search that is conducted.

The facility does not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. The facility dictates in the above policy procedures for conducting such searches. During the staff and inmate interviews I confirmed that only same gender searches are being conducted.

Female inmates have not been restricted from access to regularly available programming or other out-of-cell opportunities, due to the unavailability of a female staff. This was confirmed during the female inmate interviews as well as the staff interviews.

The facility has not conducted any cross-gender strip searches, cross-gender visual body cavity searches, or cross-gender pat-down searches of female inmates. During the staff interviews they all understood the obligation to document such searches if they occurred under exigent circumstances.

The facility has implemented the above policies that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. These policies further require staff of the opposite gender to announce their presence when entering an inmate housing unit. The procedures are in place, this was confirmed during the staff and inmate interviews, and during my facility tour where I observed staff of the opposite gender making such announcements.

The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. All staff interviewed understood that gender should be determined through 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. Medical staff are on duty twenty four hours a day and would be able to make a determination of gender. This was confirmed with the medical staff during interviews.

Staff has received training on how to conduct a pat down search of transgender inmates, this was confirmed during the staff interviews and review of the training records.

During the inmate interviews I discussed the level of comfort during the times of toileting, changing and showering. All of the interviewees replied that they are allowed privacy during these times, no one thought there was any issues of cross gender viewing.

The facility also has two separate camera systems one operating from the control center, which views the entry points and common areas outside of the housing units. The second system is accessed by the administration, this system has cameras located within the housing units. I viewed both systems, neither system allows the operator to view any inmate/detainee toileting, changing or showering. This system eliminates any cross gender viewing while still allowing the level of security that is required.

Standard 115.16 Inmates with disabilities and inmates who are limited English proficient

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault state the following in reference to use of inmate/detainee interpreters. Pike County Correctional Facility shall not rely on inmate/detainee interpreters, inmate/detainee readers, or other types of inmate/detainee assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmates/detainees safety or the investigation of the inmates/detainees allegations. This policy further states that the Pike County Correctional Facility will ensure that inmates/detainees with special needs (deaf, hard of hearing, limited reading skills, blind or low vision) will be provided with a counselor to assist with reading and assistance with communication. An Ultratec Communication System is available.

Pike County Correctional Facility houses numerous detainees for the United States Immigration and Customs Enforcement. They have a comprehensive system in place for

interacting with the detainees, above and beyond the PREA standards.

During the inmate/detainee interviews I spoke with several detainees, held only on immigration issues. They explained to me that they did not have any issues with interacting with the staff.

The staff interviewed related that they have received extensive training in the interaction with both detainees and inmates/detainees who are limited in English or disabled. All staff understood that a language line existed for use in interviewing in situations related to PREA, or any other sensitive issue.

In the past 12 months no incidents of using inmate/detainee interpreters has occurred.

Standard 115.17 Hiring and promotion decisions

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

Evidence of Compliance:

SOP Sexual Misconduct/Assault 1517 states that the Pike County Correctional Facility will not hire, promote or contract with anyone (that will have direct contact with inmates/detainees) who has engaged in, been convicted of, or been civilly or administratively adjudicated for engaging in sexual abuse in a prison, jail, lock up, community confinement facility, juvenile facility, or other institution or 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. The Pike County Correctional Facility will conduct criminal background checks, conduct a check of the state's child abuse registry, and make its best efforts to contact prior institutional employers to obtain this information on substantiated allegations of sexual abuse, or any resignations during a pending investigation of an allegation or sexual abuse.

I reviewed the application for Pike County Correctional Facility, the application addresses the issues of prior conviction and or investigation relative to sexual assault or sexual harassment.

I was able to confirm that the Pike County Correctional Facility utilizes JNET Live, a system that continually monitors criminal history on all employees, contractors, and volunteers. If anything changes in a criminal history the administration is notified via email.

Standard 115.18 Upgrades to facilities and technologies

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

Evidence of Compliance:

The facility has not made any substantial expansion to the facility.

The facility also has two separate camera systems one operating from the control center, which views the entry points and common areas outside of the housing units. The second system is accessed by the administration, this system has cameras located within the housing units. I viewed both systems, neither system allows the operator to view any inmate/detainee toileting, changing or showering. This system eliminates any cross gender viewing while still allowing the level of security that is required.

During the facility tour I observed the placement of cameras, I found them to more than adequately cover the areas to prevent any criminal act or misconduct from occurring. The facility also places roving officers, who work specific corridors and or areas of the facility. I was never out of view of an officer while conducting the facility tour.

Standard 115.21 Evidence protocol and forensic medical examinations

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

Evidence of Compliance:

It should be noted that the Pike County Correctional facility is tasked with conducting administrative investigations, criminal investigations are conducted by the Pennsylvania State Police.

SOP 1012.9 Evidence Collection and Preservation reads as follows the Pike County Correctional Facility shall establish a strict system for the collection and preservation of evidence (Chain of Custody). The goal of this system will be to create a safe and secure record of the collection, safe storage, transfer, processing, and disposal of any physical property that may be used as evidence in any disciplinary hearing, court hearing, or trial.

This policy is a detailed step by step process for ensuring evidence is not destroyed.

SOP 1517 Sexual Misconduct/Assault states Security Staff notified of or suspecting an alleged sexual assault, abuse or harassment, will privately:

- 1. Separate the alleged victim and abuser if known.*
- 2. Immediately notify the Shift Commander and medical health care authority.*
- 3. Secure the scene. Photograph/videotape the alleged crime scene.*
- 4. Make sure that the inmate/detainee victim and abuser does not shower, wash, brush teeth, urinate, defecate, drink, eat, or change clothing.*
- 5. Write a report and forward it to the Shift Commander.*

All other staff members notified of an allegation of sexual abuse will request the alleged victim not take any actions that could destroy physical evidence and notify the Shift Commander and their Department Head immediately.

It further requires medical staff to do the following:

Ensure that information is provided to offenders during their initial examination about sexual assault/abuse and harassment. This information will include methods of prevention and intervention, self-protection, reporting sexual assault/abuse, treatment, access to outside victim advocates or rape crisis organizations (addresses and telephone numbers) and counseling. Any inmate/detainee that is identified during their initial examination or in the community as a past sexual abuse victim in an institutional setting is referred to a mental health practitioner within 14 days of their screening. The mental health practitioner will obtain informed consent from inmate/detainee before reporting information about prior sexual victimization that did not occur in an institutional setting. All medical practitioners are required to inform inmates/detainees at the initiation of services of their duty to report, and the limitations of confidentiality, unless otherwise precluded by federal, state, or local law. Offenders will sign a copy of this informational document which will then be placed in their medical file.

Coordinate with the Shift Commander to arrange for a transport to Wayne Memorial for forensic medical examinations without cost to the inmate/detainee. Treatment services will be provided regardless of whether or not the victim names the abuser or cooperates with any investigation arising out of the incident. Exams should be performed by sexual assault forensic examiners (SAFE's) or sexual assault nurse examiners (SANE's). In the event that a SAFE or SANE is not available, a qualified medical practitioner will conduct the exam and staff will document on an incident report.

SOP 1517 further states they will do the following, make arrangements with Psychologist for crisis intervention counseling and long-term follow-up and when necessary referrals for continued care following a transfer or release. Enable reasonable communication between inmates/detainees and these organizations as well as informing inmates/detainees (prior to giving them access) of the extent to which agency policy governs monitoring of their communications

and when reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Pike County Correctional Facility will maintain or attempt to enter into agreements with community service providers (Safe Haven) to provide inmates/detainees with confidential emotional support services related to the inmates/detainees sexual abuse while in custody.

The physical examination is conducted at Wayne Memorial Hospital located in Honesdale Pennsylvania.

The facility provides forensic examinations by SANE nurses.

Safe Haven of Pike County Inc. is in agreement to act as the victim advocacy center for the facility. They not only are involved in the initial process but follow up with victims on a regular basis. During the inmate interviews I found that Safe Haven holds a weekly meeting at the facility for victims of sexual assault or sexual harassment.

During my interviews with staff I found that they are well versed in the regulations relative to the evidence preservation and collection in not only sexual assaults but all acts.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault states the following, all allegations of sexual assault/abuse of inmates/detainees, visitors, contractors, volunteers or employees (verbally, in writing, anonymously, and from third parties) will be immediately investigated by the facilities designated investigators. SOP 1517 further states the Pike County Correctional Facility is responsible for investigating allegations of sexual abuse and sexual harassment. All allegations will be investigated promptly, thoroughly and objectively by facility investigators who received special training in sexual abuse investigations in confinement settings. The specialized training will include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collections in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The facility investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They will interview alleged victims, suspected perpetrators and witnesses and review prior complaints and reports of sexual abuse involving the suspected perpetrator. If criminal activity is determined by the facility

investigator, the Pennsylvania State Police will be contacted. If a sexual abuse claim is made against medical and mental health practitioners, investigators, and facility administrator, the highest ranking staff member not involved in the claim will investigate. All information will be forwarded to the Pennsylvania State Police for possible criminal charges. The investigators memorandum will include their referral to the State Police for possible criminal charges. The facility investigator will inform the inmate/detainee if their allegations of sexual abuse are determined to be substantiated, unsubstantiated, or unfounded and if inmate/detainee on inmate/detainee sexual activity was consensual.

The Pennsylvania State Police conduct the criminal investigations relative to any incident in the Pike County Correctional Facility. The State Police have in place policies governing the investigations within a confinement setting.

During the interview with PREA Coordinator we discussed the issue of investigations. He informed me that the PREA Investigations supersede all of his other duties, he will immediately begin the investigation when assigned to him. I reviewed the reports that were investigated over the past 12 months, all were acted upon immediately.

The facility interacts with the Pennsylvania State Police on a regular basis, any PREA investigation that may be criminal in nature is discussed with PSP.

Standard 115.31 Employee training

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/ Assault reads as follows, all Pike County Correctional Facility staff is trained in searches, the Professional Image, Professionalism and Ethics and Interpersonal Communication Skills during basic training. PREA, sexual abuse and harassment are covered at least twice a year during shift briefings.

I was able to obtain and review a copy of the training syllabus, as well as review the PowerPoint used for training during the pre-audit.

The facility constantly trains their staff on not only PREA issues but all issues related to corrections. The staff arrive at the facility 35 minutes prior to shift, they hold briefings. At this time they will train the staff on various topics, during the week of the audit the subject was suicidal and at risk inmates/detainees. What is more impressive is the staff are not only instructed on these topics but they are tested at the end of the course of instruction. The training on PREA was given just prior to the audit. This training was held over multiple days

of briefings, at the end all staff took a test on the material presented.

During the staff interviews I questioned them relative to the training on PREA, all staff were well versed in their responsibilities and response. All staff confirmed the training provided at the facility.

Standard 115.32 Volunteer and contractor training

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/ Assault reads as follows, all contractors and volunteers that have contact with inmate/detainees will be notified of the zero-tolerance policy regarding sexual abuse/harassment and directed on how to report sexual abuse. Training will include the prevention, detection, and any response to sexual abuse/harassment.

I reviewed the materials given to the contractors and volunteers, this material addresses all training items enumerated under this standard. I also reviewed all training sign off sheets and found them to be complete.

During the audit I interviewed contractors from an outside agency. They informed me that they received the information and were well informed on their obligations under PREA. They further informed me that they do not know of any issues within the facility.

Standard 115.33 Inmate education

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

Evidence of Compliance:

SOP 2005 Inmate/detainee Orientation reads as follows, the Pike County Correctional Facility shall provide all inmate/detainee with an orientation program to ease the transition into the correctional environment. Orientation shall normally be in English or Spanish, but interpretation in other languages shall be provided if necessary.

The inmate handbook and pamphlets relative to sexual abuse and harassment are provided to the inmates/detainees upon arrival at the facility.

Within 30 days the inmates/detainees are provided a more comprehensive level of training through a video. At the time of the audit all inmates/detainees had been educated on PREA.

All of the inmates receive initial information on PREA in the form of a pamphlet, upon initial intake. I reviewed these pamphlets and found them to be informative.

Inmates/offenders are required to sign off on receiving this information and watching the training video.

The information and training received by the inmates was confirmed during the inmate interviews as well as reviewing the sign off sheets for the inmates.

I also confirmed the inmate education with the staff during the interviews.

The inmates also have access to all information within the housing units.

Standard 115.34 Specialized training: Investigations

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, specialized Investigator Training: The Pike County Correctional Facility will ensure that in addition to general training provided to all employees, the facility has a certified investigator that received specialized training in conducting sexual abuse investigations.

The investigators from the Pike County Correctional Facility attended the investigators training provided by the Pennsylvania Prison Wardens Association. I certified that all investigators have attended the course provided by the Pennsylvania Department of Corrections. This portion of the training was developed and presented by me when I was employed by the Pennsylvania State Police, this training exceeds the expectations of the standard.

I reviewed all investigations conducted during the past 12 months I found them to be complete and conducted in a timely manner.

In furtherance I spoke with the investigators as to their response to an incident, they understood the responsibility of the investigator as well as the limitations when the investigation turns into a criminal investigation.

Standard 115.35 Specialized training: Medical and mental health care

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, PrimeCare Medical staff are trained in: how to detect and assess signs of sexual abuse/harassment, how to preserve physical evidence, how to respond effectively and professionally to victims, how and to whom to report allegations or suspicions of sexual abuse, zero tolerance policy, prevention, response, inmate/detainee right to be free from sexual abuse/harassment, free from retaliation for reporting, dynamics of abuse/harassment in confinement, common reactions, avoiding inappropriate relationships with inmates/detainees, communicating with all inmates/detainees regardless of race, gender, sexual preference, complying with mandatory reporting laws.

I reviewed the training certificates of medical staff, confirming receipt of training.

I had the opportunity to conduct both formal and informal interviews with the medical staff at the facility. I found them to be well versed in their responsibilities related to not only sexual abuse allegations, but all medical emergencies that may arise at the facility.

Standard 115.41 Screening for risk of victimization and abusiveness

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

Evidence of Compliance:

Policy #PCCF-J-B-05 Response to Sexual Abuse reads as follows, PrimeCare Medical, Inc. (PCM) policy requires that a plan exists for responding immediately to allegations of sexual

abuse. Sexual abuse within a correctional facility requires the closely coordinated efforts of PCM staff, facility administration and investigative agencies in order that the medical and safety needs be met while preserving evidence. All employees should receive training on an annual basis how to detect, assess, and respond to signs of sexual abuse and sexual harassment and how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse, on how to avoid inappropriate relationships with inmates/detainees, how to report sexual abuse, inmates/detainees rights to be free from retaliation for reporting sexual harassment, the dynamics of sexual harassment in confinement and common reactions of sexual abuse and sexual harassment victims, and company's policy for zero-tolerance of sexual abuse and sexual harassment.

This policy further establishes that PrimeCare Medical will screen the inmates/detainees upon entry into the facility. This screening takes place immediately upon entry into the facility the following criteria enumerated in the standard 115.41 are covered:

- (1) Whether the inmate has a mental, physical, or developmental disability;*
- (2) The age of the inmate;*
- (3) The physical build of the inmate;*
- (4) Whether the inmate has previously been incarcerated;*
- (5) Whether the inmate's criminal history is exclusively nonviolent;*
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;*
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;*
- (8) Whether the inmate has previously experienced sexual victimization;*
- (9) The inmate's own perception of vulnerability; and*
- (10) Whether the inmate is detained solely for civil immigration purposes.*

I reviewed the screening tool utilized for the screening of the inmates. This screening tool is computer based and covers all questions enumerated in the standard. The screening process automatically sends notifications to mental health staff for follow up visits. The system also will make any notifications for medical concerns.

The staff further meet multiple times per week to discuss classification issues with the inmates.

The 30 day reassessment is being completed by counselors this was confirmed during staff interviews.

These processes were further confirmed during the staff and inmate interviews and during my visual inspection of the screening tools.

All initial screening tools are being conducted upon intake.

During the interview with the counseling staff we discussed the screening information. They related that they are provided with this to make determinations of housing, they also confirmed any incident in the facility will be taken not consideration for status changes for the inmates.

Standard 115.42 Use of screening information

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

Evidence of Compliance:

SOP 2002 Classification, Re-Classification and Appeals reads as follows, the Pike County Correctional Facility will employ a classification system to house inmate/detainees according to security risk, behavior, gender, inmate/detainees requiring disciplinary detention, inmate/detainees requiring administrative segregation, potentially suicidal inmate/detainees, and inmate/detainees with mental or physical handicaps. Classification will be used as a management tool to maintain order, security, and safety for all staff and inmate/detainees. Classification procedures will be equitable for all inmate/detainees regardless of race, gender, creed, color or ethnic origin. This policy also addresses the issue of housing transgender inmates/detainees, the policy states that an inmate/detainee who has partially completed a gender change procedure will be placed in administrative segregation pending a review by the facility Doctor. Ordinarily, genital status will determine the gender by which facility staff will classify such an individual.

I interviewed staff in reference to the items on the screening tool and how they are used in classifying inmates/detainees. They related that the screening tool is computer based and will generate a notification if the inmate/detainee answers affirmative to any of the questions that would cause concern as far as placement in the facility. These notifications will not only go to classification, but if the inmate/detainee is deemed to need a mental health evaluation or follow up medical treatment, the departments are automatically notified as well. I was also informed that when classifying a Transgender inmate/detainee their personal view of their safety is taken into consideration.

All inmates/detainees, including Transgender inmates/detainees, are afforded the opportunity to shower alone. All shower facilities are designed for single use.

Standard 115.43 Protective custody

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

Evidence of Compliance:

The facility does not involuntarily place inmates/detainees who are at high risk for victimization in segregated housing. If the inmate/detainee requests to be segregated they will be placed in a segregated housing, during that time they are not restricted from access to programs, privileges, education, and work opportunities.

SOP 1517 Sexual Misconduct/Assault reads as follows, inmates/detainees who are suspected or confirmed to have been victimized by a sexual predator within the facility will be separated from the suspected or confirmed predator by reassignment of housing pending the outcome of an investigation.

During the staff interviews I verified that no inmates identified as vulnerable are being placed in involuntary protective custody. The facility has enough housing units that give them the opportunity to place inmates in other housing units to protect them without having to utilize a segregated housing unit.

I verified this procedure during the inmate interviews, several had identified as vulnerable during the initial screening. They related that they were not placed in segregated housing.

Standard 115.51 Inmate reporting

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

Evidence of Compliance:

Pike County Correctional Facility Inmate/Detainee handbook reads as follows, inmates/detainees who have been victimized, sexually harassed, or sexually assaulted or inmates/detainees who witness the same are encouraged to immediately report such activities. Inmates/detainees may report these actions by following one of the following procedures:

1. *Notify your Housing Unit Officer.*
2. *Request to speak to your Housing Unit Counselor.*
3. *Request to speak to a Shift Commander.*
4. *Request to speak to the facility nurse by placing a confidential request into the medical request box located on the Housing Unit.*
5. *Write a letter to the U.S. Marshal or Office of Inspector General.*
6. *File an emergency grievance.*
7. *Calling the Office of Inspector General.*

The facility also provides a reporting line for detainees held solely on civil immigration purposes, these publications are located in all of the housing units and provide the reporting line for both ICE's Detention Reporting and Information Line as well as DHS Office of the Inspector General which includes anonymous reporting.

The facility also provides the following information on their website:

Employees and inmates' families may report incidents via email to ecampos@pikepa.org or jromance@pikepa.org or mail to:

PREA Coordinator

175 Pike County Blvd.

Lords Valley, Pa 18428

SOP 1517 Sexual Misconduct/Assault also addresses this issue and reads as follows, inmates/detainees can report sexual abuse and harassment or retaliation for reporting by notifying the unit officer, or any other staff member if housing unit officer is the subject of the complaint, counselor or medical slip to PrimeCare Medical. PREA reporting information is posted on all Housing Units advising inmates/detainees to write a letter to the US Marshal or Office of Inspector General, the ability to file an emergency detainee grievance. Third party reporting information is provided in the handbook for family and friends of inmates/detainees incarcerated in the Pike County Correctional Facility. This procedure will ensure prompt action is taken to care for and protect the individual alleged to be the victim.

During the staff interviews I confirmed that all staff was aware of the reporting avenues available to them. This was also true during the inmate/detainee interviews, including the detainees held solely on civil immigration purposes.

Standard 115.52 Exhaustion of administrative remedies

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

Evidence of Compliance:

SOP 1605 Inmate/Detainee Grievances under section Sensitive/Emergency Grievances reads as follows, an inmate/detainee that perceives an immediate threat to their health, safety or welfare may submit a sensitive or emergency grievance. The inmate or detainee will request a level one (1) grievance form and an envelope from the Housing Unit Officer. The inmate/detainee will document their grievance, as well as the reason they are circumventing the normal chain of command. This sensitive or emergency grievance will be immediately forwarded to the Shift Commander for review and necessary action. There is no opportunity for an “informal resolution” pertaining to a legitimate Sensitive/Emergency grievance. If deemed necessary the Shift Commander will implement corrective action immediately. The Shift Commander will then document the initial response and final decision on the level one (1) grievance form which will detail the action taken to resolve the emergency grievance. The Shift Commander will retain the white copy of the grievance response which he will forward to the grievance coordinator for entry in the grievance log. The yellow and pink copies of the grievance will be provided to the inmate/detainee. At this juncture the regular grievance appeal process will be available to the inmate/detainee. If the issue presented by the inmate/detainee does not represent an immediate threat to health, safety or welfare the Shift Commander will detail his response to the inmate/detainee on an informal resolution form. The inmate/detainee will be provided with a copy of this response as is the case with a regular grievance. The inmate/detainee may proceed with the grievance through the regular grievance process.

All grievances alleging any sexual assault or sexual harassment are acted upon immediately. In general SOP 1605 states that the Grievance Coordinator will investigate and respond to the grievance in writing within ten (10) business days of the date it was received. This response will be made in writing on the original grievance form, and will include the reason for the decision rendered.

This policy considers any grievance related to sexual assault or sexual harassment as a sensitive/ emergency grievance. No time limit is imposed to the filing of this grievance.

SOP 1517 Sexual Misconduct/Assault dictates that all allegations are investigated by the facilities designated investigators.

During the interview with PREA Coordinator he related that the grievances are acted upon immediately. I reviewed the investigations conducted and found that the grievances filed which started the investigations were acted upon immediately.

Standard 115.53 Inmate access to outside confidential support services

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, medical staff will ensure a victim advocate (Safe Haven of Pike County Representative) is to be made available to accompany the victim through examinations and investigatory interviews. Schedule inmate/detainee to see psychiatrist at next visit for mental health evaluation and treatment where appropriate.

Follow any instructions from attending physician at Wayne Memorial for treatment plans. Make arrangements with Psychologist for crisis intervention counseling and long-term follow-up and when necessary referrals for continued care following a transfer or release. Enable reasonable communication between inmates/detainees and these organizations as well as informing inmates/detainees (prior to giving them access) of the extent to which agency policy governs monitoring of their communications and when reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Pike County Correctional Facility will maintain or attempt to enter into agreements with community service providers (Safe Haven) to provide inmates/detainees with confidential emotional support services related to the inmates/detainees sexual abuse while in custody.

During both the informal and formal interviews with the medical staff the above procedure was confirmed. All staff spoken with understood their roles in the process and the needs to make a victim advocate available for any reporting inmate/detainee.

Standard 115.54 Third-party reporting

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, inmates/detainees can report sexual abuse and harassment or retaliation for reporting by notifying the unit officer, or any other staff member if housing unit officer is the subject of the complaint, counselor or medical slip

to PrimeCare Medical. PREA reporting information is posted on all Housing Units advising inmates/detainees to write a letter to the US Marshal or Office of Inspector General, the ability to file an emergency detainee grievance. Third party reporting information is provided in the handbook for family and friends of inmates/detainees incarcerated in the Pike County Correctional Facility.

The third party reporting policies are located in the aforementioned handbook for family and friends as well as being posted in the main entrance of the facility. This information is also posted on the facilities website. In furtherance of these reporting procedures, any allegations relating to detainees can be made to the DHS Office of the Inspector General.

The following is also posted on the facilities website: Employees and inmates' families may report incidents via email to ecampos@pikepa.org or jromance@pikepa.org or mail to:

PREA Coordinator
175 Pike County Blvd.
Lords Valley, Pa 18428

Standard 115.61 Staff and agency reporting duties

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, Security Staff notified of or suspecting an alleged sexual assault, abuse or harassment, will privately,

- 1. Separate the alleged victim and abuser if known.*
- 2. Immediately notify the Shift Commander and medical health care authority.*
- 3. Secure the scene. Photograph/videotape the alleged crime scene.*
- 4. Make sure that the inmate/detainee victim and abuser does not shower, wash, brush teeth, urinate, defecate, drink, eat, or change clothing.*
- 5. Write a report and forward it to the Shift Commander.*

All other staff members notified of an allegation of sexual abuse will request the alleged victim not take any actions that could destroy physical evidence and notify the Shift Commander and their Department Head immediately.

SOP 1517 further states that all allegations of sexual assault/abuse of inmates/detainees, visitors, contractors, volunteers or employees (verbally, in writing, anonymously, and from third parties) will be immediately investigated by the facilities designated investigators. This procedure will be implemented as soon as a staff member is notified of a sexual assault. Staff is prohibited from revealing information about sexual abuse to anyone other than to the extent necessary. The policy also states that staff (medical and mental health staff members) and contractors are required to immediately report to their direct supervisor any of the following:

- a) *Knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility.*
- b) *Retaliation against inmates/detainees or staff who reported such an incident; and*
- c) *Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.*

Allegations of sexual abuse in which the alleged victim is under the age of 18 or considered a vulnerable adult will be reported to designated state or local service agencies.

All of the staff interviewed understood the importance of reporting, what their duties were, and how to effectively report this information. The staff also understood the internal reporting system as well as the external reporting avenues. They all understood the importance of keeping the information reported to them private as well as all applicable mandatory reporting laws.

I also reviewed all of the investigations and found that they had been reported properly and acted upon immediately.

Standard 115.62 Agency protection duties

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct /Assault reads as follows, inmates/detainees who are suspected or confirmed to have been victimized by a sexual predator within the facility will be separated from the suspected or confirmed predator by reassignment of housing pending the outcome of an investigation. The victim will be classified to Protective Custody and

segregated from the General Population.

All of the staff interviewed understood their duties to protect an inmate, they all responded in the same manner, they would act immediately.

The staff also recognized the importance of separating the alleged offender from further interaction with any other inmate, they all related that they would have the alleged offender under constant supervision.

I reviewed all of the investigations conducted and found that the initial response showed that the staff took the safety of the alleged victim seriously and acted appropriately to the situation.

Standard 115.63 Reporting to other confinement facilities

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct /Assault reads as follows, if the facility receives information on the inmate/detainee that during previous confinement they were sexually abused the Warden will notify the Warden or Superintendent of the facility of the claims as soon as possible, but no later than 72 hours. An incident report will be completed in this matter.

During my Interview with staff they confirmed that the contact would be made by the Warden or an Assistant Warden. They further stated that the Warden and two Assistant Wardens are on call on a rotation and notified of any occurrence at the facility.

Standard 115.64 Staff first responder duties

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, Security Staff notified of or

suspecting an alleged sexual assault, abuse or harassment, will privately:

1. *Separate the alleged victim and abuser if known.*
2. *Immediately notify the Shift Commander and medical health care authority.*
3. *Secure the scene. Photograph/videotape the alleged crime scene.*
4. *Make sure that the inmate/detainee victim and abuser does not shower, wash, brush teeth, urinate, defecate, drink, eat, or change clothing.*
5. *Write a report and forward it to the Shift Commander.*

During the staff interviews I found that the staff understand their duties as to responding to an incident. They all advised me that they would act immediately and make the protection of the inmate their first priority.

I reviewed the investigations that were conducted, I found that all first responders acted appropriately.

Standard 115.65 Coordinated response

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault outlines the coordinated response as follows:

Security Staff notified of or suspecting an alleged sexual assault, abuse or harassment, will privately:

1. *Separate the alleged victim and abuser if known.*
2. *Immediately notify the Shift Commander and medical health care authority.*
3. *Secure the scene. Photograph/videotape the alleged crime scene.*
4. *Make sure that the inmate/detainee victim and abuser does not shower, wash, brush teeth, urinate, defecate, drink, eat, or change clothing.*
5. *Write a report and forward it to the Shift Commander.*

All other staff members notified of an allegation of sexual abuse will request the alleged victim not take any actions that could destroy physical evidence and notify the Shift Commander and their Department Head immediately.

Medical Staff will:

- 1. Ensure that information is provided to offenders during their initial examination about sexual assault/abuse and harassment. This information will include methods of prevention and intervention, self-protection, reporting sexual assault/abuse, treatment, access to outside victim advocates or rape crisis organizations (addresses and telephone numbers) and counseling. Any inmate/detainee that is identified during their initial examination or in the community as a past sexual abuse victim in an institutional setting is referred to a mental health practitioner within 14 days of their screening. The mental health practitioner will obtain informed consent from inmate/detainee before reporting information about prior sexual victimization that did not occur in an institutional setting. All medical practitioners are required to inform inmates/detainees at the initiation of services of their duty to report, and the limitations of confidentiality, unless otherwise precluded by federal, state, or local law. Offenders will sign a copy of this informational document which will then be placed in their medical file.*
- 2. Coordinate with the Shift Commander to arrange for a transport to Wayne Memorial for forensic medical examinations without cost to the inmate/detainee. Treatment services will be provided regardless of whether or not the victim names the abuser or cooperates with any investigation arising out of the incident. Exams should be performed by sexual assault forensic examiners (SAFE's) or sexual assault nurse examiners (SANE's). In the event that a SAFE or SANE is not available, a qualified medical practitioner will conduct the exam and staff will document on an incident report.*
- 3. Take a history to document extent of injury.*
- 4. Notify the Facility Medical Director.*
- 5. Stay with the inmate/detainee to offer first aid and emotional support. The inmate/detainee cannot be left unattended at any time. All findings and behaviors must be documented in the inmate/detainee medical record. Medical will provide information about and access to emergency contraception and sexually transmitted infectious prophylaxis, where medically appropriate.*
- 6. Clothing must not be removed. The inmate/detainee will be transported with all clothing which was worn when the assault occurred. A victim advocate (Safe Haven of Pike County Representative) is to be made available to accompany the victim through examinations and investigatory interviews.*
- 7. Schedule inmate/detainee to see psychiatrist at next visit for mental health evaluation and treatment where appropriate.*
- 8. Follow any instructions from attending physician at Wayne Memorial for treatment plans.*

9. *Make arrangements with Psychologist for crisis intervention counseling and long-term follow-up and when necessary referrals for continued care following a transfer or release.*
10. *Enable reasonable communication between inmates/detainees and these organizations as well as informing inmates/detainees (prior to giving them access) of the extent to which agency policy governs monitoring of their communications and when reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.*
11. *Pike County Correctional Facility will maintain or attempt to enter into agreements with community service providers (Safe Haven) to provide inmates/detainees with confidential emotional support services related to the inmates/detainees sexual abuse while in custody.*
12. *All services provided will be in a manner that is consistent with the level of care the victims would receive in the community and include pregnancy test and all lawful pregnancy related medical services where applicable.*

Shift Commander will:

1. *Ensure separation of victim and alleged assailant at the time of notification. Ensure victim receives timely unimpeded access to emergency medical treatment and crisis intervention services as directed by medical.*
2. *Arrange for a transport team to transport inmate/detainee to Wayne Memorial.*
3. *Make sure that the scene is secured, photographed/videotaped.*
4. *Notify the on call officer, Warden and S.D.D.O. immediately upon Allegation of sexual misconduct/assault.*
5. *Collect and forward all*

reports to Assistant Warden.

Warden (PREA Coordinator) or

designee will:

1. *Notify the Pennsylvania State Police to conduct an official investigation.*
2. *Will notify the I.C.E. S.D.D.O. of alleged sexual assault, abuse or harassment involving a detainee.*
3. *For each incident of sexual assault, complete and submit form SSV-1A, which is a survey on Sexual Violence to the United States Department of Justice, Bureau of Justice Statistics, and United States Census Bureau.*
4. *Each year, complete and submit form SSV-3, which is an annual survey of Sexual Violence – Local Jail Jurisdictions to the United States Department of Justice, Bureau of Justice Statistics, United States Census Bureau.*
5. *Develop, implement and oversee agency efforts to comply with PREA standards.*
6. *Require that all agency contracts with outside entities that hold Pike County Correctional Facility inmates/detainees to comply with PREA standards.*

7. *Ensure that an individual who needs to know certain information relating to a sexual abuse report should receive only the information necessary to make treatment, investigation, and other security and management decisions.*
8. *Notify the Pike County Prison Board in writing during the monthly Prison Board meeting.*

The overall policies outline the coordinated response to incidents. All of the staff interviewed understood their responsibilities in responding and the importance of all entities working together.

I reviewed all of the investigations and found that all were conducted in this manner, and were all initially coordinated by the Shift Supervisor.

Standard 115.66 Preservation of ability to protect inmates from contact with abusers

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

Evidence of Compliance:

I reviewed the most recent collective bargaining agreement between Pike County and the Pike County Correctional Facility Corrections Officers, AFSCME, AFL-CIO District Council 87.

I reviewed the agreement and found that it does not limit the ability of the Pike County Correctional Facility to remove alleged staff sexual abusers from contact with inmates.

Standard 115.67 Agency protection against retaliation

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, the Pike County Correctional Facility prohibits any retaliatory action against any inmate/detainee that is a victim of harassment, sexual harassment, or sexual misconduct, anyone who reports such misconducts, or anyone who participates or provides information or testimony in an investigation or alleged

harassment, sexual harassment, or sexual misconduct by other inmates/detainees or staff. Inmates/detainees and staff who fear retaliation for reporting or cooperating with sexual abuse are protected by emotional support services, housing unit changes for inmate/detainee victims or abusers and removal of alleged staff or inmate/detainee abusers from contact with victims. The Assistant Warden and Shift Commanders/Department Heads will monitor retaliation and act promptly if deemed retaliatory acts are committed. The Pike County Correctional Facility will monitor the conduct and treatment of inmates/detainees or staff who have reported sexual abuse and of inmates/detainees who were reported to have suffered from sexual abuse to see if there are any changes that may suggest possible retaliation by inmates/detainees or staff. These issues will be addressed during the weekly classification meeting reviewing disciplinary reports, housing unit changes and program changes. Staff is monitored by the Assistant Wardens in their staff performance appraisal and staff reassignments if necessary. Any inmate/detainee that expresses a fear of retaliation will be offered and placed in protective custody, staff members are protected through policy and procedure and the code of ethics.

Retaliation within the facility is monitored by Assistant Warden Romance and Lt. Schweyer. Any report of retaliation would be acted upon immediately.

Standard 115.68 Post-allegation protective custody

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, Inmates/detainees who are suspected or confirmed to have been victimized by a sexual predator within the facility will be separated from the suspected or confirmed predator by reassignment of housing pending the outcome of an investigation.

The facility meets the requirements of standard 115.43, and are in compliance with this standard. They do not utilize segregated housing, a change of housing unit if deemed necessary would not restrict the inmate/detainee from any activities within the facility.

Standard 115.71 Criminal and administrative agency investigations

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, allegations of employee or volunteer sexual contact with an inmate/detainee will be investigated immediately. Inmate/detainee complaints alleging sexual contact by an employee or volunteer will be forwarded to the Assistant Warden who will arrange for the incident to be investigated. Employees may be immediately relieved of duty by the Warden or Assistant Warden if such is deemed necessary. An employee may be suspended pending the outcome on an investigation into an allegation of sexual contact and subjected to internal disciplinary procedures and criminal prosecution. SOP 1517 further reads that the Pike County Correctional Facility is responsible for investigating allegations of sexual abuse and sexual harassment. All allegations will be investigated promptly, thoroughly and objectively by facility investigators who received special training in sexual abuse investigations in confinement settings. The specialized training will include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collections in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The facility investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They will interview alleged victims, suspected perpetrators and witnesses and review prior complaints and reports of sexual abuse involving the suspected perpetrator. If criminal activity is determined by the facility investigator, the Pennsylvania State Police will be contacted. If a sexual abuse claim is made against medical and mental health practitioners, investigators, and facility administrator, the highest ranking staff member not involved in the claim will investigate. All information will be forwarded to the Pennsylvania State Police for possible criminal charges. The investigators memorandum will include their referral to the State Police for possible criminal charges. All written reports pertaining to administrative and criminal investigations for sexual abuse/harassment claims will be retained as long as the alleged abuser is incarcerated or employed by the agency plus five years.

The facility is responsible for the administrative investigation, and the Pennsylvania State Police are responsible for any criminal investigations.

I found the PREA investigators to be well versed in their duties as to the administrative investigation, and more importantly the understanding of when the investigation takes on a possible criminal element they immediately contact the State Police.

I reviewed all of the investigations and found that they were conducted immediately and by the

proper authorities.

Standard 115.72 Evidentiary standard for administrative investigations

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, the Pike County Correctional Facility will impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

While reviewing the investigations from the last 12 months I found that no higher standard was used to validate the allegations.

Standard 115.73 Reporting to inmates

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, if a sexual abuse claim is determined to be substantiated, the Pike County Correctional Facility will inform and document the inmate/detainee when the staff member is no longer posted within the inmates/detainees housing unit. The staff member is no longer employed at Pike County Correctional Facility. Pike County Correctional Facility learns that the staff member has been indicted on a charge related to sexual abuse within the facility. Pike County Correctional Facility learns that the staff member has been convicted on a charge related to sexual abuse within the facility. The Pike County Correctional Facility is not obligated to report this information if the inmate/detainee is released from our custody.

The policy further states that If an inmate/detainee alleges they have been sexually abused by another inmate/detainee, the Pike County Correctional Facility will inform and document the inmate/detainee when the alleged abuser has been indicted on a charge related to sexual

abuse within the facility, or when the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The Pike County Correctional Facility is not obligated to report this information if the inmate/detainee is released from our custody.

During the review of the investigations conducted over the last 12 months I found the letters reporting back to the inmates on the determination of the investigations.

Standard 115.76 Disciplinary sanctions for staff

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault reads as follows, Staff on inmate/detainee sexual misconduct includes behavior or an act of a sexual nature directed toward an inmate/detainee by an employee, volunteer, contractor, official visitor or agency representative. Sexual relationships of a romantic nature between staff and inmates/detainees are prohibited. This includes conversations or correspondences of a romantic or sexual nature. Staff found to have engaged in this conduct will be subject to disciplinary action or criminal charges. The policy further states that Institutional Sexual Assault is a criminal offense as stipulated in the Pennsylvania Consolidated Statutes under crimes and offenses, Title 18, chapter 31, subchapter Institutional Sexual Assault is defined as a person who is an employee or agent of the Department of Corrections or a County Corrections authority, State or County Correctional authority, youth development center, youth forestry camp, State or County juvenile detention facility, other licensed residential facility serving children and youth, or mental health or mental retardation facility or institution commits a felony of the third degree when that person engaged in sexual intercourse, deviate sexual intercourse, or indecent contact with an inmate/detainee, patient or resident.

During the staff interviews I discussed the disciplinary sanctions for staff who commit any of these offenses, they all understood that they could be subject to disciplinary actions including termination, as well as criminal prosecution.

I reviewed the investigations and found that no staff had been disciplined for a violation of this policy.

Standard 115.77 Corrective action for contractors and volunteers

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

Evidence of Compliance:

SOP 2401 Citizen Involvement/Volunteers reads as follows, Volunteers will be informed of the termination of their Volunteer status if they, engage in sexual abuse, sexual harassment or sexual assault of an inmate/detainee. (Pennsylvania State Police will be notified, as well as relevant licensing bodies). Volunteers who engage in sexual harassment or assault will not receive remediation, but will be immediately removed from the facility. Their volunteer clearance will be revoked and they will face criminal prosecution.

Contractors at the facility are not in contact without the direct escort of a member of the Security Staff.

The facility has policies in place for corrective action for contractors and volunteers.

I reviewed the investigations and found that no contractors or volunteers had been disciplined for a violation of this policy.

Standard 115.78 Disciplinary sanctions for inmates

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

Evidence of Compliance:

SOP 1020.1 Prohibited Acts reads as follows, engaging in sexual acts (consensual for inmate/detainee on inmate/detainee or non-consensual inmate/detainee to inmate/detainee or staff). This act will be considered a major rule violation and may result in a disciplinary hearing. These violations may result in serving up to fourteen (14) days in the Restricted Housing Unit for each offense, and/or the loss of privileges, as determined by the Disciplinary Board. Criminal activity will be reported to the Pennsylvania State Police for investigation.

SOP 1517 Sexual Misconduct/Assault reads as follows, inmates/detainees identified as sexual

predators will be placed on an appropriate segregation status through disciplinary action, classification, or reclassification. Therapy and counseling by medical staff will address and correct underlying reasons or motivation for the abuse. Classification is a preventative tool to lower sexual misconduct and assault claims.

The facility has policies in place for disciplinary sanctions for inmates.

I reviewed the investigations and found that no inmates had been disciplined for a violation of this policy. Inmates have been disciplined under other facility policies, although the discipline did not fall under PREA.

Standard 115.81 Medical and mental health screenings; history of sexual abuse

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

Evidence of Compliance:

As stated before the medical screening tool is comprehensive and capture any information related to prior victimization. This information automatically initiates necessary notification for continuing treatment whether this is medical or mental health. Anyone indicated for a follow up visit with the mental health provider will be automatically put on the list for the next scheduled day, which occurs on a weekly basis.

Policy # PCCF-J-B-05 Response to Sexual Assault reads in part, upon reception into the facility the inmate/patient will be asked questions about prior sexual victimization and abusiveness. If an inmate/patient discloses prior sexual victimization and abusiveness, whether it occurred in an institutional setting or in the community a referral will be made to have that patient seen on the next psychologist line for further mental health evaluation. Medical staff should inform the inmate/patient they are not required to answer any questions related to sexual victimization or abusiveness if they would prefer not to. Mental health practitioners should exercise their professional judgment to determine whether a patient who discloses prior sexually abusive behavior could benefit from counseling, treatment, or therapeutic interventions. If a patient discloses an incident of sexual abuse that occurred within ninety-six (96) hours, physical evidence may still be collected, the patient is to be sent to the Emergency Room for examination and collection of any forensic evidence.

It should be noted that the policy effective date is 01/01/2004, this in itself shows the commitment to prevention, and response to these incidents.

Standard 115.82 Access to emergency medical and mental health services

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

Evidence of Compliance:

Policy # PCCF-J-B-05 Response to Sexual Assault identifies the steps to be taken, level of care and overall access to emergency medical and mental health services. It should be noted that medical staff are on duty at the facility 24 hrs. a day and are available to respond to these incidents. The policy indicates that prophylactic treatment and follow-up for sexually transmitted or other communicable disease will be offered to the victim as clinically indicated. Following the physical examination, there should be an evaluation for crisis intervention counseling and long- term follow-up.

SOP 1517 Sexual Misconduct/Assault states that these services will be provided without cost to inmate/detainee.

Standard 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers

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

Evidence of Compliance:

Policy # PCCF-J-B-05 Response to Sexual Assault reads as follows, following the physical examination, there should be an evaluation by PCM Mental Health Care staff for crisis intervention counseling and long- term follow-up. PCM Health Care Staff will offer and strongly encourage the patient to be tested for HIV and viral hepatitis six to eight weeks following the sexual abuse. If the abuse involved a female patient and there has been vaginal penetration, she should be offered pregnancy tests at the time of the medical evaluation and if the test is negative, should be offered retesting approximately six weeks thereafter. Victims who have positive tests will receive counseling and have access to all pregnancy related services.

SOP 1517 Sexual Misconduct/Assault states that these services will be provided without cost to

inmate/detainee.

The facility has the policies and procedures in place for ongoing medical and mental health care. The PREA Coordinator informed me that the services would be coordinated by facility medical personnel. I further confirmed this with the medical staff.

I reviewed the investigations conducted, these services were offered to all involved in an allegation, although these services were not utilized.

Standard 115.86 Sexual abuse incident reviews

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault states that a sexual abuse incident review will be conducted at the conclusion of every sexual abuse investigation including where the allegation has not been substantiated, unless the allegation has been determined be unfounded with thirty (30) days. The review team will include the Warden, Assistant Wardens and allows input from the Shift Commanders, facility investigators, and medical staff.

The review team will:

- 1. Consider whether the allegation or investigation indicates a need to change policy to better prevent, detect, or respond to sexual abuse.*
- 2. Whether the incident or allegation was motivated by the perpetrator or victims' race, ethnicity, gender identity, LGBTI identification, status or perceived status, gang affiliation or motivated by other group dynamics.*
- 3. Examine the location where the incident allegedly occurred to assess whether physical barriers in the area enable abuse. Assess the adequacy of staffing levels in the location during different shifts.*
- 4. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.*
- 5. Prepare a report of its findings and any recommendations for improvement and submit to the Warden.*
- 6. The Warden will implement recommendations for improvement from the review teams report or document his reason for not doing so.*

During the staff interviews they informed me that the incidents are reviewed. I found that the administration meet regularly to discuss any issues within the facility and take appropriate action.

Standard 115.87 Data collection

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault states the Pike County Correctional Facility will utilize form SSV-3 (4-2-2010) Survey of Sexual Violence, 2009 local jail jurisdictions summary form annually. Pike County Correctional Facility will obtain incident based and aggregated data from contracted facilities which are housing Pike County inmates at least annually. All data from the previous year can be provided to the department of justice by June 30.

The PREA Coordinator related that the data is collected from all of the PREA related investigations. The data is placed into the SSV-3 form.

Standard 115.88 Data review for corrective action

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault states an annual report will be prepared documenting the findings from the data review and any corrective actions taken by the incident review team. The report will include a comparison of the current years data and corrective actions with those from previous years and an assessment of the progress in addressing sexual abuse. The Warden will approve this report and make available to the public through request. Specific material may be redacted from the reports when publication presents a clear and specific threat to the safety and security of the facility and indicates the nature of the material redacted.

The data being collected is reviewed by the administration at the facility. I was informed by the staff that if a trend was noticed, they would put into place an immediate corrective action plan.

While reviewing the investigations I did not identify any trends or issues that would call for immediate action. The agency may redact specific material from the reports when publication

would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

I reviewed the 2016 report and found no trends in the facility. All personal identifiers have been removed.

Standard 115.89 Data storage, publication, and destruction

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

Evidence of Compliance:

SOP 1517 Sexual Misconduct/Assault states an annual report will be prepared documenting the findings from the data review and any corrective actions taken by the incident review team. The report will include a comparison of the current years data and corrective actions with those from previous years and an assessment of the progress in addressing sexual abuse. The Warden will approve this report and make available to the public through request. Specific material may be redacted from the reports when publication presents a clear and specific threat to the safety and security of the facility and indicates the nature of the material redacted. This data will be retained for at least ten (10) years after the date of initial collection.

All of the information from the investigations is secured in the office of the PREA Coordinator.

During his interview he understood his obligations under this policy.

AUDITOR CERTIFICATION

I certify that:

The contents of this report are accurate to the best of my knowledge.

No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and

I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

07/05/17

Auditor Signature